

Special Permit and Site Plan

Military Experience Museum Inc

Map 30-2 Block 74 Lots 37 and 39 Chamberlain Highway

MR-1 Zone

Total Area: 77 Acres (Lot 37 = 58.7 acres, Lot 39 = 18.3 acres)

Field educational and recreational use by a 501(c)(3)Not-for-profit public charity

Staff comments pending due to revisions required as a result of information received over the last few days.



Town of Berlin

Planning and Zoning Department

240 Kensington Road
Berlin, Connecticut 06037
www.town.berlin.ct.us

SPECIAL PERMIT APPLICATION

(Any Special Permit Application shall be submitted simultaneously with a Site Plan Application)

Project Name: Military Experience Museum, Inc Field
Property Owner(s): 76 Chamberlin Hwy LLC & Meadow Haven Inc
Project Address*: Chamberlin Hwy
Map: Block: Lot: Zone(s): MR-1 Lot Area: 77 acres
Map Block Lot. 30-2-74-37. [76 Chamberlin Hwy]. 58.7 acres
Map Block Lot. 30-2-74-39. [Meadow Haven Inc]. 18.3 acres

Applicant Information

Name: Thomas ORourke Firm Name: Military Experience Museum, Inc
Street Address: 4 Cooper Ave City: Wallingford ST: CT Zip: 06492
Email: torourke@milexpmuseum.org Phone: 203-641-1943
Signature: *Thomas O'Rourke* Date: May 20, 2020

Property Owner(s) Information (If Not the Applicant)

Name: 76 Chamberlin Hwy & Meadow Haven Inc Principal: Joseph Carabetta
Street Address: 200 Pratt Street City: Meriden ST: CT Zip: 06450
Email: Joseph.Carabetta@Carabetta.com Phone: 203-237-7400

*Letter of Authorization Required

Special Permit required pursuant to section(s):

Berlin Town Zoning:

Special permit uses. Commission in accordance with Section XII Special Permits and Section XIII Site Plans:
Nonprofit civic organizations, subject to the requirements of Section XI.P.

*Any town official and/or employee that the town deems necessary may enter the property to verify information submitted with this application.

To be completed by P&Z staff only:

Fee Paid \$ 250.- (Refer to current Fee Schedule)

Received by: *MS* check 1102



Town of Berlin

Planning and Zoning Department

240 Kensington Road
Berlin, Connecticut 06037
www.town.berlin.ct.us

SITE PLAN APPLICATION

☒ Site Plan

☐ Site Plan Amendment

Project Name: Military Experience Museum, Inc Field
Property Owner(s): 76 Chamberlain Hwy
Project Address*: CHAMBERLAIN HWY
Map: _____ Block: _____ Lot: _____ Zone(s): MR-1 Lot Area: 58.7
Map Block Lot 30-2-74-37

Please select all relevant items below:

- ☒ Special Permit – Also complete special permit application form
- ☒ Property is within 500 feet of a Municipal Boundary of Berlin & Meriden, CT
- ☐ Amendment to Zoning Regulations – Section(s) _____
- ☐ Amendment to Zoning Map – Zone(s) affected _____
- ☐ Zoning Board of Appeals review needed
- ☐ Inland Wetlands and Water Course Commission review needed

Applicant Information

Name: Thomas ORourke Firm Name: Military Experience Museum Inc
Street Address: 4 Cooper Ave City: Wallingford ST: CT Zip: 06492
Email: torourke@milexpmuseum.org Phone: 203-641-1943
Signature: Thomas O'Rourke Date: May 20, 2020

Property Owner(s) Information (If Not the Applicant)

Name: 76 Chamberlain Hwy Principal: Joseph Carabetta
Street Address: 240 Pratt St City: Meriden ST: CT Zip: 06450
Email: Joseph.Carabetta@carabetta.com Phone: 203-237-7400
*Letter of Authorization Required

*Any town official and/or employee that the town deems necessary may enter the property to verify information submitted with this application.

This Site Plan Involves:

☐ Additions ☐ Alterations ☐ Demolition ☐ New Construction

Description of Project*: Military Experience Museum, Inc. field educational and recreational. Please see attached narrative.

*If more space is needed, then please provide separate narrative document.

SITE PLAN ZONING STATISTICS

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>REQUIRED</u>
USE(S)	MR-1	MR-1	
COMMERCIAL			
Gross Floor Area			
Parking Spaces			
INDUSTRIAL			
Gross Floor Area			
Parking Spaces			
RESIDENTIAL			
Number of Units			
Number of Bedrooms			
Gross Floor Area			
Parking Spaces			
OTHER USES			
Gross Floor Area			
Parking Spaces	0	32+	

To be completed by P&Z staff only:

Fee Paid \$ 260.- check #1103 (Refer to current Fee Schedule)

Received by: [signature]

Letter of Authorization

Property Owner: 76 Chamberlin Hwy LLC
Principal: Joseph Carabetta
Subject Address: 76 Chamberlin Hwy
Applicant: Military Experience Museum, Inc

I, Joseph Carabetta hereby give consent to Military Experience Museum, Inc to
(Current Owner or Principal) (Applicant)
apply to all relevant Town of Berlin land use Boards and Commissions for
Special Permit/ Museum at the property located at 76 Chamberlin Hwy.
(Purpose of Application) (Address &/or Map 1 or Block)
Berlin Connecticut.

In addition I consent to allow any town official and/or employee that the town deems necessary
the ability to enter said property to verify any information submitted with corresponding
application.

Sincerely,

Joseph Carabetta
Signature

5/22/2020
Date

FILE COPY

Town of Berlin
240 Kensington Road,
Berlin, CT 06037

Town of Berlin
Received

JUL 23 2020

Planning & Zoning Department
Berlin, Connecticut



July 23, 2020

Ref: Special Permit
76 Chamberlin Highway [map block lot 30-2-74-37] &
0 Chamberlin Highway [map block lot 30-2-74-39].

The Military Experience Museum, Inc., (a 501c3 Non-Profit) is looking to set up a Military Experience Museum field at the above locations.

The Berlin zoning is MR-1, which allows Camps and Non-profit organizations with Special Permit.

The access and parking area will be off Chamberlain Highway, through the gated driveway approximately across from 2590 Chamberlain Highway. The current road/ driveway is gravel.

The proposal is for outdoor recreation that will include an Orienteering course using compass and/or GPS locations. Military style Obstacle Course, approx. 2.5k in length on foot trails located on the 77 acre site. Military era bases / battlefield recreations from World War 2 to present day, which can change based on the anniversary of commemorative battles or wars.

The plan is to have opened to museum members and/or public on weekends and some holidays on a year round basis, weather permitting. We could rent exhibits/attractions to private groups on available days. Example, Boy or Girl Scouts looking to have education experience in a World War II or Vietnam Era base.

Traffic and parking; will mainly occur on weekends and holidays or as rented out for special occasions. The Conceptual Plan has allocated for 32 parking spaces. The property does include a large grass field that could be used for special occasion overflow parking as needed. **(As a note the Military Museum that closed in Danbury in 2017 had 10 parking spaces.)*

Traffic would be expected mainly on weekends. The arrivals and departures would vary based on how long it takes the people to visit or complete activities.

"Staging area"/ sign-in/ register to be onsite; would be used as location for staff to check in guests/ visitors to the site. The area would be used to provide maps, compasses or other related gear and rental equipment for people looking to participate in activities. We are not currently looking for a liquor permit and are not setting up a patio with seating.

The current property already has areas cleared along unimproved dirt/ gravel roads. These cleared areas would be used to set up the military style bases/ exhibits.

The property currently has trails and footpaths that will be utilized.

There is a gate at the entrance that will be fixed so the entrance can be locked.

The layout of the property will have a very limit impact, as it is not really being developed. The museum is working with the property owners for a two-year lease with renewal options to make sure this will work and be viable. Because of this we are looking at using a staging area for this mostly weekend events option with portable restrooms and cleaning station.

The overall goal is to create a destination where people can become interested in military history and adventure through participation.

We feel this will bring in visitors from all over the state as well as other states as this is a unique location that is not available in any of the surround states.

Thank you for your time and consideration.



Tom O'Rourke
203-641-1943



INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **JUL 09 2018**

MILITARY EXPERIENCE MUSEUM INC
4 COOPER AVE
WALLINGFORD, CT 06492

Employer Identification Number:
82-3468952
DLN:
17053004326018
Contact Person:
MITCHELL P STEELE ID# 31360
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
November 7, 2017
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947

MILITARY EXPERIENCE MUSEUM INC.

FIELD LOCATION

Outdoor Recreation field and learning center.

The goal is for the museum to have a field location that allows people to learn and get involved with history and the military through participation. An interactive / educational location that allows people to participate in military style activities including a military style obstacle course and recreations of military style bases or training facilities from different eras

Tagline: "Get off the couch and into the action"

The property will include:

Orienteering Course

Military style "O"(obstacle) Course

Different era battlefield bases (WW-2 to present)

MILITARY EXPERIENCE MUSEUM INC.

MISSION

The Military Experience Museum is a not-for-profit educational institution dedicated to honoring those who have served in all branches of the United States military as well as civilian history related to war efforts and support provide to the military in all eras. The Museum will also provide education and displays on foreign militaries, both allies and foe as part of the educational understanding of military actions. The Museum's main focus will be the eras from World War II through modern day, with dedicated and loaned displays and exhibits. The audio video will capture veteran stories and experiences through these time periods. The Museum will have an outreach program for military history going back to the founding of the United States.

The Museum serves to educate the public by telling individual stories of personal experience, realities of war, and sacrifices made by Americans striving to preserve our freedoms. The Museum inspires visitors by enabling them to experience military vehicles, explore artifacts, and participate in military simulations and reenactments.

MILITARY EXPERIENCE MUSEUM INC.

Berlin Town Zoning:

All uses permitted in the R-86, R-43, R-21 and R-15 districts as indicated in Section V.A.2.

SECTION V. RESIDENTIAL ZONES

- A. Single-family residential (R-86, R-43, R-21, R-15).
- B. Special permit uses. The following principal uses shall be permitted in all single-family residential districts, except as noted, subject to special permit and site plan approvals by the Commission in accordance with Section XII Special Permits and Section XIII Site Plans:
 - Religious, charitable and eleemosynary institutions, subject to the requirements of Section XI.L.
 - Camps, subject to the requirements of Section XI.F.
 - Nonprofit civic organizations, subject to the requirements of Section XI.P.

MILITARY EXPERIENCE MUSEUM INC.

Berlin Town Zoning: Section XI.F.

Day camps. Day camps where permitted shall be subject to special permit and site plan approvals by the Commission in accordance with Sections XII and XIII and the following conditions:

- No campsite shall be less than **ten acres** in area, and there shall be no more than one camper for every 2,000 square feet of site area, with a maximum of 400 persons permitted in any camp.
- Improved areas, such as camping or picnic areas and playgrounds or sports areas, shall be located at least **125 feet from all property lines**. The commission may require suitable fencing and landscaping around all improved areas.
- One off-street parking space shall be provided on the site for each member of the camp staff plus one space for every 15 day campers. Parking areas shall be at least 50 feet from side and rear lot lines and 50 feet from the street line, and shall be suitably screened and permanently improved.
- No building or structure shall be located closer than 150 feet to any property line.

MILITARY EXPERIENCE MUSEUM INC.

Planned Days of Operation:

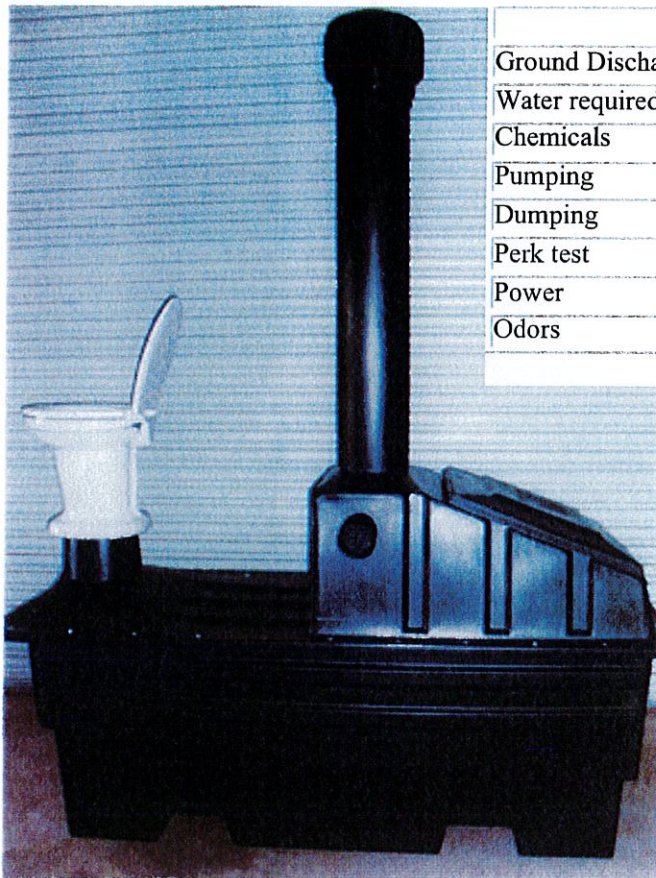
Year round open to public

- Weekends Saturday- Sunday (weather permitting)
- Holidays That don't fall on weekends, examples:
 - Memorial Day
 - 4th July
 - Labor Day
 - Columbus Day
- Summer Days to be determined but planning to allow private groups to rent areas
 - Example, Boy Scouts camping at the Vietnam Era Base
 - World War II reenactors camping at the World War II era base
 - Possibility of weekday hours for Orienteering and Obstacle course.

The ELOO®: The ELOO® Is Odorless!

- Uses only the Wind and the Sun
- Uses no water or chemicals
- Needs no electricity or batteries
- No odor and no flies
- Zero discharge - nothing goes on or into the ground
- Enormous capacity: 15-60 uses per day (depending on model)





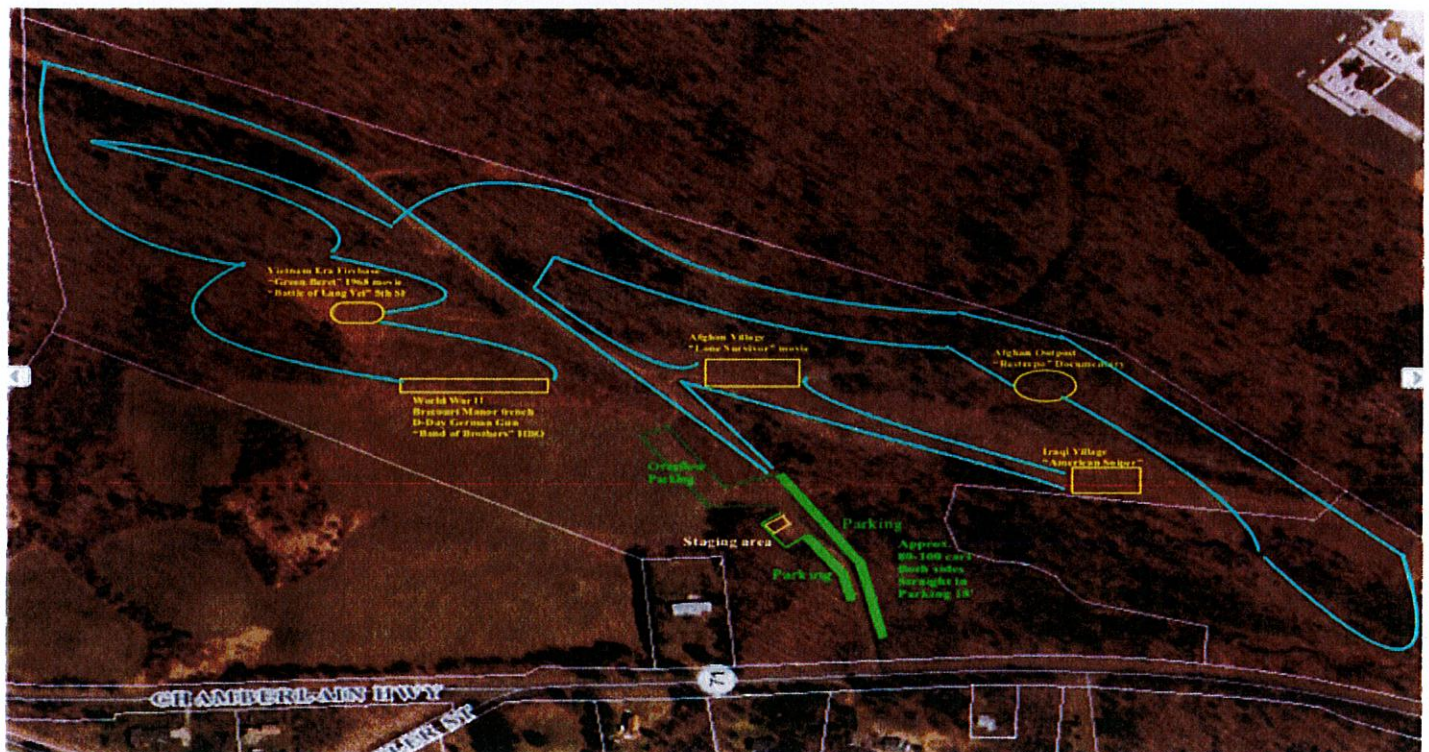
	Compost	Vault	Chemical	Incendiary	Septic	Eloo
Ground Discharge	No	No	No	No	Yes	No
Water required	No	No	No	No	Yes	No
Chemicals	No	Some	Yes	No	No	No
Pumping	No	Yes	Yes	No	Yes	No
Dumping	Yes	No	No	Yes	No	Minimal
Perk test	No	No	No	No	Yes	No
Power	No	No	No	Yes	Some	No
Odors	Yes	Yes	Yes	Yes	No	No

The C-60 Commercial unit is the model that we recommend for higher traffic areas, like National Parks, State Parks, Golf Courses, Boy Scout Camps, Girl Scout Camps, etc.

The new Eloo C-60

MILITARY EXPERIENCE MUSEUM INC.

PROPOSED FIELD LAYOUT OVERVIEW

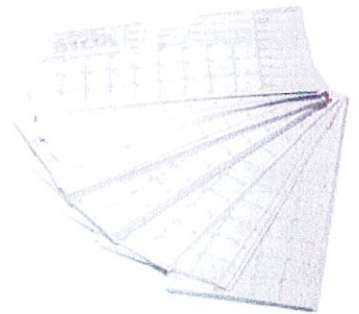
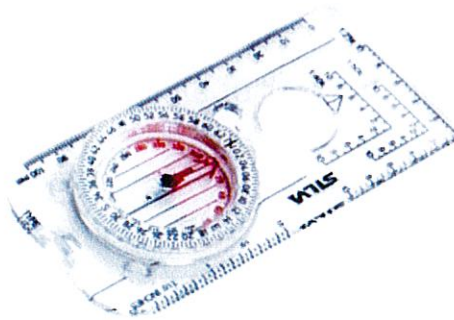
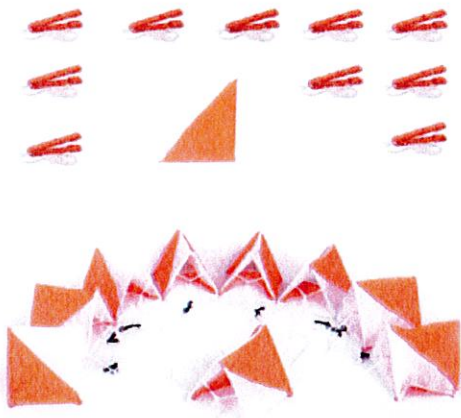


GREEN = Parking & staging area

YELLOW= Military Era bases

BLUE= Obstacle course trails (approx. 2.5K)

ORIENTEERING COURSE



Orienteering Course can have 10+ marking flags and an individual punch

Direct link to military compass reading. This is still used for military leadership training.

Orienteering can also be done with a GPS.

The markers allow us to change the locations and course to keep people interested in coming back.

ORIENTEERING COURSE

Welcome to Orienteering!

A sport for Families, Hikers, and Runners of all ages!

It's Recreation

Walking an orienteering course can be a lot like going for a hike, but with a twist.

With map and compass in hand, find your way to each of the checkpoints on the orienteering course. You can stay on trails or short-cut through the woods.

We supply the map and course, but you decide how to get to each of the checkpoints.

It's also a Sport

Orienteering is also a competitive sport. Those who take a competitive approach go around the course as quickly as they can. Since you must decide on your route while running or walking fast, it's a challenging sport that requires using your head as well as your legs.

Whether you walk or run, it's a way of keeping fit while having fun.

It's for People of All Ages

Orienteering is an activity you can still do as you get older. And it's for youngsters too, with their families, in groups or on their own.

MILITARY STYLE OBSTACLE COURSE

The military is one of the most well known their fitness and agility requirement the military has for their personnel.

Obstacle Course Racing (OCR) has become A sport in itself. Best known are Spartan Race and Tough Mudder. According to *Obstacle Race World*, nearly 3.4 million participated in an obstacle course race in 2013.

The Military Experience Field location Will have a obstacle course based off the “redesigned combat obstacles” which Are more in line with current military Operations.

This will be the only one of its kind in Connecticut open to the public. The only one of its kind between New York City and Boston.



MILITARY EXPERIENCE MUSEUM INC.
FIELD LOCATION MILITARY ERA BASES /
TRAINING LOCATION

The proposed field locations are based on historically significant eras in military history. The locations will be replicate different eras in military history.

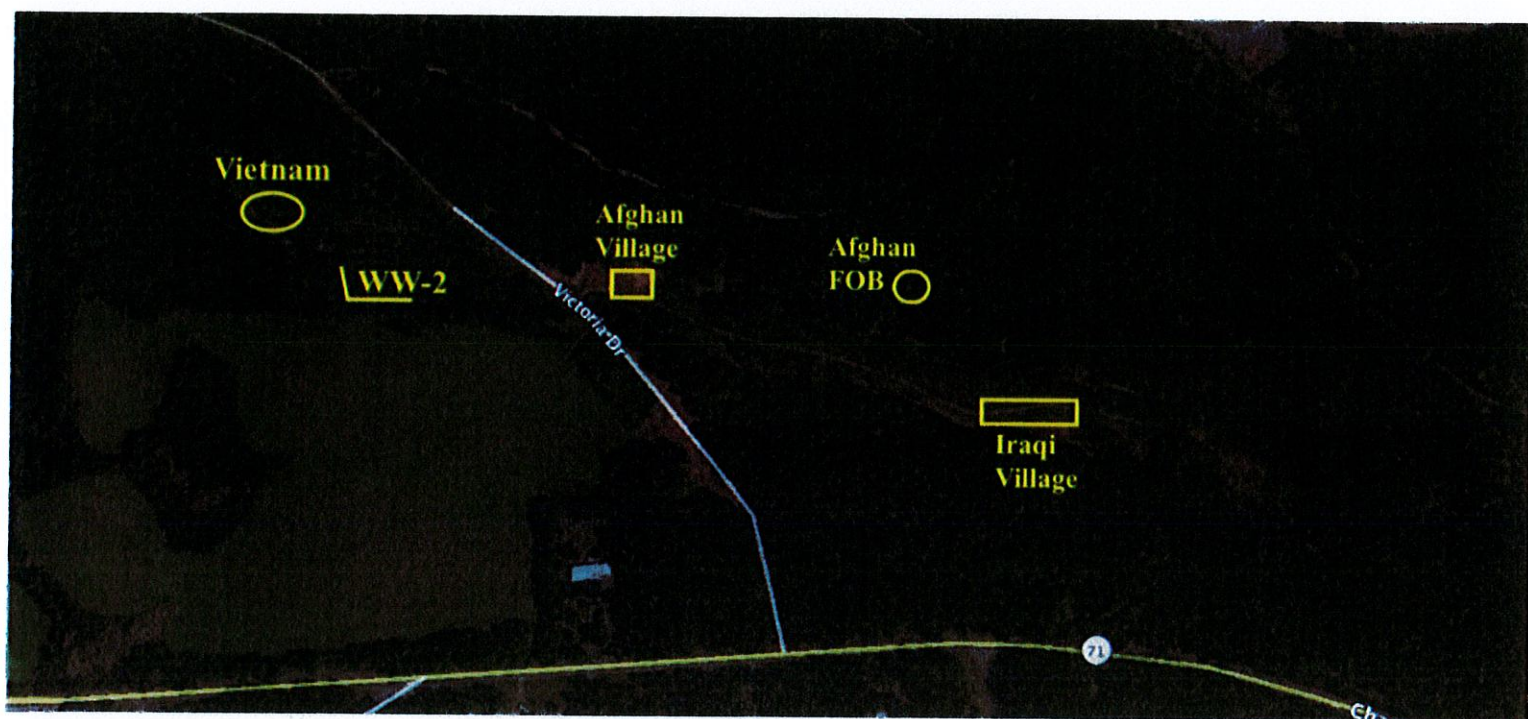
The locations allow people to have hands on interaction with bases similar to what military personal have dealt with in a war environment.

The goal is to get people interested in the different eras through participation in military simulation/ reenactment.

We are looking at creating bases or training facilities that have some significance to historical events. The other factors is trying to attract people who have only gather their knowledge of the military through movies or television shows. Having an opportunity to see a replica of something they might know about and taking it to the next level. Providing more information and actual historical information and possible first hand accounts through the museum's oral history project.

MILITARY EXPERIENCE MUSEUM INC.

PROPOSED FIELD LAYOUT



MILITARY EXPERIENCE MUSEUM INC.
FIELD LOCATION MILITARY ERA BASES / TRAINING LOCATION

The goal is to get people interested in the different eras through participation in military simulation/ reenactment.

As part of the military simulation/ reenactment we will allow participants to use airsoft replicas from the different eras. We are also hoping to be permitted a few events a year that will allow World War 2 reenactors to use blank fire weapons.

Airsoft is a competitive team shooting sport in which participants eliminate opposing players. Very similar to paintball in concept, airsoft pellets are smaller in size and weight. The museum would require Bio-Degradable pellets only.

The airsoft replica is popular for military simulation, historical reenactments, film and television. There are also professional gun safety conducted with airsoft in some fields, such as law enforcement, due to better safety and lower cost. The United States Coast Guard, for instance, has officially adopted airsoft for training in 2018.



**AN INTERACTIVE
MILITARY EXPERIENCE**

**LEARNING ABOUT
MILITARY HISTORY**

**THROUGH
PARTICIPATION**

fsemnosk

From: Thomas O'Rourke <torourke@milexpmuseum.org>
Sent: Tuesday, August 25, 2020 1:31 PM
To: mgiusti
Cc: fsemnosk; cedge
Subject: Military Experience PZ Meeting info for Sept 3 meeting
Attachments: Town of Berlin Narrative Addendum 082520 .pdf; Wetlands map 1.pdf; Topo Map .pdf; military Model (1).pdf

Hello,

I am confirming I will be at the Sept 3rd meeting in person to answer questions or for clarification.

Please see attached letter and maps.

The letter is in reference to the comments we received in the July 31, 2020 email.

Additional narrative was added based on conversation I had with some people who didn't understand the overall concept and us getting into a 2 year lease with the option to renew and no permanent structures on the property until after the first 2 years.

Best regards,

--

Thomas O'Rourke

President

Military Experience Museum Inc.

203-641-1943



Town of Berlin
240 Kensington Road,
Berlin, CT 06037

Aug 25, 2020

Ref: Special Permit
76 Chamberlin Highway [map block lot 30-2-74-37] &
0 Chamberlin Highway [map block lot 30-2-74-39].



The following is to answer or expand upon the P&Z Dept. Staff Comments email of July 31, 2020.

Building Official

"Any structures, whether existing or new, would require a Building Department review."

The Museum understands this and will work with building department. Current plan is to NOT have any permanent structures on the property. We will work with building officials to meet all state and local requirements for any mobile office or container used at the staging sign in location. Plan would be to have limited storage of equipment on site for Orienteering (compasses, orienteering punch cards, GPS, etc..) Obstacle Course (ropes, cargo nets, etc..) and military reenactment/ simulation props. Cleaning supplies.

A tow behind trailer will be brought onsite daily with equipment including office equipment such as Laptop, printer and other material needed to sign people in onsite.

Registration and waivers will be signed online to reduce transfer and use of paper.

Water Control

"Water Control Commission needs to be involved in any potential water supply that may be needed for this project. Applicant has not addressed the need and use of water and sewer. This may be a public water system by CT Department of Health definitions. Please address. Thanks."

We will be using port-a-potties and wash stations. Since we do not plan to have permanent building we do not plan to use well water at this time. There are no city/ town water or sewer located near the property.



Inland Wetlands

1. "Wetland evaluation/testing required."
2. "Grading plan/topo map required to properly evaluate potential impacts."

*Please see attached maps:

1. Site plan
2. Town GIS wetlands area
3. Town GIS Topo map

The Museum does not have any current plans to grading or changing the topography of the property. No alteration to drainage patterns.

The property already has unimproved roads and clearings that we plan to utilize as is. No planned activities in regulated wetland area.

The closest area that will be utilized will be the staging area which is over 150' from the wetland area as seen on town map.

Narrative Addendum:

The plan is to open this outdoor education/ recreation museum experience.

Our mottos are:

"Education through participation"

"Get off the couch and into the action"

We understand this is a risky time to open a business/ museum and get into lease agreements and invest money. The property owners agree and we have come to an agreement of a 2-year lease on the property to see if this concept will work out.

The plan is to have activities that can bring in multiple revenue sources (example Orienteering Course, Obstacle Course and Military reenactment/ simulation), versus relying solely on donation to fund an educational museum. Many non-profits are struggling and closing and museums are at the top of the list for closures.

Museum have found they need to be more interactive and bring new and exciting activities to get people to visit more then once.

Many static museums in particular struggle and often close which is what happened to the Danbury Military Museum in 2017. People visit once maybe twice but once they see the display items there is limited reason to go back. Most people will go visit a new location to see new things. Museum across the nation are changing to

incorporate activities for visitors. Get people involved and change the scenario regularly so that when the visitors come back they have a new experience.



Since it is a trial lease with option to extend, the museum has agreed to no permanent structures during the first 2 years to see if the museum can be self sufficient and grown. At the end of the 2 years a determination will be made to continue and hopefully expand. If the museum is viable at the location and we are able to work with the property owners on a permanent building the museum will work with the town on all the proper building and grading requirements.

Respectfully,

A handwritten signature in black ink that reads "Thomas O'Rourke". The signature is written in a cursive, flowing style.

Thomas ORourke
Preisident

Town of Berlin

Geographic Information System (GIS)



Date Printed: 8/13/2020



MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Berlin and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 400 feet



Town of Berlin

Geographic Information System (GIS)



Date Printed: 8/13/2020

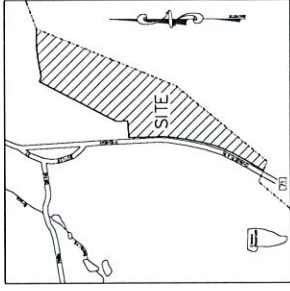


MAP DISCLAIMER - NOTICE OF LIABILITY

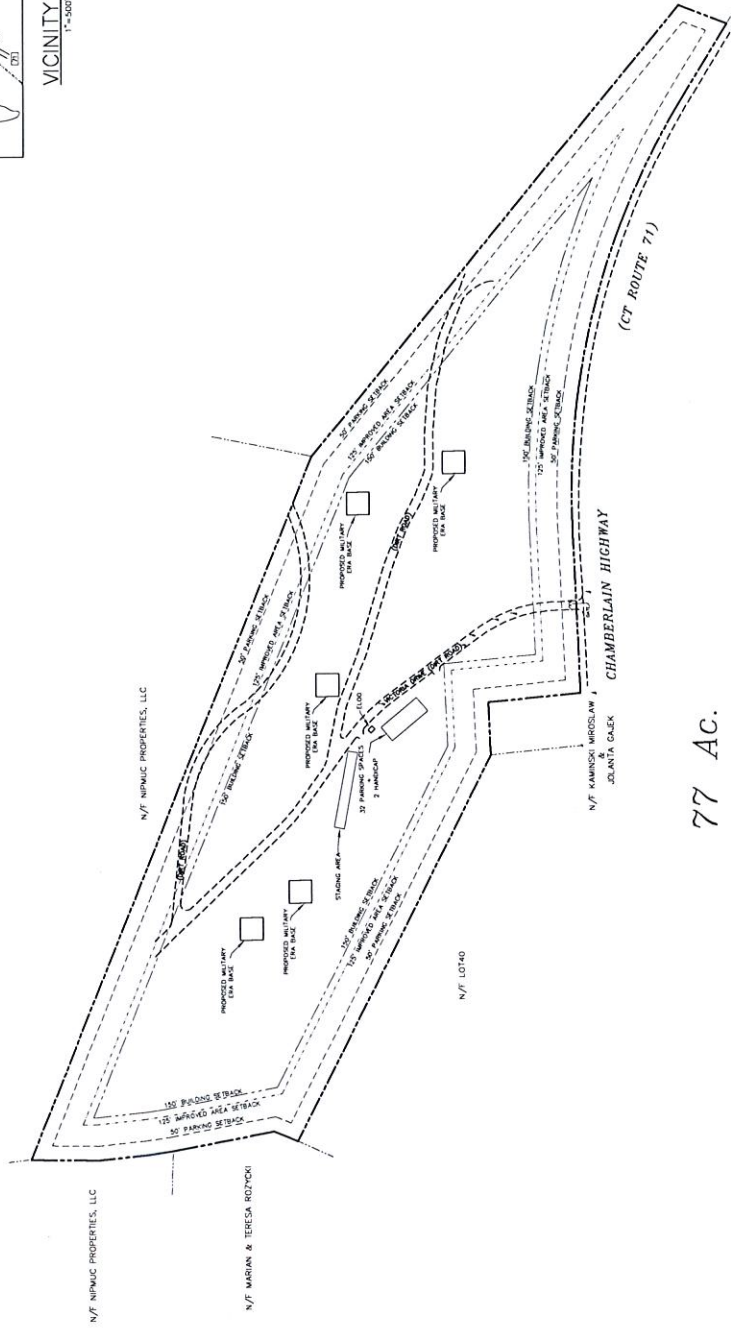
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Approximate Scale: 1 inch = 400 feet





VICINITY MAP
1"=500'



77 Ac.

CONCEPTUAL PLAN

PREPARED FOR
**MILITARY EXPERIENCE
MUSEUM**

76 CHAMBERLAIN HWY
BERLIN, CONNECTICUT

CONNECTICUT CONSULTING ENGINEERS, LLC
CIVIL ENGINEERS & SURVEYORS

ONE PRESTIGE DRIVE
MERRIDEN, CT 06450
203-639-1826
203-639-0022

DATE	NOV 11, 2008	BY	WJS
REVISION		BY	
DATE		BY	
DATE		BY	
DATE		BY	

July 29, 2020
Updated July 30, 2020 (Town Engineer)
Updated July 31, 2020 (Inland Wetlands)
Updated August 10, 2020 (Board of Police Commissioners, Police Chief)

**TOWN OF BERLIN
PLANNING & ZONING DEPARTMENT
STAFF COMMENTS**

APPLICATIONS: Special Permit/Site Plan Amendment
APPLICANT: Thomas ORourke
Military Experience Museum Inc.
LOCATION: Chamberlain Highway
Map/Block/Lot: 30-2-74-37 (76 Chamberlain Highway) 58.7 Acres
30-2-74-39 (Meadow Haven Inc.) 18.3 Acres
AGENDA DATE: August 20, 2020

To the Applicant:

- *These are the comments received to date, additional comments may be forthcoming.*
- *Please submit any written response to Maureen Giusti, Acting Town Planner/Zoning Enforcement Officer at mggiusti@town.berlin.ct.us or revised plans directly to the Planning & Zoning Department in Room 121. We will forward your comments or distribute materials to the relevant departments.*

Building Official

Any structures, whether existing or new, would require a Building Department review.

Fire Marshal

No comment

Water Control

Water Control Commission needs to be involved in any potential water supply that may be needed for this project. Applicant has not addressed the need and use of water and sewer. This may be a public water system by CT Department of Health definitions. Please address. Thanks.

Town Engineer

No comment

Inland Wetlands

1. Wetland evaluation/testing required.
2. Grading plan/topo map required to properly evaluate potential impacts.

Board of Police Commissioners

No comment

Police Chief

See Attached

Emailed to Applicant: August 10, 2020

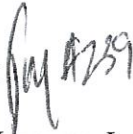
BERLIN POLICE DEPARTMENT

Officer Thomas Bobok ~ Traffic Bureau
Email: tbobok@Berlinpd.org Phone: 860-828-7082

7/31/2020

To: Chief J. Klett

From: Officer Tom Bobok



Re: Military Experience Museum, Inc.

I have reviewed the information submitted for development of the Military Experience Museum, Inc. in the area of 76 Chamberlain Highway. Recommended minimum ISD using the existing gated access road is 500' using the posted 45 mph. speed limit.

A traffic study conducted just last month showed a combined 85th percentile speed of 51.9 mph. just north of that location, near Heritage Drive. Even assuming a speed of 55 mph., the recommended minimum ISD is 610 feet.

At the current gated access road, the distance in either direction exceeds 750 feet, allowing plenty of distance in both directions.

There is no warrant for a stop sign at the exit of the museum based upon the low volume of traffic that is expected to egress onto Chamberlain Highway, unless an engineering study determines otherwise.

APPLICATIONS: Special Permit/Site Plan Amendment
APPLICANT: Thomas ORourke
Military Experience
AGENDA DATE: September 3, 2020
SUBJECT: CONSERVATION COMMISSION COMMENTS

Pending upcoming September meeting (August meeting canceled)

Preliminary Chairman comments:

Concerns

- Off-road vehicles (ATV's)
- Activities and/or participants traversing into adjacent properties and trails, including open space; therefore, may require delineation
- Intensity of military activities resulting in unintended or unforeseen activities, weapon discharge, and related noise
- Opinion that use and activities are inconsistent with the Plan of Conservation and Development, including weapon discharge, overnight camping, and as otherwise noted in letter of the Berlin Land Trust.

From: Thomas Ottman II <tmo2@fastmail.com>
Sent: Friday, August 28, 2020 6:34 AM
To: mgiusti
Cc: fsemnosk
Subject: Planning and zoning meeting September 3, 2020

Town of Berlin
Received

AUG 28 2020

Planning & Zoning Department
Berlin, Connecticut

Hello Ms. Giusti and Ms. Semnoski,

I am writing in regard to the Special Permit Application by Thomas O'Rourke, for the Military Experience Museum, Inc.

I am opposed to the granting of the special permit for the following reasons.

- 1) We are in a pandemic. The applicant proposes activities that will bring groups of people here from other parts of Connecticut, and from other states. I am concerned that an influx of people at this time might increase our risk of exposure to COVID-19, as these visitors may patronize local businesses.
- 2) This property abuts conservation land which is owned by the Town of Berlin. I am worried about the effects of the military reenactments on wildlife in the area. The applicant hopes to be able to use blank fire weapons at times. I am concerned that their use will be disruptive to wildlife, especially in denning and nesting areas.
- 3) I am concerned about the biodegradable bb's or pellets that will be used in Airsoft weapons. The Airsoft website indicates that these bb's degrade within 45 - 150 days. That seems like a long time.

I am concerned that wild animals might mistake these pellets for food. They are spheres which are 6mm in diameter, the size of some berries. Wikipedia indicates that some are made from corn products. It is possible that they might smell like food to wildlife.

There may be a lot of pellets on the ground after a season of activity on the property. The long period of degradation will probably mean that there are bb's on the ground in winter, when food may be scarce.

I was unable to find specific references to wildlife eating Airsoft pellets. I did find information on conservation websites about animals eating lead shot, and all manner of trash left by humans. The results can be disastrous.

- 4) I don't know what kinds of activities take place on the adjoining Town of Berlin lands. I also don't have experience with the activities proposed in this application.
 - a) Is there a possibility that Berlin residents using Town property will be alarmed by the noise of the requested blank fire weapons?
 - b) Is there a chance of accidental injury to people or wildlife from an Airsoft pellet?

- c) Is there a chance that enthusiastic participants will accidentally move onto the conservation land during their exercises?
- d) Are there any fire hazards in the proposed activities?
- e) Will there be a water supply on the property?

Thank you for the opportunity to express these concerns.

Sincerely,

Melissa Davis

53 Westview Terrace

Berlin

--

Thomas Ottman II

tmo2@fastmail.com



Berlin Land Trust, Inc.

September 1, 2020

Joan Veley, Chairwoman
Members of the Berlin Planning and Zoning Commission
Berlin Town Hall
240 Kensington Road
Berlin, CT 06037

Town of Berlin
Received

SEP 01 2020

Planning & Zoning Department
Berlin, Connecticut

Re: Special Permit Application of Military Experience Museum, Inc. dated May 20, 2020

Dear Ms. Veley and Members of the Berlin Planning and Zoning Commission:

The Berlin Land Trust, Inc. ("BLT") has examined the Application of Military Experience Museum, Inc. for a special permit to operate a military training and experience camp/museum for its members and guests. On behalf of the officers and Board of Directors of BLT I write to oppose this application in its present form.

This Special Permit Application of Military Experience Museum, Inc. dated May 20, 2020 requests that the Berlin Planning and Zoning Commission grant a Special Permit pursuant to Section XII and Section XIII of the Berlin Zoning Regulations. This Application applies to Map Block Lot 30-2-74-37 (56.7 acres) and Map Block Lot 30-2-74-39 (18.3 acres). (Chamberlain Highway).

The land in question is zoned MR-1. This Special Permit Application is based on the Berlin Zoning Regulation V B. Section V B. allows in the Zone MR-1 as a Special Permit all uses permitted in the R-86, R-43, R-21 and R-15 districts. Section VI. F. and Section VI. P. provide the basis therefor for this Special Permit Application. Section VI. F. allows Day Camps as a Special Permit. A copy of Section VI. F. is attached hereto as Schedule A. Schedule VI. P. allows certain events of non-profit civic organizations to qualify as a Special Permit use. A copy of Section VI. P. is attached as Schedule B.

BLT is opposed to the said application of Military Experience Museum, Inc. for four reasons.

First, a Special Permit for the purposes stated by the Applicant is not allowed under the zoning regulations of the Town of Berlin.

Second, BLT believes that the granting of this Special Permit will expose large tracts of dedicated open space to possible environmental abuse by officers, members and guests of the applicant.

Third, BLT has environmental concerns about plastic/foam pellets to be used by the Applicant.

Fourth, the proposed parking is inadequate for the purposes stated in the Application.

Our arguments follow:

I. There is no basis for the special permit being sought by the Applicant under the Berlin Zoning regulations.

The applicant's reliance on Sections VI. F. and VI. P of the Planning and Zoning Application as the basis for its application for a special permit is clearly misplaced.

First, the Day Camps that can obtain a special permit under Section VI. F. must be on a "campsite" not smaller than ten (10) acres. A maximum of four hundred (400) persons is permitted in any such camp. Improved areas are described as camping or picnic areas, playgrounds or sports areas. What does this sound like? A traditional day camp with youthful campers operating in the summer!

This analysis comports with the definitions of relevant terms found in Sections II B. of the Berlin Zoning Regulations. A "campground" is any parcel intended to be used by campers occupancy by tents or recreational vehicles. A "campsite" is the space reserved for a single tent or temporary structure.

The pending application by Military Experience Museum, Inc. describes the intended use as outdoor recreation, an orienting course, a military style obstacle course on foot trails located within the site, and battlefield reenactments. This description of the intended activities of the applicant does not even closely approximate the concepts of a day camp allowed as a special permit under Section VI. F. of the Berlin Zoning Regulation.

Second, Section VI. P. of the Berlin Zoning Regulations can be loosely called the Berlin Lions Club or Berlin Fair exception to the zoning rules and regulations. This section allows the use of residentially zoned properties on at least twenty five (25) acres in size if owned by a non-profit organization and if for a major charitable event. It clearly does not apply to the instant application. Not only must the applicant for such a special permit be a non-profit organization but it also must re-apply for the special permit yearly. Of course, this section allows the Planning and Zoning Commission to exercise some control over large periodic or annual events taking place in residential zones such as the Berlin Fair. The Application of Military Experience Museum, Inc. cannot benefit from this section in seeking a special permit. Its intended use is clearly inapplicable to this section. The training camp and education activities which it describes are not annual or periodic in scope. These activities are daily but may be increased on the weekends. The fact that the Applicant is a non-profit corporation just like the Berlin Lions is irrelevant.

Therefore, there is no basis under the Zoning Regulation of the Town of Berlin for the granting of this Application by Military Experience Museum, Inc. for a Special Permit.

II. The potential for the misuse and abuse of major conservation acres to the north and east of this site is great.

What is particularly troubling to the BLT about this Application is the potential spill-over of these military type training activities into the hundreds of acres of town owned open space situated to the north and east of the premises. Any type of quasi-military boot camp style training involves ipso facto the use of trails or even woodlands for marching, maneuvering, etc. That type of activity can be destructive to the environment. It can also disturb the hikers who normally traverse the trails in the town owned open space. Unless prohibited it is reasonable to assume that these activities will spill-over to the adjacent open space areas. These type of activities are inconsistent with the preservation of open space.

Therefore, any zoning amendment allowing a military style education and campground must clearly limit any such uses to the land subject to the special permit and not permit the applicant by its actions to extend the property to which the special permit applies. All training activities of any type must be limited solely to the premises benefitting from the special permit.

Of additional concern is the potential use of motorized vehicles such as ATM's. These vehicles must be strictly limited to trails situated on the premises subject to the special permit. Under no circumstance should such vehicles be permitted on the adjacent properties and open space.

These concerns should not be described as a policing problem. Our police do not have the time or the vehicles to successfully patrol our open space areas. Rather, the misuse of adjacent lands by the visitors, members or officers of the applicant should be regarded as a violation of the conditions set by the Berlin Planning and Zoning Commission which, if not corrected will lead to a revocation of the special permit under Section XII of the Berlin Zoning Regulations.

In other words this problem is and shall remain a zoning issue.

III. The potential use of plastic or foam pellets as part of the quasi military training poses an environmental hazard.

Any type of quasi-military exercises or training must, ipso facto, involve guns and rifles using pellets (BB type plastic/foam). The website of the Military Experience Museum, Inc. indicates that part of the education experience involves weapons using pellets (or BB plastic/foam), these synthetic pellets can be dangerous for the environment. They cannot be picked up or retrieved. Smaller animals will ingest them. Then the synthetic material will pass up the food chain and affect all the animals.

From the point of view of the environment the only acceptable pellets are the biodegradable pellets which have been tested by a U.S. accredited lab and which conform to EU Standard EN 13432. Of course, even the biodegradable pellets can pose a threat during the time it takes for them to degrade.

Therefore, in response to this concern BLT strongly recommends that if approval is granted for the special permit requested by the applicant that as a condition to the special permit the

applicant and/or its successors under the Special Permit be required to use only biodegradable pellets tested by a U.S accredited lab and approved by an appropriate state or federal authority. The applicant or its successor should be required to annually state under oath that only such biodegradable pellets are being used.

IV. The parking arrangement suggested in the Application is inadequate.

No parking is allowed on the Chamberlain Highway. In its application the Military Experience Museum, Inc. indicates that it will invite the public to see exhibits and attractions. However, the applicant provides for only thirty-two parking spaces and refers to a large open field which can be used for parking.

Thirty-two spaces for parking is clearly inadequate if the public is to be invited to events or to view exhibits.

The overflow parking must be dealt with as part of the Application. Where exactly will it be? How many cars can it hold? What type of access is established?

Because of the nature of the activities and the possible environmental impact of vehicles on the site the Applicant should establish parking arrangements that will not adversely affect the environment and will accommodate a reasonable amount of vehicles. BLT suggests that the Planning and Zoning consider the use of gravel parking instead of asphalt.

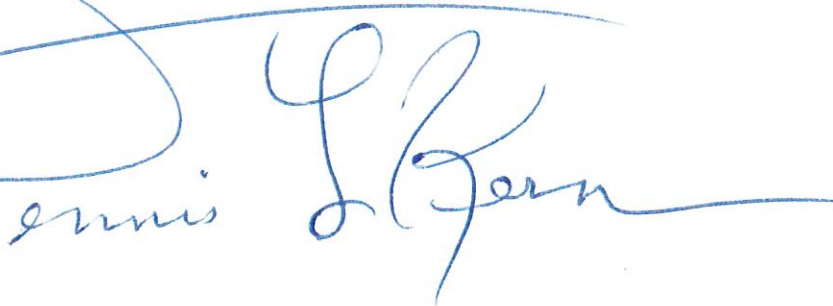
Conclusion:

For the reasons stated above BLT objects to the aforesaid Special Permit of the Application of the Military Experience Museum, Inc. dated May 20, 2020.

Again, if the Application is granted special concern must be taken that as stated conditions of the special permit no "education" activities will be conducted outside the permitted area and only biodegradable pellets meeting federal and/or state requirements will be used by the Applicant, its successors, its members, officers and its guests.

Respectfully submitted,

Dennis L. Kern
Its President

A large, stylized handwritten signature in blue ink, appearing to read "Dennis L. Kern", is written over the typed name and extends across the page.

Schedule A

XI. F . Day Camps

F. Day camps. Day camps where permitted shall be subject to special permit and site plan approvals by the Commission in accordance with Sections XII and XIII and the following conditions:

1. No campsite shall be less than ten acres in area, and there shall be no more than one camper for every 2,000 square feet of site area, with a maximum of 400 persons permitted in any camp.
2. Improved areas, such as camping or picnic areas and playgrounds or sports areas, shall be located at least 125 feet from all property lines. The commission may require suitable fencing and landscaping around all improved areas.
3. One off-street parking space shall be provided on the site for each member of the camp staff plus one space for every 15 day campers. Parking areas shall be at least 50 feet from side and rear lot lines and 50 feet from the street line, and shall be suitably screened and permanently improved.
4. There shall be no more than one permanent dwelling in any camp, and it shall not be occupied by more than one family.
5. Each camp shall be equipped with toilets and wash basins which drain into a municipal sanitary sewer or an approved septic system in compliance with town and state sanitary codes.
6. No building or structure shall be located closer than 150 feet to any property line.

Schedule B

XI. P. Non profit civic organizations

P. Nonprofit civic organizations. The Commission may authorize a special permit in accordance with Section XII, of unlimited duration for the use of a site containing not less than 25 acres in total area by or under the authorization of a nonprofit or civic organization owning such site (a "qualified organization"), for the purpose of conducting events which occur on an annual basis, subject to the satisfaction of the conditions set forth in this section.

1. Any qualified organization may apply for a special permit hereunder for such site by submitting an application to the commission, accompanied by each of the following unless waived in whole in part by the zoning commission:
 - a. A list of events proposed to be conducted at the site. Such list shall describe each event in reasonable detail including the approximate date thereof, the expected hours of operation, the estimated number of people to be in attendance and, if appropriate, traffic control procedures.
 - b. A site plan prepared by a professional engineer, architect or land surveyor and prepared in accordance with Section XIII, showing the location and use of all existing and proposed buildings parking areas, recreation areas and ingress and egress from the site.
 - c. Evidence of the organization's status as a nonprofit or civic organization.
2. Within 65 days after the receipt of an application for a special permit, the Commission shall hold a public hearing on such application.
3. Each special permit granted pursuant to this section shall continue in full force and effect from year to year, without the need for any reapplication or public hearing thereon, provided that will respect to each calendar year after the granting of the special permit, the organization shall submit to the Commission within 120 days (or such shorter period as the commission may allow, but not less than 65 days) before the scheduled commencement of the first event in such year, a list of all events for such year, substantially in the form required above. No further action shall be required with respect to all events previously authorized under the special permit unless in the opinion of the Commission, the type of the event has materially changed since its initial authorization, and the special permit shall be deemed to authorize the conduct of such events during such calendar year. If a previously authorized event has been omitted from an annual filing or will not be held in any calendar year, the organization shall be entitled to add such event to the annual list for the immediately following year, without the need for any further authorization from the Commission. If any event has been omitted for two consecutive years, the organization shall seek reauthorization to conduct such event in any subsequent year pursuant to the following section.

Schedule B, continued

XI. P. Non profit civic organizations

4. If the organization desires to extend the special permit to additional events, the organization shall submit an application to the Commission at least 120 days (or such shorter period as the Commission may allow, but not less than 65 days) before the scheduled date for the proposed event describing the proposed event. The organization may include such description in its annual filing, in which case, it shall be deemed to have made an application for such additional event(s). If more than 250 persons are expected to attend such event, within 65 days after receipt of such application, the commission shall hold a public hearing on such application. If less than 250 persons are expected to attend such event, the ZEO shall issue a certificate of zoning compliance for such event, provided that the application submitted shall be deemed to satisfy the provisions of this section.
5. If the organization proposes to add any new buildings or additions in excess of 300 square feet to existing buildings, construct new parking areas, or add additional means of ingress or egress from the site, the organization shall submit to the Commission a new site plan for approval.
6. The granting of any special permit under this section shall not alter or expand the uses permitted in the zone in which the site lies, but shall merely permit the temporary use of such site for the event(s) subject to the special permit. Also, the organization shall be entitled to use the site consistent with these regulations for all matters not requiring a special permit.
7. The organization shall pay a fee for an application in accordance with the town's fee schedule. No fee shall be paid in connection with each annual list of events submitted in accordance with Section XI.P.3 above.

Town of Berlin
Received

SEP 01 2020

Planning & Zoning Department
Berlin, Connecticut

APPLICATIONS: Special Permit/Site Plan Amendment
APPLICANT: Thomas ORourke
Military Experience
AGENDA DATE: September 3, 2020
SUBJECT: CONSERVATION COMMISSION COMMENTS

Pending upcoming September meeting (August meeting canceled)

Preliminary Chairman comments:

Concerns

- Off-road vehicles (ATV's)
 - Activities and/or participants traversing into adjacent properties and trails, including open space; therefore, may require delineation
 - Intensity of military activities resulting in unintended or unforeseen activities, weapon discharge, and related noise
 - Opinion that use and activities are inconsistent with the Plan of Conservation and Development, including weapon discharge, overnight camping, and as otherwise noted in letter of the Berlin Land Trust.
-

**DEPARTMENT OF DEVELOPMENT SERVICES
PROJECT REVIEW SHEET**

APPLICATIONS: Special Permit/Site Plan Amendment
Military Experience Museum Inc.

APPLICANT: Thomas ORourke
Military Experience Museum Inc.

LOCATION: Chamberlain Highway
Map/Block/Lot: 30-2-74-37 (76 Chamberlain Highway) 58.7 Acres
30-2-74-39 (Meadow Haven Inc.) 18.3 Acres

Agenda: August 20, 2020

Note: If possible, please return the plans with your comments.

Department/District:

<input type="checkbox"/> Town Planner	<input type="checkbox"/> Building Official
<input type="checkbox"/> Assistant Town Planner/ZEO	<input type="checkbox"/> Berlin Water Control
<input type="checkbox"/> Engineering	<input type="checkbox"/> Health District
<input type="checkbox"/> Kensington Fire District	<input type="checkbox"/> Fire Marshal
<input type="checkbox"/> Worthington Fire District	<input type="checkbox"/> Board of Police Commissioners
<input type="checkbox"/> Board of Education	<input type="checkbox"/> Inland Wetlands
<input type="checkbox"/> Conservation Commission	<input type="checkbox"/> Police Chief

☐ No Comment

☐ Comments:

pending upcoming September meeting
(August meeting-canceled)

Preliminary Chairman comments -

concerns of off-road vehicles (ATV's)

• activities and/or participants traversing into adjacent properties & trails including open space therefore may require delineation

• intensity of military activities resulting in

Signature/Date unintended or unforeseen activities
weapon discharge & related noise

• opinion that use and activities are inconsistent with the DCO including weapon discharge, overnight camping and as otherwise noted in letter of the Berlin Land Trust.