

Special Meeting

The 1701st meeting of the Town of Stonington's Planning and Zoning Commission was held at the Stonington Board of Education District Office at 40 Field Street, Pawcatuck, on Tuesday, August 2, 2022. The meeting was called to order by Chairman Ben Philbrick at 7:00pm. Also present for the meeting were Commissioners Chuck Sheehan, Lynn Conway, and Ryan Deasy; Alternates Gary Belke, Marjorie Selinger, and Andy Meek; and Town Planner Keith A. Brynes. Commissioner Fred Deichmann was not present.

Seated for the meeting Ben Philbrick, Charles Sheehan, Ryan Deasy, Lynn Conway, and Marjorie Selinger.

Minutes:

Mr. Deasy moved to approve the June 21, 2022 meeting minutes, seconded by Mr. Sheehan, all in favor 5-0, motion approved.

Mr. Deasy moved to approve the July 19, 2022 meeting minutes, seconded by Mr. Sheehan, all in favor 5-0, motion approved.

Administrative Review:

22-174ZON Town of Stonington DPW – Zoning permit application for a temporary office trailer to be placed on-site. Property located at 86 Alpha Ave., Stonington. Assessors Map 79 Block 1 Lot 24. Zones RM-20 & LS-5.

The Town's Department of Public Works is seeking approval to place the trailer to temporarily provide additional office space for new hires; the public will not be accessing the space. It is a 5-year lease for the trailer and they would be required to reapply for a permit after five years. Director of Public Works, Barbara McKrell, stated that the trailer will not have an ADA accessible ramp so they will not be meeting with the public in that space. They typically meet with the public in the first-floor conference room due to the already limited space in Town Hall. They are unsure if the Board of Finance will create additional resources. Mr. Sheehan asked whether this will require an ADA waiver and that they need to check with the state building official on the matter. There is space for a ramp to be added if needed.

Mr. Sheehan moved to approve the application with stipulations, seconded by Mr. Deasy, all in favor 5-0, motion approved.

Stipulations:

1. Permit valid for 5 years.
2. ADA waiver or handicap ramp are required.

Old Business:

PZ2226BR Peter Rogan & Stephen Steadman – Bond Reduction/Release application for Bond No. 21-007 for shared driveway construction associated with PZ8865SD Jeremy Hill Development: 85, 83, 79, & 81 Greenhaven Rd., Pawcatuck, (Lots 3, 4, 6 & 7).

Mr. Brynes stated that the bond was posted last year when a single-family home was built as part of a larger subdivision. The bond was required to ensure that the driveway for the shared access to the lots was paved. The driveway has been paved. Mr. Brynes stated they would recommend adding a stipulation that release is contingent upon Town Engineer approval.

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Mr. Deasy moved to approve the bond release with one stipulation, seconded by Ms. Conway, all in favor 5-0, motion approved.

Stipulation:

1. Bond may be released pending Town Engineer approval.

Public Hearing:

PZ2221RA Town of Stonington PZC – Zoning Regulation Amendment application to create regulations for cannabis establishments in the community.

Mr. Brynes presented the application on behalf of the commission. The regulation amendment would change the zoning regulations to allow cannabis establishments by special use permit in the town. The State of Connecticut has voted to allow cannabis establishments, and the town has voted to allow them. The commission enacted a moratorium to allow time for the commission to develop these regulations. Previously state statutes limited the town to one cannabis retailer and one micro-cultivator per the town's population, but in the last session that limit was removed. Mr. Brynes reviewed the proposed zones from the staff report for cannabis retailers and micro cultivators. The proposed plan does not allow cultivators (over 15,000 square feet of manufacturing space) or a medical dispensary. Retailers are proposed in TC-80 and HI-60 zones due to their commercial nature, access to highways, can manage heavier traffic, and is further from residential areas. There are distance requirements from schools, daycares, public parks, places of worships, residences, etc. which are outlined in the regulations from the statutes. Micro cultivators would be required to submit odor mitigation plans. Mr. Brynes reviewed the hours of operation proposed. Mr. Philbrick recommended an earlier closing time, which Mr. Meek recommended they mirror liquor store hours to have consistency. The commission agreed. The applicant will be required to apply for a special use permit which will have reviews by all town authorities. They will not be allowed to apply under a change of non-conforming use. Mr. Brynes reviewed the risk/benefit analysis from a land use perspective from the staff report. Ms. Conway asked about odor mitigation standards. The commission discussed how to create the standards. Mr. Meek recommended potentially reducing the zones micro cultivation is allowed in. Mr. Brynes reviewed the status of other towns in regard to cannabis establishments. Mr. Brynes did not find any media articles on land use impacts. The commission can further restrict the regulations if needed. The commission discussed the distance requirements and potential distances between establishments. Mr. Brynes stated the POCD does not address cannabis, but reviewed some economic development priorities. Mr. Brynes reviewed other office responses from the staff report. Ms. Conway recommended adding that it is prohibited in the MHD zone. State regulations are specific on signage. Mr. Sheehan asked about the time limit on the application and recommended potentially leaving it open for additional public comment.

General Public Comment:

Carlene Donnarummo, concurred that she expected more people to attend the hearing. Ms. Donnarummo recommended grammatical changes to the proposed regulations, and agreed that one retailer and one micro cultivator be the limit. Ms. Donnarummo commended Mr. Brynes on his work and recommended these changes to the proposed regulations.

Ben Tamsky, commended staff for their work on the project and agreed with Ms. Donnarummo's comments.

Mr. Brynes reviewed the NDD zone uses.

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Laura Graham, spoke about her friend that works in the medical marijuana industry and stated that the industry does not have to be disruptive with proper regulation.

Melissa Mahar, manager of Curaleaf, medical marijuana dispensary in Groton, spoke about the benefits of marijuana use. She spoke to the strong regulations for growing in the state of Connecticut and the high quality of the products. She asked the commission to consider a hybrid facility which would require a pharmacist to be present. Ms. Mahar stated that delivery means to the person. Growing is done indoors and she has never witnessed odor issues at the current facilities. The Department of Consumer Protection regulates the industry and has very strict regulations. She recommended education around the topic. The state requires everything to be prepackaged from the grow facility. A vault is required to secure the items.

Laura Graham added there are no more lines at retailers due to the availability of stores.

Melissa Mahar asked how are they going to choose who is permitted to have a business in the town.

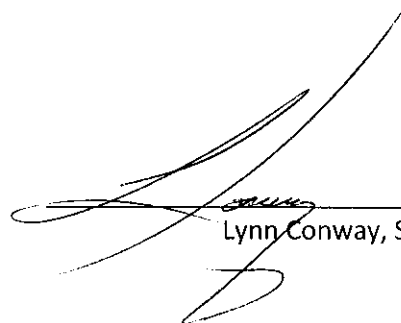
The commission explained that it would be first come first served with a proper application. Mr. Brynes recommended that hybrid retailers could be added. The commission agreed to continue the hearing to allow time to modify the proposed regulations. The commission asked to look at the language of what was voted on by the town. Mr. Meek and Ms. Selinger stated that they agree with the 100-foot radius for places of worship and residential rather than 1,000 feet.

Ben Tamsky, recommended not overdoing the distance requirements since it will be a special use permit anyways.

Mr. Meek suggested adding parking requirements. Ms. Conway asked if there was a need to limit the size of a facility.

Mr. Deasy moved to continue the public hearing to August 16, 2022, seconded by Mr. Sheehan, all in favor 5-0, motion approved.

Mr. Deasy moved to adjourn, seconded by Ms. Conway, all in favor 5-0, the meeting adjourned at 9:01pm.



Lynn Conway, Secretary