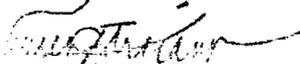


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Town of Stafford
Planning & Zoning Commission
Regular Meeting
July 16, 2020
7:00 p.m. – Remote Meeting Held Via Zoom


TOWN CLERK

Members Present: Dave Palmberg, Chair
Cindy Rummel
Rich Shuck
Ron Houle
Leonard Clark, Alternate

Also Present: David Perkins, Zoning Enforcement Officer
Dr. David Mordasky, applicant

Public Hearings

Special Use Permit and Site Plan Application: Veterinary Management Associates LLC to operate a veterinary hospital in accordance with Regulation 7.3.C.

Location: 36/42 West Main Street, Map #70, Lot #15/31/30.1, Zone: LB, Owner: MCII LLC.
Applicant: Veterinary Management Associates, LLC.

Regulation Change to allow Licensed Medical Marijuana Producers and Dispensaries in certain zones (see attached).

Dave Palmberg, Chair, opened the public hearings at 7:07 p.m., establishing a quorum with Dave Palmberg, Chair; Rich Shuck, Cindy Rummel, Ron Houle, and seating alternate member Leonard Clark for Lorin Dafoe.

David Perkins read the legal notice for the Special Use Permit and Site Plan Application for Veterinary Management Associates, LLC.

Applicant David Mordasky attended the meeting. He reviewed the site plan that had been prepared by Stanley Szeszowicki, a local surveyor. He delineated the planned 33 parking spaces, which includes two handicapped parking spaces, and the handicapped entrances. He noted the demarcation of boundaries including fencing on the west side of the property, and the dumpster with enclosure. There will be an entryway for the public, and a second entryway off Main Street into the original Victorian entrance of the building for staff personnel only. There will be a ramp to the right side entryway, which will be a handicapped entry (near the patio area) where grooming will occur.

Dr. Mordasky pointed out the elevator to be installed externally on the back side of the building. He reminded the Commission that his goal was to keep the exterior of the building as historically unchanged as possible, and so the proposed lobby entryway and elevator will be the only external changes. The service elevator is necessary as the building has 3-1/2 floors and animals need to be transported up flights of stairs for surgery.

Dr. Mordasky said the twelve parking spaces at the bottom of the site plan will be placed at a 45 degree angle as requested by David Perkins. The parking lot is currently paved and will be striped. There is a small area to be excavated and paved for an additional three to four parking spaces.

Dr. Mordasky said the lighting on the building will be full cutoff, down-lighting as the hospital will be offering 24-hour service.

David Perkins asked whether arbor vitae would be planted in the back of the property. Dr. Mordasky said the current neighbors have been accessing Main Street through the parking lot and he would like to have a four foot black fence with a gate so they can use his property as a cut through to Main Street businesses. This is why there is a 10 foot access gate. He said he felt it would be the neighborly thing to do.

Rich Shuck asked for the revision date of the latest plan. Dr. Mordasky said it is July 9, 2020. Rich asked if there would be enough space between the back of the spaces and the building. David Perkins said there would be as the spaces will be angled.

Cindy Rummel said it appeared Dr. Mordasky addressed all of the issues that were brought up about the hospital that were raised when last discussed in October of 2019.

Leonard Clark asked if there would be any other changes to the outside of the building. Dr. Mordasky said the only external changes would be the handicapped ramps and elevator in back. He plans to keep the existing landscaping as close to what it is now.

Ron Houle asked if the back fence is going to be new. Dr. Mordasky said it would be, just on the back side. He said he is adding it to delineate the property and to help corral animals if they got loose. The exterior elevator will be a self-contained unit on the outside of the building, hydraulic, and enclosed. He plans to side it to blend with the current exterior of the building.

Dave Palmberg noted that of the two handicapped parking spaces, one is required to be van accessible, which is wider than an ordinary parking space. He did not see this as posing a problem, as there is room, but just wanted him to be aware. Dave Palmberg also noted that the exterior of the building is a bit weathered and asked if re-siding or repainting it might be part of a five year plan. Dr. Mordasky said he would make it part of a five-year plan, as he also noted the aluminum portion has become oxidized. Dave Palmberg said he felt the approximately four extra parking spaces shown on the plan were not necessary to construct, unless or until they are needed and suggested if there is a provision in the regulations to defer paving that area, he would be fine with it.

David Perkins said he received no correspondence on the application from the public and no one from the public has come in to view the plans.

Ron Houle made a motion, seconded by Rich Shuck to close the public hearing. All were in favor. Motion carried.

David Perkins read the legal notice for the public hearing for a regulation change to allow licensed medical marijuana producers and dispensaries in certain zones.

Dave Palmberg provided an overview of the Commission's discussions on this topic over the last several months. He said both production facilities and dispensaries are heavily regulated by the State, and Stafford has retail area available for dispensaries, and some vacant mill buildings that may be a potential site for production facilities.

Dave Palmberg noted that currently there are no open licenses from the State right now for medical marijuana dispensaries, but if the State does decide to expand the number of dispensaries allowed, one of the criteria they take into account is where there is a need and the number of people in a particular area that have a medicinal card that will allow them to purchase medical marijuana. A medicinal card is necessary as this is not for recreational marijuana. Applicants must apply to the State and are screened by the State, and this proposed regulation change is just to update their current regulations to incorporate that business opportunity. He noted that medical marijuana plays a role in treating various illnesses and ailments, and has been found to be particularly helpful for cancer patients. Dave Palmberg said the Commission worked long and hard on these regulations, borrowing from regulations established in other communities.

The Commission reviewed the proposed new regulations under Section 7.7 (attached).

Rich Shuck said he felt medical marijuana dispensaries can and should be treated as a retail business. He discussed the proposed siting for production facilities under 7.7.1.1 that states a producer shall not be permitted within 1,000 feet of a dwelling, asking if they might want to further clarify a dwelling, if it includes single and multi-family dwellings. Dave Palmberg said a dwelling would be any residential building. Cindy Rummel asked if this would then preclude Main Street buildings where, in many cases, there are residential apartments overtop commercial businesses. Dave Palmberg said this proposed regulation applied to production facilities. The odors from these facilities would call for greater separation distances.

Leonard Clark said he felt 200-foot separation distances for production facilities from schools, parks/recreational facilities, and places of worship might not be far enough due to odor concerns. Dave Palmberg suggested they might want to be consistent, requiring a 1,000 foot separation distance for producers from both dwellings as well as schools, parks, and the like. David Perkins said he felt 1,000 feet might be excessive. Cindy Rummel said she felt in general that these proposed regulations will be helpful for siting potential locations.

Ron Houle said he felt 200 feet may be a little too close to a school, and expected they might see some pushback, but they also have to start somewhere. Dave Palmberg said the proposed regulations were consistent with other towns, but a problem for Stafford is that the borough area is very dense. He described a production facility in Rocky Hill, where he works, where the walls are foam-filled to contain odors, which can be strong. They will have to consider the residents who live in these more densely populated areas. He said he has heard talk that some of Stafford's old mill buildings might be a potential site for a production facility, but it would also be difficult to convert a downtown mill. He suggested finding a compromise, with a setback distance of 500 feet for both dwellings and schools, parks/recreational facilities, and places of worship.

The public hearing was opened to public comment. Dr. David Mordasky of Buckley Highway in Stafford said he knows someone who works next door to a production facility in Munson, Mass, and said such facilities use a huge amount of water. He said this person told him that if the scrubbers go down at these facilities, there is a terrible odor, and they should keep that in mind when considering a potential location for a producer.

Ron Houle advocated for the 500 foot separation distance. Leonard Clark agreed. Rich Shuck agreed with Ron Houle for schools, parks, and the others on that list, but to keep the separation distance at 1,000 feet for residential dwellings.

David Perkins said he sent the proposed regulation to CRCOG and their response contained no objections.

Ron Houle made a motion to close the public hearing, seconded by Rich Shuck. All were in favor. Motion carried.

Regular Meeting Agenda:

1. Call to order and establish a quorum.
2. Review minutes of June 4, 2020 meeting.
3. Discussion and possible action on Public Hearing items.
4. New Business
5. Adjournment
- 6.

1. Call to order and establish a quorum.

Dave Palmberg, Chair called the Regular Meeting to order at 7:45 p.m., continuing with the quorum established for the public hearings.

2. Review minutes of June 4, 2020 meeting.

Cindy Rummel made a motion, seconded by Rich Shuck to approve the Regular Meeting minutes of June 4, 2020. All were in favor. Motion carried.

3. Discussion and possible action on Public Hearing items.

The Commission discussed the Special Use Permit and Site Plan application for Veterinary Management Associates, LLC.

Rich Shuck made a motion, seconded by Ron Houle to approve the Special Use Permit and Site Plan application from Veterinary Management Associates to operate a veterinary hospital in accordance with Regulation 7.3.C, located at 36/42 West Main Street, Map #70, Lot #15/31/30.1, Zone: LB, Owner: MCII LLC, with the condition that the plan be modified as discussed with the Zoning Enforcement Officer to angle the parking spaces and make certain that one of the two handicapped parking spaces is van accessible. All were in favor. Motion carried.

The Commission discussed the potential regulation change to allow licensed medical marijuana producers and dispensaries in certain zones (see attached).

Rich Shuck made a motion, seconded by Cindy Rummel to approve the regulation change as discussed to allow licensed medical marijuana producers and dispensaries in certain zones, with the condition that production facilities shall not be permitted within 1,000 feet of a residential dwelling, shall not be permitted within 500 feet of a duly organized school, municipal park/recreational facility, or place of worship, and shall not be permitted within 1,000 feet of any portion of a property on which another Producer is located. All were in favor. Motion carried.

4. New Business.

David Perkins reported the Stafford Speedway has applied for a Special Permit to add a golf driving range, and this will be included on the next agenda. Also, Integrated Rehabilitation Services plans to move across Woodland Drive. They have an approved Site Plan, but the Commission will need to review the proposed architecture to make sure it complies with regulations. He also reported that a retail gun shop plans to rent a storefront at 91 Main Street and they will be applying for State and Federal approvals.

Dave Palmberg said he would be interested in revisiting establishing an ordinance that allows for citations for zoning violations. The Commission had explored this in the past and he would like to look at policies established in other towns, particularly for commercial properties. An ordinance of this kind could be more cost effective for the town. He asked fellow Commissioners for their thoughts about exploring this anew. Leonard Clark asked what kinds of citations would be the greatest concern. Dave Palmberg said they might be for not abiding by the terms of approved plans, lighting issues and blight. He said he was concerned about blatant violations, and that the goal is not to raise money from fines but to fix existing problems. He said having the citation power behind them is a more effective way to get people to comply.

There was general consensus to revisit this idea and the Commission directed David Perkins to look into this further, and research policies in other similar towns. Dave Palmberg said if they end up putting anything together, it would be a proposal sent

forward to the Board of Selectmen, endorsed by the PZC, and it would still need to go to a town meeting.

Ron Houle asked if anything was going on with the Conservatory property and Mr. Wittenzeller. He saw some construction equipment on the property. David Perkins said he knew Mr. Wittenzeller had expressed some interest in buying the property and he has erected some tents for weddings and other private events. He will check into it further.

5. Adjournment.

Leonard Clark made a motion, seconded by Ron Houle to adjourn the meeting and pay the clerk. All were in favor. The July 16, 2020 meeting of the Stafford Planning & Zoning Commission was adjourned at 8:01 p.m.

Respectfully submitted,



Annie Gentile
Recording Secretary

Medical Marijuana

Add under Section 2.1 - Definitions;

LICENSED MEDICAL MARIJUANA DISPENSARY (DISPENSARY) - A pharmacist licensed pursuant to Chapter 400j of the Connecticut General Statutes, who the Department of Consumer Protection has licensed to acquire, possess, distribute and dispense medical marijuana pursuant to CGS Section 21a-408 to 21a-408q inclusive of an 'Act Concerning the Palliative Use of Marijuana' and who is located on the premises of a pharmacy licensed by the Connecticut Commission of Pharmacy.

LICENSED MEDICAL MARIJUANA PRODUCER (PRODUCER) - A person or organization licensed by the Connecticut Department of Consumer Protection as a producer under CGS 21a-408-1 through 21a-408-70, whose purpose is to cultivate marijuana for palliative use, including selling, delivering, transporting and distributing such marijuana, but only to State licensed dispensaries under Sections 1 through 15, inclusive of the Act Concerning the Palliative Use of Marijuana.

Add new section 7.7 under Special Regulations;

7.7.1 Producer

Licensed medical marijuana producers (Producer), when and where permitted by these Regulations, shall conform to the following standards in addition to other applicable standards of these Regulations.

1. The property on which a Producer is located shall not be permitted within ~~200~~^{500'} feet of any portion of a property on which a duly organized school, municipal park/recreational facility, place of worship is located; or within 1,000 feet of a dwelling.
2. The property on which a Producer is located shall not be permitted within 1,000 feet of any portion of a property on which another Producer is located.
3. Marijuana and marijuana paraphernalia and products made thereof shall not be clearly visible from the exterior of the production facility.
4. Producers shall comply with Connecticut General Statutes Section 21a-408 et seq. and the Regulations of State Agencies Sections 21a-408-1 to 21a-408-70 inclusive, both of which as may be amended from time to time.

7.7.2 Dispensary

Licensed medical marijuana dispensaries (Dispensary), when and where permitted by these Regulations, shall conform to the following standards in addition to other applicable standards of these Regulations.

1. Marijuana and marijuana paraphernalia and products made thereof shall not be clearly visible from the exterior of the dispensary facility.
2. Dispensaries shall comply with Connecticut General Statutes Section 21a-408 et seq. and the Regulations of State Agencies Sections 21a-408-1 to 21a-408-70 inclusive, both of which as may be amended from time to time.

Add the following to Section 5.2:

	<u>WM</u>	<u>OS</u>	<u>LB</u>	<u>HB</u>	<u>CB I</u>	<u>IN</u>	<u>HI</u>
Medical Marijuana Producer				SU	SU	SU	SU
Medical Marijuana Dispensary			SP	SP	SP		SU