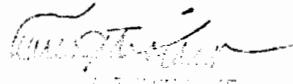


Town of Stafford
Planning & Zoning Commission
May 19, 2022 – Regular Meeting
Stafford Community/Senior Center

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Members Present: Dave Palmberg, Chair
Cindy Rummel
Rich Shuck
Dr. David Mordasky
Leonard Clark, alternate

Also Present: David Perkins, Zoning Enforcement Officer
Chris Joseph, alternate
Public

Public Hearings:

Dave Palmberg, Chair, opened the public hearings at 7:01 p.m., establishing a quorum with Dave Palmberg, Chair; Cindy Rummel, Rich Shuck, Dr. David Mordasky, and seating alternate member Leonard Clark for Ron Houle.

There were two public hearings this evening. Cindy Rummel read the legal notice.

Regulation Change:

Of the Stafford Planning and Zoning Commission to amend the zoning regulations to permit and regulate cannabis establishments.

Dave Palmberg noted the Commission had been working on cannabis regulations for some time and had established a six-month moratorium on cannabis establishments to give them time to study the issue and become better educated about it. That moratorium expired on May 1, 2022.

David Perkins reviewed the zones where the Commission is proposing allowing various types of cannabis establishments. Recreational cannabis cultivators would be permitted in the Industrial (IN) and Highway Industrial (HI) zones. Recreational and/or medical marijuana retailers would be permitted in the Highway Business (HB) and HI zones. Recreational packagers and manufacturers would be permitted in the Local Business (LB), HB, Central Business (CB), IN, and HI zones. In each of these cases, an applicant would be required to get a Special Use Permit, which requires a public hearing.

Dave Palmberg said these uses were outlined by state statute and anyone who wishes to operate one of these businesses will be required to get state approval. He noted the state has also established an Equity Council and he discussed its purpose. He also noted that each town in Connecticut is currently limited by their population as to the number of establishments they can

have. If they choose to allow cannabis establishments in town, Stafford is presently limited to just one dispensary and one micro-cultivator (a cultivator of less than 15,000 square feet).

Dave Palmberg reviewed the proposed separation distances outlined in Section 7.21 and 7.22 as detailed in the Commissioners' packets. (Copies of the handout were also provided to the public.) No producer may be located within 1,000 feet of another producer. No medical marijuana production, adult-use cannabis cultivator, micro-cultivator facility, dispensary, shall be allowed on a site that is less than 500 feet from any residential dwelling structure. A minimum separation distance of 1,500 feet is required between any one adult-use cannabis retail or hybrid-retail establishment and another. Additionally, the property on which a producer is located shall not be permitted within 500 feet of any portion of a property on which a duly organized school, municipal park/recreation facility or place of worship is located, or within 1,000 feet of a dwelling.

Dave Palmberg said no applications for any type of cannabis establishment have been received to date in Stafford.

A few housekeeping corrections were made by Commissioners to the handout. Under 7.22, Recreational Cannabis Establishments – Statement of Purpose – the second sentence was corrected to read: “The intent is to minimize *any* adverse impacts of such facilities and to protect and preserve the town’s neighborhoods, commercial districts, property values and quality of life.”

Also, under 7.22, Item 3, the last sentence in each of the last two paragraphs should simply read in accordance with Special Permit approval. (Remove “Section 510 of these Regulations and the requirements of this section”).

The public hearing was then opened to public comment, but there was none. Rich Shuck made a motion to close the public hearing, seconded by Dr. David Mordasky. All were in favor. Motion carried.

Note: There were a few members of the public who arrived after the public hearing on cannabis establishments was closed and who asked during the second public hearing if they could speak on the first. They were allowed to do so and their comments are detailed below.

Tom Cratty of Edgewood Street said he felt the best way to approach the subject of allowing marijuana dispensaries was to put it up for a referendum vote. He said he felt this would best reflect the wishes of the town and eliminate issues of non-transparency and back room deals.

Dave Palmberg said they are completely transparent and that they have been working on this openly at their regular meetings for the past year but have received no public comment.

Tom Cratty said he believed some people won't come to the meetings and state their opinions out of fear of retaliation. He said allowing cannabis establishments in town might negatively impact the quality of life in Stafford, particularly in the borough, and potentially cause an increase in crime.

Dave Palmberg said the Board of Selectmen could have called a public hearing to prohibit cannabis establishments, but they chose not to. He said the PZC has been very transparent throughout the process and encourage the public to share their views. He noted that the PZC does not give out licenses; they have to be obtained from the state. He said the PZC just considers which zones they might want to allow the different types of establishments to be located in. He said each application requires a public hearing and Stafford presently is permitted only one dispensary and one micro-cultivator.

Rich Shuck concurred. He said the PZC's job is to educate the public about state statute on cannabis legislation. They don't do any behind-closed-doors deals.

Tom Cratty asked if all towns have gone through this process. Dave Palmberg said they each are doing it, noting that some towns have chosen to forbid cannabis establishments while others have chosen to permit them. He said Stafford chose to move forward and draft zoning regulations. Tom Cratty asked if the regulations are on the town website. David Perkins said they are.

David Perkins noted also that three percent of the state tax on cannabis gets returned to the town for limited, specific uses as outlined by the state. These have to do with social health, inequities, and other similar matters. Tom Cratty said he felt permitting cannabis establishments in town would not be good for Stafford or the culture of the town. He said he did not see it as a big income producer.

Arthur Guerra of West Stafford Road said he understood odor is a major issue with cannabis processing establishments and he asked if they have considered any mitigation strategies to deal with this. Dave Palmberg said they took that into account when determining permitted zones, and they are only permitted in the Industrial and Highway Industrial zones. They also restrict producers from being any closer than 500 feet from a residential dwelling.

Arthur Guerra said even with a 500 foot separation distance, if the wind is blowing a certain way, it could still smell for the resident who lives 500 feet away. He asked if they looked into any other strategies such as ventilation or requiring higher stacks. Dave Palmberg agreed that the smell can be strong depending on weather conditions as they have such establishments in the town he works in. He said the state regulates the scrubbers in these facilities. He noted the odor does dissipate relatively quickly.

David Perkins noted production facilities need to be very large in order to be productive and it may be difficult to find a property that would even be feasible for production in Stafford.

Arthur Guerra said his concern was for the impact a producer might have on the market values of nearby homes and businesses as well as the health impact on people living and working nearby. Dave Palmberg said the Special Permit process—which requires a public hearing--would give abutters the opportunity to discuss their concerns.

Tom Cratty asked if there is any requirement for security services for dispensaries. Dave Palmberg said there is. He said this is a highly regulated area and the state requires that owners

meet stringent security requirements. In addition, it is the responsibility of the owner to pay for it. Rich Shuck said if a town incurs policing/security expenses as a result of a cannabis establishment, the business owner is responsible to reimburse the town. Dave Palmberg said this can be up to \$50,000.

Affordable Housing Plan:

Public Informational meeting to present Affordable Housing Plan.

David Perkins said he first began working on this plan last winter as he thought it would be due in June of 2021. He said under state statute, if a town has over 10 percent of affordable housing, they are not subject to Connecticut General Statute 8-30g, which allows housing developers to build affordable housing even if they don't meet the town's zoning regulations. He said Stafford's affordable housing rate is currently 7.65 percent, and that Woodland Springs Phase II, when completed, could increase Stafford to about 9 percent. They are moving in the right direction.

David Perkins reviewed the Housing Affordability Study provided in Commissioners' packets. Overall, Stafford is an affordable place to live with median rents going for less than median rents throughout Tolland County. He highlighted some of the statistics. For example, 76.8% of rental units cost less than \$1,500 per month compared to 67.7% for the county. The price of a home in Stafford is also substantially less expensive than in the county and the state. As a result, Stafford has a lower cost burden than their peers in neighboring towns.

Dave Palmberg reviewed the recommendations (7 bullet points) for the future of affordable housing in town as outlined on the last page of the study. He said the affordable housing plan is required by the state and their recommendations will be incorporated into Stafford's Plan of Conservation and Development, which they have also been working on.

Rich Shuck discussed the second bullet point, which recommends allowing for an additional dwelling unit for each multiple of the minimum lot size requirement of the zone. In the example listed, it says if the minimum lot size of the zone is two acres and the owner has four acres, they would be allowed two dwelling units – three units for six acres, and so on. He asked if the intent was that these additional dwelling units be owner occupied and whether they should be more specific in stating that. After a brief discussion, it was agreed to leave the issue open and address it in the future.

The public hearing was opened to public comment. There was none. Rich Shuck made a motion to close the public hearing, seconded by Cindy Rummel. All were in favor. Motion carried.

Regular Meeting Agenda

- 1. Call to order and establish a quorum**
- 2. Approve minutes of 4/21/2022 meeting**
- 3. Review and act on Public Hearing items**
- 4. Discussion about Plan of Conservation and Development (POCD)**
- 5. Other Business**
- 6. Adjournment**

1. Call to order and establish a quorum.

Dave Palmberg, Chair, called the regular meeting to order at 7:37 p.m., continuing with the same quorum as was established for the public hearings.

2. Approve minutes of 4/21/2022 meeting.

Rich Shuck made a motion to approve the 4/21/2022 meeting minutes as written, seconded by Dr. David Mordasky. All were in favor. Motion carried.

3. Review and act on Public Hearing items

The Commission first discussed the proposed zoning regulation amendment to permit and regulate cannabis establishments. Rich Shuck said this is a subject that people are passionate about and with different perspectives, and they need to find a way to do the best by their community. He said the State passed a law legalizing cannabis. It is not going away and the best way to deal with it is to manage it correctly.

Dave Palmberg said over the past year, David Perkins and Commission members gathered a lot of information from the State Office of Policy and Management. They looked at what other towns were doing on the same subject and they attended a number of webinars to get educated on the topic. He felt they did their due diligence.

Rich Shuck made a motion to approve the proposed zoning regulation amendment to permit and regulate cannabis establishments, amending the Table of Uses as presented, and adding Sections 7.21 and 7.22 with the housekeeping corrections discussed, effective June 7, 2022. This is in the best interests of Stafford and in accordance with State statutes and the town's Plan of Conservation and Development. Dr. David Mordasky seconded the motion. All were in favor. Motion carried.

The Commission discussed the Affordable Housing Plan. Dave Palmberg said it was fortunate that the Census results came out which provided them with more current data with regard to demographics and housing. He thanked David Perkins for doing a great deal of the legwork, which meant they did not have to hire a consultant—something other towns have had to do at a cost of \$25,000 to \$50,000. He noted also that the Commission discussed the plan over multiple meetings and that, unfortunately, there was no public participation on this plan as well.

Rich Shuck made a motion to adopt the Affordable Housing plan, seconded by Cindy Rummel. All were in favor. Motion carried.

4. Discussion about Plan of Conservation and Development (POCD).

Dave Palmberg noted a working draft of the POCD had been recently released and will be up on the website soon. Two public workshops are scheduled – June 2 and June 16. This plan can be in effect for a maximum of ten years, although they could make updates sooner. He noted they have been working on the plan for the past 1-1/2 years and they hope to have a final public hearing in September and finalize the plan no later than October 16, 2022.

David Perkins said he got copies out to all the commissions and he has since gotten back a few responses. He will get hard copies out to all commissioners.

Dr. David Mordasky said the Agriculture Commission has been discussing the plan with regard to farmland reclamation, riding/hiking trails and establishing Stafford as a Right-to-Farm town. He noted there are extensive trails in the western part of the town and that there is a lot of state forest in the eastern part and that they would like to connect the two. One concern, however, is that in order to connect the two areas, they would need to go through private property and there is some hesitancy on property owners' part due to potential liability issues. There is also some concern that some of the areas are wildlife corridors. Dr. Mordasky said mountain bike groups can be quite enthusiastic, often looking for places to go. Rich Shuck said if they could address insurance concerns, it could be economically valuable for the town. Dr. David Mordasky said he will get his information to David Perkins.

The Commission discussed potential topics of conversation for the June 2 workshop. Dave Palmberg said depending on the attendance they get, it could be a Q and A session. Chris Joseph asked if they had any topic headings in mind. Dave Palmberg said it would be best to first see how many people come and what the focus of the issues is. David Perkins said based on that, they could possibly do a charrette at the next meeting after that. He said it could be put on a splash page on the website and the town Facebook page. He added that the POCD is pretty well formatted at this point.

5. Other Business.

None.

6. Adjournment.

Dr. David Mordasky made a motion to adjourn, seconded by Cindy Rummel. All were in favor. Motion carried. The May 19, 2022 meeting of the Stafford Planning & Zoning Commission was adjourned at 7:58 p.m.

Respectfully submitted,



Annie Gentile
Recording Secretary