

**TOWN OF BERLIN
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARINGS**

Revised

The Berlin Planning and Zoning Commission will hold Public Hearings at its Regular Meeting on Thursday, August 4, 2022 at 7:00 P.M. in the Town Council Chambers, Berlin Town Hall, 240 Kensington Road, Berlin, CT. Interested parties may join the meeting and participate in the public hearing in person or remotely as provided below.

A Public Hearing and possible action on, including an opt-out from, provisions of Public Act No. 21-29 “An Act Concerning the Zoning Enabling Act, Accessory Apartments, Training for Certain Land Use Officials, Municipal Affordable Housing Plans and A Commission on Connecticut’s Development and Future” (codified at Connecticut General Statutes Section 8-2o) pertaining to accessory apartments or accessory dwelling units. A copy of said Public Act will be posted with this Notice in the Town Clerk’s Office and available on the Planning and Zoning Commission’s page on the Town website at <https://www.berlinct.gov>.

A Public Hearing and possible action on, including an opt-out from, provisions of Public Act No. 21-29 “An Act Concerning the Zoning Enabling Act, Accessory Apartments, Training for Certain Land Use Officials, Municipal Affordable Housing Plans and A Commission on Connecticut’s Development and Future” (codified at Connecticut General Statutes Section 8-2(d)(9) and 8-2p) pertaining to parking. A copy of said Public Act will be posted with this Notice in the Town Clerk’s Office and available on the Planning and Zoning Commission’s page on the Town website at <https://www.berlinct.gov>.

A Public Hearing and possible action on a Text Amendment to Berlin Zoning Regulations §IV.A.2.b., Acting Town Planner Maureen Giusti, for extension of the Moratorium on Cannabis Uses

A public hearing and possible action on a proposed text amendment of Maureen Giusti, Town Planner to Berlin Zoning Regulations §IV.A.2.b., for a moratorium on Multi-family housing development applications. A public hearing and possible action on a proposed text amendment of Maureen Giusti, Town Planner to Berlin Zoning Regulations §IV.A.2.b., for a moratorium on Multi-family housing development applications.

The applications and related meeting materials are available at the Planning and Zoning Department, Berlin Town Hall, 240 Kensington Road, Berlin, Connecticut.

Remote access to this meeting is available by Zoom video conference at the following link:

<https://town-berlin-ct-us.zoom.us/j/8140556035?pwd=YU0xb1J2Yyt4RDVLUkRlbfPFTFRuQT09>

Meeting ID: 814 055 6035 - Passcode: PZ100 - Dial by your location* - +1 929 205 6099 US (New York) - Meeting ID: 814 055 6035 - Passcode: 488321

*Data and toll charges may apply.

Dated this 21st day of July, 2022 at Berlin, CT.

Brian Rogan, Secretary
Berlin Planning and Zoning Commission

New Britain Herald

Classified Advertising/Legal Notices

Dates of Publication: Saturday, July 23, 2022

Monday, August 1, 2022

PROPOSED AMENDMENT TO THE BERLIN ZONING REGULATIONS

TO: Berlin Planning and Zoning Commission
FROM: Maureen K. Giusti, AICP, Town Planner
DATE: July 21, 2022
RE: Text Amendment to Section IV.A.2.b. of the Berlin Zoning Regulations:
Application of the Zoning Regulations. General Provisions. Moratorium, for an
extension of Moratorium on Cannabis Uses through December 31, 2022

Bold Underlined Text: Added

~~Strikethrough~~ Text: Deleted

MODIFY TEXT TO BERLIN ZONING REGULATIONS: §IV.A.2.b.

- a. *Permitted and Prohibited Uses* Any uses not specifically permitted by right or by special permit in a zoning district by these regulations shall be deemed to be prohibited within such district.
- b. *Moratorium*

WHEREAS, Public Act No. 21-01 entitled “An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis” which legalizes the cultivation, processing, distribution, possession, and use of cannabis (marijuana) for recreation purposes was signed into law on June 22, 2021 and became effective on July 1, 2021; and,

WHEREAS, the law is lengthy and complex and raises novel legal, planning, and public safety issues, and requires that the Berlin Planning and Zoning Commission study and assess the potential impacts of the law on the Town of Berlin and the need for potential regulation of Cannabis Establishments as defined by the Public Act in a thoughtful and responsible manner and to undertake a planning process to consider amending the Zoning Regulations regarding regulation of such establishments; and,

WHEREAS, a moratorium will allow the Planning and Zoning Commission sufficient time to undertake the required assessment and planning process, particularly as the Commission is currently engaged in updating the Plan of Conservation and Development.

NOW THEREFORE, BE IT RESOLVED, that the Berlin Planning and Zoning Commission shall not accept, consider, or approve any applications, and hereby prohibits the issuance of any zoning permits, to permit the use of a Cannabis Establishment in any zoning district in the Town of Berlin for a period of nine (9) months from effective date: November 24, 2021 to ~~August 24, 2022~~ **December 31, 2022.**

PROPOSED AMENDMENT TO THE BERLIN ZONING REGULATIONS

TO: Berlin Planning and Zoning Commission
FROM: Maureen K. Giusti, AICP, Town Planner
DATE: July 21, 2022
RE: Text Amendment to Section IV.A.2.b. of the Berlin Zoning Regulations: Application of the Zoning Regulations. General Provisions. Moratorium. To ADD new subsection ii. for a Moratorium on Multi-family housing development applications.

Bold Underlined Text: Added

~~Strikethrough~~ Text: Deleted

MODIFY TEXT TO BERLIN ZONING REGULATIONS: §IV.A.2.b.

- a. *Permitted and Prohibited Uses* Any uses not specifically permitted by right or by special permit in a zoning district by these regulations shall be deemed to be prohibited within such district.
- b. *Moratorium*
 - i. WHEREAS, Public Act No. 21-01 entitled “An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis” which legalizes the cultivation, processing, distribution, possession, and use of cannabis (marijuana) for recreation purposes was signed into law on June 22, 2021 and became effective on July 1, 2021; and,
WHEREAS, the law is lengthy and complex and raises novel legal, planning, and public safety”
 - ii. **WHEREAS multi-family development projects require considerable staff time during review, and through permitting and construction, and
WHEREAS the Planning and Zoning Commission has approved over 500 dwelling units (representing an increase of approximately six percent of the total housing stock) many of which are under construction or for which site preparation has begun and
WHEREAS a consultant has been working with the Plan of Conservation and Development (POCD) Committee to update the POCD for 2023, and
WHEREAS Berlin’s Affordable Housing Plan which includes planning and zoning recommendations was adopted by the Town Council on May 17, 2022, and
WHEREAS the consultant work includes analysis related to multi-family housing regulations, and
WHEREAS, a moratorium will allow the Planning and Zoning Commission along with town staff, sufficient time to undertake the required assessment and planning process, particularly as the Commission is currently engaged in updating the POCD.
NOW THEREFORE, BE IT RESOLVED, that the Berlin Planning and Zoning Commission shall not accept any applications which include new multi-family dwelling units for a period of six months from effective date: _____ to _____.**

Link to PA 21-29:

[AN ACT CONCERNING THE ZONING ENABLING ACT, ACCESSORY APARTMENTS, TRAINING FOR CERTAIN LAND USE OFFICIALS, MUNICIPAL AFFORDABLE HOUSING PLANS AND A COMMISSION ON CONNECTICUT'S DEVELOPMENT AND FUTURE.](#)