

City of Ansonia
Connecticut

Zoning Regulations



Planning and Zoning Commission

July 1997

Adopted June 1, 1977

Amended to December, 2021

720.20 – Licensed Medical Marijuana Production Facilities;

Licensed Medical Marijuana Production Facilities shall be permitted subject to the following:

- i. Any proposed production facility shall meet all criteria as established by any applicable Connecticut General Statute or any applicable regulation of the Department of Consumer Protection pertaining to such facilities.
- ii. Any production facility which is permitted under this Section or any Section of the Connecticut General Statutes existing at the time of approval may not be permitted to produce marijuana for recreational purposes, regardless of any revision to the Connecticut General Statutes permitting such use without first seeking and obtaining a special permit from the Commission for such change of use.

720.21 -Medical Marijuana Dispensary Facilities;

Medical Marijuana Dispensaries shall be permitted subject to the following:

- i. No medical marijuana dispensary facility shall be permitted to be located closer than 200 feet measured closest point of the building housing the use to closest point, in a straight line, from a public or private school or an established place of worship.
- i. Any proposed dispensary facility shall meet all criteria as established by any applicable Connecticut General Statute or any applicable regulation of the Department of Consumer Protection pertaining to such facilities.
- ii. Any dispensary facility which is permitted under this Section or any Section of the Connecticut General Statutes existing at the time of approval may not be permitted to dispense marijuana for recreational purposes, regardless of any revision to the Connecticut General Statutes permitting such use without first seeking and obtaining a special permit from the Commission for such change of use.

720.22 Adult -Use Cannabis and Recreational Marijuana Sales and Facilities

Adult -Use Cannabis and Recreational Marijuana Sales and Facilities shall be permitted subject to the following:

- i. Medical marijuana dispensary facilities and production facilities shall be governed by CGS Sec. 21a-408 et seq. as amended and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended and permitted in the specified zones, subject to special permit approval in accordance with section 630 and this section, including site plan approval in accordance with Section 510 of these Regulations, and the requirements of this section.
- ii. Cannabis retail and hybrid-retail facilities shall be governed by The Responsible and Equitable Regulation of Adult-Use Cannabis Act (“RERACA”), the Public Act 21-1 / Senate Bill 1201 as amended inclusive of the Regulations of Connecticut State Agencies as they may be amended and permitted in the specified zone, subject to special permit approval in accordance with section 630 and this section, including site

- plan approval in accordance with Section 510 of these Regulations, and the requirements of this section.
- iii. Adult-use cannabis cultivator and micro-cultivator facilities shall be governed by the RERACA, the Public Act 21-1/ Senate Bill 1201 as amended inclusive of the Regulations of Connecticut State Agencies as they may be amended and permitted in the specified zones, subject to special permit approval in accordance with section 630 and this section, including site plan approval in accordance with Section 510 of these Regulations, and the requirements of this section.

7.20.22.1-Separation Requirements. Uses identified in this section shall be subject to the following separation restrictions:

- i. No medical marijuana production, adult-use cannabis cultivator, micro-cultivator facility, dispensary, or retail or hybrid-retail facility, shall be allowed within 200 feet of a church, temple or other place used primarily for religious worship, public building, private recreation area, or a school, playground, park or child day care facility;
- ii. No medical marijuana production, adult-use cannabis cultivator, micro-cultivator facility, dispensary, or retail or hybrid-retail facility, shall be allowed on a site that is less than 200 feet from any property that is zoned for single-family residential use as a permitted use;
- iii. No medical marijuana production, adult-use cannabis cultivator, micro-cultivator facility, dispensary, or retail or hybrid-retail facility, shall be allowed within the same building, structure or portion thereof that is used for residential purposes, or that contains another medical marijuana dispensary, production facility, or adult use cannabis retail, hybrid retail, cultivator or micro-cultivator facility;
- iv. No adult-use cannabis retail or hybrid-retail shall be located less than 500 feet from another adult-use cannabis retail or hybrid-retail. Distance shall be measured from the radius of the front door to front door of each establishment.
- v. All distances contained in this section, other than those specified in the subsection “iv” above shall be measured by taking the nearest straight line between the respective lot boundaries of each site.

7.20.22.2-Security Requirements:

- i. All medical marijuana dispensary facilities and production facilities shall have an adequate security system to prevent and detect diversion, theft or loss of marijuana utilizing commercial grade equipment meeting at least the minimum requirements of Sec.21a-408-62 of the State of Connecticut Regulations;
- ii. The hours of operation for medical marijuana dispensary facilities shall be limited to between 7:00 a.m. and 7:00 p.m., all days of the week;
- iii. There shall be no limitation on the hours of operation for medical marijuana production facilities, all days of the week.

7.20.22.3- Conditional Approval:

- i. Special Permits shall be approved with the condition that the applicant obtain the appropriate license issued by the State of Connecticut Department of Consumer Protection (or other State agency as regulatory changes occur);
- ii. The conditional approval shall become finalized upon the receipt by the Zoning Enforcement Officer of a copy of the Department of Consumer Protection-issued license;
- iii. The conditional approval shall expire if the applicant fails to provide the Zoning Enforcement Officer with a copy of the Department of Consumer Protection-issued license within six months of the date of the Commission's conditional approval;
- iv. A six month extension of such conditional approval shall be granted to the applicant upon written notification to the Zoning Enforcement Officer that an application for a Department of Consumer Protection license has been filed, indicating the expected decision date of the Department of Consumer Protection license.
- v. No entity shall operate without a valid, current license.

720.22.4- Connecticut Department of Consumer Protection Approval:

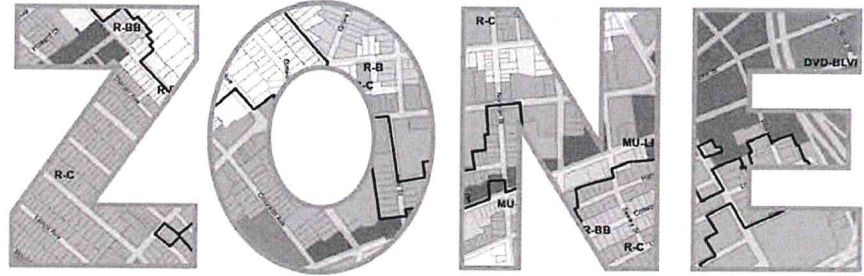
- i. The applicant shall provide the Zoning Enforcement Officer with a copy of the appropriate license issued by the State of Connecticut Department of Consumer Protection, and any subsequent renewed license.

720.23- Rock Crushing

Subject to the approval of a Special Permit Application pursuant to the Schedule of Permitted Uses (Schedule B), the crushing of rock, stone or road excavated material shall be allowed in a building contractor's and sub-contractor's yard in an HI Zone pursuant to the following conditions:

1. A site plan depicting the rock crushing operation must be submitted with the Special Permit Application and must depict all setbacks provided in this section.
2. Rock crushing shall only be permitted in the HI District on a parcel of not less than ten (10) acres in size.
3. There shall be not more than two (2) rock crushers on any one parcel or special permit, regardless of acreage.
4. Only rock, stone or road excavated material which has been brought to the property and, once crushed, will be removed from the property, and used at another location shall be allowed to be crushed.

ZONE BOLD•ZONE SMART



BRIDGEPORT

DRAFT

for PUBLIC HEARING
September 9, 2021

4.40 Commercial Use Group

surfaces of motor vehicles by spraying, dipping, flow-coating or other similar means.

F. Equipment and Materials Sales and Storage, Outdoor.

Uses primarily involved in outdoor sales, distribution, or storage of equipment, products or materials, or goods, whether or not stored in containers. Examples include bottled gas and fuel oil sales, monument sales, portable storage building sales, and construction material and equipment storage yards.

G. Boarding or Shelter, Major. A facility for keeping, boarding, training, or breeding of dogs, cats, or other household pets not owned by the kennel owner or operator and located on a site with an area of more than 20,000 square feet. Boarding or shelter uses on sites with an area of 20,000 square feet or less are classified and regulated as outdoor consumer service uses.

H. Outdoor Entertainment, Major. Establishments on sites with an area of more than 50,000 square feet that provide outdoor gathering places for participant or spectator entertainment. Outdoor entertainment uses on sites with an area of 50,000 square feet or less are classified and regulated outdoor consumer service uses.

4.40.10 WHOLESALE SALES

The wholesale sales use category includes uses that provide and distribute goods in large quantities, principally to retail sales, commercial services, or industrial establishments, stored in enclosed buildings. May also include incidental retail sales and wholesale showrooms. Wholesale sales uses that include more than 2 loading docks/bays or outdoor storage are classified in the "warehouse and distribution" use category.

4.40.11 CONTROLLED SALES & SERVICE

The controlled sales and service use category includes specific use types with operating characteristics that pose high potential for adverse land use impacts. Uses classified as controlled sales & service uses pursuant to this section may not be deemed to constitute any other use described or permitted under this zoning code. All new and expanded controlled sales & service uses must obtain a certificate of location approval in accordance with the procedures of 11.120. The following are expressly classified as controlled sales & service uses:

A. Cannabis Sales. Any establishment that meets the definition of a "dispensary facility," (cannabis) "retailer," (cannabis) "hybrid retailer," or (cannabis) "micro-cultivator," as those terms are defined in the General Statutes. All cannabis sales establishments are subject to the following supplemental regulations:

- (1) Cannabis sales establishments are prohibited within a 500-foot radius of any school (as defined in 4.60.2) located within the City of Bridgeport, as measured from the entrance of the school to the entrance of the building occupied by the cannabis sales establishment.
- (2) The certificate of location approval application must include a map identifying the location of all schools located within a 500-foot radius of the new or expanded cannabis sales establishment.

B. Package Store. Any establishment for which a package store permit is required, as set forth at sections 30-14 et seq. of the General Statutes. Package stores are subject to compliance with all applicable liquor control regulations of 10.10.

C. Firearms Sales. Any establishment engaged in the sale, lease, or purchase of firearms or ammunition.

D. Hookah Lounge. An establishment whose business operation, whether as a principal use or as an accessory use, includes the smoking of tobacco or other substances through one or more hookah pipes (also commonly referred to as a hookah, waterpipe, shisha or narghile), including establishments known variously as hookah bars, hookah parlors, and hookah cafés. All hookah lounges are subject to the following supplemental regulations:

- (1) Hookah lounges are prohibited within a 500-foot radius of any school (as defined in 4.60.2) located within the City of Bridgeport, as measured from the entrance of the school to the entrance of the building occupied by the hookah lounge.
- (2) The certificate of location approval application must include a map identifying the location of all schools located within a 500-foot radius of the new or expanded hookah lounge.

E. Tobacco Bar. Any establishment that meets the definition of a "tobacco bar," as defined in the General Statutes. All tobacco bar establishments are subject to the following supplemental regulations:

- (1) Tobacco bars are prohibited within a 500-foot radius of any school (as defined in 4.60.2) located within the City of Bridgeport, as measured from the entrance of the school to the entrance of the building occupied by the cannabis sales establishment.
- (2) The certificate of location approval application must include a map identifying the location of all schools

4.0 Uses

4.40 Commercial Use Group

located within a 500-foot radius of the new or expanded cannabis sales establishment.

4.40.12 PARKING, NON-ACCESSORY

Passenger vehicle parking facilities that constitute the principal use of the subject property. Includes both surface (open-air) parking lots and parking garages.

4.40.13 SEXUALLY ORIENTED BUSINESS

The sexually oriented business category expressly includes all of the following specific use types (see also the supplemental use regulations of paragraph I of this subsection):

- A. Adult Cabaret.** A night club, bar, restaurant, or similar commercial establishment that regularly features: (1) persons who appear in areas of the establishment open to patrons in a "state of nudity" or "state of semi-nudity" so as to expose to view "specified anatomical areas"; or (2) any live entertainment, exhibition, performance, or dance by persons whose entertainment, exhibition, performance, or dance is characterized by an emphasis on the depiction or description of "specified anatomical areas" or "specified sexual activities"; or (3) live entertainment of an erotic nature including exotic dancers, strippers, male or female impersonators, or similar entertainment; or (4) exhibiting films, motion pictures, video cassettes, video discs, DVDs, CDs, slides or other photographic or electronic reproductions, whether analog or digital, that are characterized by the depiction or description of specified sexual activities or specified anatomical areas.
- B. Adult Media Store.** Any establishment that rents and or sells adult media and that meets any of the following criteria: (1) more than 40% of the gross public floor area is devoted to adult media; or more than 40% of the stock in trade consists of adult media; or (2) a media store which advertises or holds itself out in any forum as a sexually oriented business by use of such terms as "X-Rated," "XXX," "adult," "sex," "nude," or otherwise advertises or holds itself out as a sexually oriented business.
- C. Adult Motion Picture Theater.** A commercial establishment occupying a building or portion of a building (including any portion of a building which contains more than 150 square feet) where, for any form of consideration, film, motion pictures, video cassettes, slides or similar photographic reproductions, or other projected images in any format are regularly shown, if such establishment as a prevailing practice excludes minors by virtue of age, regardless of whether the minor is accompanied by a parent or a guardian, or if, as a prevailing practice, the films, motion pictures, video cassettes, slides or similar photographic reproductions, or other projected images presented are characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.
- D. Adult Novelty Store.** A business offering goods for sale or rent and that meets any of the following tests: (1) it offers for sale items from any two of the following categories: "adult media," "sexually-oriented novelties or toys," lingerie, leather goods marketed or presented in a context to suggest their use for sadomasochistic practices, and the combination of such items constitutes more than 10% of the stock in trade of the business or occupies more than 10% of the gross public floor area of the business; or (2) more than 5% of the stock in trade of the business consists of "sexually-oriented novelties or toys"; or (3) more than 5% of the gross public floor area of the business is devoted to the display of "sexually-oriented novelties or toys"; or (4) which advertises or holds itself out in any forum as a sexually oriented business by use of such terms as "sex toys," "marital aids," "X-Rated," "XXX," "adult," "sex," "nude," or otherwise advertises or holds itself out as a sexually oriented business.
- E. Adult Theater.** A theater, concert hall, auditorium, or similar commercial establishment that regularly features persons who appear in a state of nudity or semi-nudity, live performances which are characterized by an emphasis on the depiction or description of "specified anatomical area," "specified sexual activities," or live entertainment of an erotic nature including exotic dancers, strippers, male or female impersonators, or similar entertainment that is characterized by an emphasis on the depiction or the description of "specified anatomical areas," or "specified sexual activities."
- F. Nude Model Studio.** Any place where a person who appears semi-nude or who displays specified anatomical areas is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. This does not include: (1) a proprietary school licensed by the State of Connecticut or a college, junior college or university supported entirely or in part by public taxation; (2) a private college or university that offers educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; (3) an establishment holding classes in a structure that has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING**

The Planning and Zoning Commission will hold a public hearing on Wednesday, February 2, 2022, at 6:30 p.m. via Zoom and in-person at the Clifford B. Green Memorial Center, 69 South Main Street Brooklyn, CT on the following:

ZRC 21-002: Request to change Zoning Regulations concerning adult-use cannabis. Applicant: PZC.

A copy of the application will be available for review on the Town of Brooklyn website, Land Use and Town Clerk offices.

All interested parties may attend the meeting, be heard and written correspondence received.

Dated this 13th day of January 2022.

Please publish 1/19 and 1/26

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION**

**REQUEST FOR CHANGE
IN
ZONING REGULATIONS**

Date 11/1/2021 Check # N/A Application #ZRC 21-002

Application Fee: \$250 _____ State Fee: \$60 _____ Publication Fee: \$600 _____

Public Hearing Date _____ Commission Action _____ Effective Date _____

Name of Applicant PLANNING AND ZONING COMMISSION Phone _____

Mailing Address 69 S. MAIN ST. SUITE 22 BROOKLYN, CT 06234

REQUEST TO AMEND ARTICLE(S) _____ SECTION(S) 2.B,

If more than one Article is requested please attach separate sheet for each one

4.D.2.3.18,
4.E.2.5.3

PARAGRAPH TO CHANGE _____ OF THE ZONING REGULATIONS

REQUEST TO CHANGE:

SEE ATTACHED

REASON FOR REQUEST:

COMPLIANCE WITH P.A. 21-1 RE: ADULT-USE CANNABIS

Note: A petition may be filed at the Hearing by 20% or more of the area lots included in such a change within 500 ft of the property under Section 16.5 of the Zoning Regulations

- 1) *Explanation: The purpose of this change is to introduce definitions for the retail sale of adult-use cannabis, hybrid retail (combined sale of adult-use cannabis and medical marijuana), as well as micro-cultivator in accordance with P.A. 21-1.*

2.B Definitions

Proposed: **CANNABIS RETAILER** - A person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs.

Proposed: **HYBRID RETAILER** - A person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.

Proposed: **MICRO-CULTIVATOR** - A person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the Commissioner of Consumer Protection or any designee of the commissioner.

-
- 2) *Explanation: The purpose of this change is to provide for the retail sale of adult-use cannabis with or without medical marijuana in the Planned Commercial Zone as provided by Public Act 21-01. Pg. 71*

4.D.2.3.18 Permitted Principal Uses in the PC Zone – Business-Related Uses

Proposed: Retail sale of cannabis by a Cannabis Retailer, or
Retail sale of cannabis and medical marijuana by a Hybrid Retailer

Special Permit (PZC)

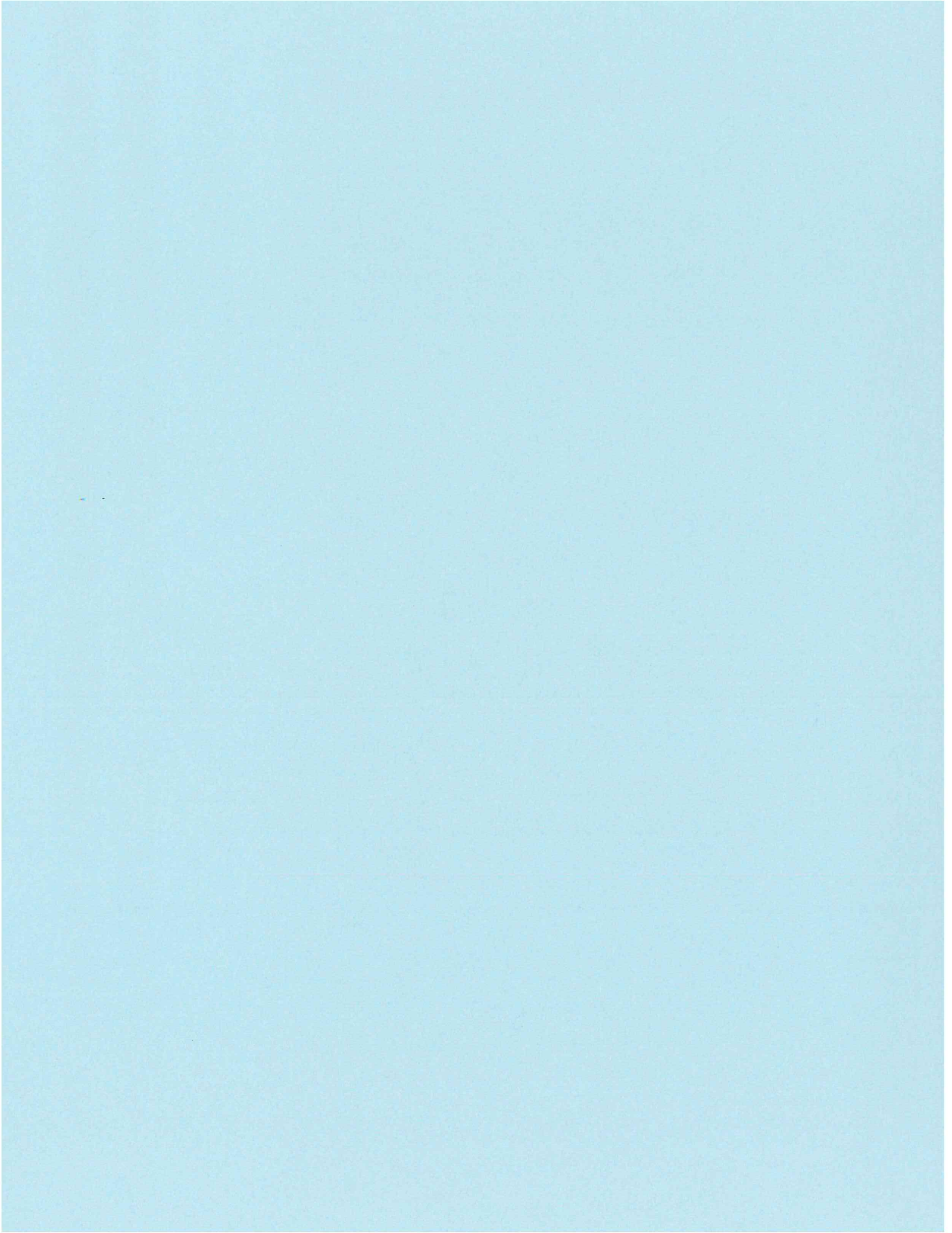
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- 3) *Explanation: The purpose of this change is to provide for the micro-cultivation of the cannabis plant in the Industrial Zone as provided by Public Act 21-01. Pg. 80*

4.E.2.5.3 Permitted Principal Uses in the I Zone – Business-Related Uses

Proposed: Cultivation, growing and propagation of cannabis by a Micro-cultivator

Special Permit (PZC)



**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
7:00 PM TUESDAY, APRIL 5, 2022
COUNCIL CHAMBERS CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Nick Demetriades, Ken Rozich, Paul Cordone, Chris Cambareri, Ann Grasso, Robert Donahue, John Keithan and Brian Dufresne

RECEIVED FOR RECORD
Apr 13, 2022 02:04P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT

Absent: Council Liaison James Demetriades

Also, Present: Director of Planning and Development Stuart Popper and Zoning Enforcement Officer Bruce Driska

1. **Call to Order:** The meeting was called to order by Chairman Alice Kelly at 7:02 PM.
2. **Roll Call:**
The presence of the above members was noted.
3. **Seating of Alternates:**
There was no seating of alternates.
4. **Approval of Agenda:**
Mr. Popper said he would like to add to the agenda Application #22-10: Request for Site Plan Modification at 161 Coles Road (Snow Park) to allow for fill material to be deposited. The Town of Cromwell is the Applicant and the Owner. Mr. Popper asked the Commission to accept and schedule the application to be considered this evening.

Michael Cannata made a motion to add Application #22-10 to the agenda. Seconded by Brian Dufresne. *All in favor, Motion passed.*

Mr. Popper addressed the public in the Chambers and watching from home explaining that the newspaper article in the Hartford Courant this morning was not accurate and there is no public hearing on the Lord Cromwell site this evening. He noted that there is an application for the Lord Cromwell site and the application will be accepted this evening and scheduled for a public hearing at the first meeting in May.
5. **Public Comments:**
There were no public comments.
6. **Development Compliance Officer Report:**

Mike Cannata made a motion to approve Application #22-03: Request for Site Plan Modification at 34 Shunpike Road to allow for renovation of the building façade and improvements to the parking lot with the conditions that the letters from the health department dated 3/9, Zoning Enforcement dated 3/8 and Building dated 4/4 be complied with and that Mr. Dayharsh will come back in two weeks with different design options for the rectangles. Seconded by Chris Cambareri. *All in favor, motion passed.*

b. Application #22-10: Request for Site Plan Modification at 161 Coles Road (Snow Park) to allow for fill material to be deposited. The Town of Cromwell is the Applicant and the Owner.

Mr. Jon Harriman, Town Engineer said during the Coles Road reconstruction project, the contractor (Baltazar) began depositing fill material at 161 Coles Road (Snow Park). He explained that the work performed by Baltazar included removal of existing concrete and metal debris, tree clearing, stripping of topsoil and placement of fill material. Mr. Harriman noted that at the end of the work, Baltazar replaced the topsoil and planted grass.

Mr. Harriman said the town proposes to continue this work. He showed on the plans where the area filled was and noted that the wooded area to the west has more concrete and metal debris and beyond the wooded area is the closed landfill that is covered with brush vegetation. He proposes removing the surface debris, clearing the trees, stripping the topsoil, and placing fill material in the wooded area to the west. Mr. Harriman said this operation would be occasional and the fill material would be generated by Public Works in the course of day-to-day operations. He said their projects generally create small quantities of material.

Mr. Harriman said in the fall of each year, the fill material would be graded level and compacted as needed. He said, he does not anticipate generating enough fill material in a calendar year to require a fill permit, and that would be monitored going forward. Mr. Harriman explained that the fill material would improve the potential of making the land usable in the future by leveling the topography.

Brian Dufresne asked if anyone else other than the town would be involved in this project because there had been issues in the past. Mr. Popper said only the town will be placing the fill material here. The Commission members and Mr. Harriman discussed the definition of clean fill material and Baltazar's work at the site. Mr. Harriman assured that only the town would be placing fill material from various public works projects around town at the site.

Chairman Alice Kelly asked if they could rename the park. Mr. Popper said they would have to go to the Town Council to do so.

Mike Cannata made a motion to approve Application #22-10: Request for Site Plan Modification at 161 Coles Road (Snow Park) to allow for fill material to be deposited. The Town of Cromwell is the Applicant and the Owner. Seconded by Ann Grasso. *All in favor, motion passed.*

10. Public Hearings:

a. Application #22-06: Request to amend the Zoning Regulations to add Section 6.11 to

allow for the retail sales of cannabis and cannabis related products in the Highway Business Zone District and to amend Section 3.5.C.4 to allow for the cultivation of cannabis in the Industrial Zone District. The Town of Cromwell Planning and Zoning Commission is the Applicant.

Mike Cannata recused himself at 8:17 pm. Ken Rozich read the Legal Notice.

John Keithan made a motion to open the Public Hearing. Seconded by Brian Dufresne. *All in favor, motion passed.*

Mr. Popper gave a summary of the adult use cannabis draft regulations prepared by the town staff and clarified some of the terminology. He explained that a couple of issues have been raised regarding the proposed regulations. Mr. Popper said the Commission may wish to decide as to whether the cannabis retail store should be permitted only in a freestanding building or in strip center or multi-tenant building. He said the other issue is the distance of the required setbacks from other uses such churches, daycare facilities and parks. Mr. Popper said there is also, the question of setbacks from medical cannabis and hybrid medical and adult use facilities from each other.

Mr. Popper said this can discussed further in our next meeting and if anyone has any questions or comments beforehand please give him a call. He said that he will look at other communities to see what their setbacks are and will give the commission, a memo for the next meeting.

Chairman Kelly asked if any Commission members had any other questions. There were none. Chairman Kelly asked if there any questions from the public. There were none.

Chris Cambareri made a motion to continue the Public Hearing. Seconded by Brian Dufresne. *All in favor, motion passed.*

b. Application #22-02: Request to amend Sections 5., 5.2.H.4 of the Zoning Regulations to allow for the waiver of a loading dock. Michael J. Cannata and Bantry Bay Ventures, LLC is the Applicants. (public hearing continued from 3/15/22 meeting)

Nick Demetriades made a motion to reopen the Public Hearing. Seconded by Brian Dufresne. *All in favor, motion passed.*

Attorney Amy Souchens from the Law offices of Hurwitz, Sagarin, Knuff, LLC, in Milford representing the applicants Michael J. Cannata and Bantry Bay Ventures, LLC. said the Commission may modify or eliminate the requirement for one or more loading space (s) based upon the specific use proposed, provided that (i) sufficient area is available for installation of a loading space (the size of which space shall be the size specified in the definition of "loading space" in Section 5.2.C) in the event subsequent re-use of the property requires a loading space, and (ii) the applicant demonstrates the proposed use does not require the loading space (s) through submission of testimony, reports, or other data outlining the manner of deliveries proposed to occur. Any plan approved pursuant to this section, shall be conditioned upon the provision of the area specified in subsection (i).

The Commission members, Mr. Popper and Attorney Souchens discussed the proposed amendment. Mr. Popper discussed instances where existing businesses in town did not have a loading area.

Nick Demetriades asked about the disposal of unused product from the cannabis retail store. Attorney Souchens explained any unused product will be taken care of inside the facility and not deposited in any outside dumpster.

Chairman Kelly asked if any Commission members had any other questions. There were none. Chairman Kelly asked if there any questions from the public. There were none.

Chris Cambareri made a motion to close the Public Hearing. Seconded by Brian Dufresne. *All in favor, motion passed.*

Chris Cambareri made a motion to approve Application #22-02: Request to amend Sections 5., 5.2.H.4 of the Zoning Regulations to allow for the waiver of a loading dock. Seconded by Brian Dufresne. *All in favor, motion passed.*

Mike Cannata returned to the commission at 9:06PM.

11. Commissioner's Comments:

Nick Demetriades talked about the recent RiverCOG planning efforts including a regional study of bicycle paths and recommendations for paths and connections to future paths in Cromwell, Middletown and Portland. He said the Regional Agency is also looking at regulations to protect stone walls in the region. Mr. Popper thanked Nick Demetriades for the information he provided.

12. Approval of Minutes:

a. March 15, 2022

Mike Cannata made a motion to approve the minutes from March 15th with the correction to add his recusal from the meeting. Seconded by Brian Dufresne. *All in favor, motion passed.*

13. Adjourn:

Mike Cannata made a motion to adjourn at 9:10PM. *All in favor, motion passed.*

Respectfully submitted,



Candice Fontaine
Recording Clerk

RECEIVED FOR RECORD
Apr 28, 2022 11:05A
JoAnn Doyle
TOWN CLERK
CROMWELL, CT

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
7:00 PM TUESDAY, APRIL 19, 2022
COUNCIL CHAMBERS CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Paul Cordone, Chris Cambareri, Ann Grasso, Brian Dufresne and Council Liaison James Demetriades

Absent: Nick Demetriades, Ken Rozich, John Keithan Robert Donohue and Zoning Enforcement Officer Bruce Driska

Also present: Director of Planning and Development Stuart Popper

1. Call to Order: The meeting was called to order by Chairman Alice Kelly at 7:04 PM.

2. Roll Call:
The presence of the above members was noted.

3. Seating of Alternates:
There was no seating of alternates.

4. Approval of Agenda:
Mr. Popper said he would like to amend the agenda to add new signage for the Cloud World smoke shop to Application #22-07: Request for Site Plan Modification at 51 Shunpike Road to allow for renovation of the building façade and new signage for the Burlington Store. HB Nitkin is the Applicant and HBN-CSC LLC C/O HBNITKIN GROUP is the Owner.

Michael Cannata made a motion to approve the amended agenda. Seconded by Brian Dufresne. *All in favor, Motion passed*

5. Public Comments:
Council Liaison James Demetriades said he is very excited about the Red Lion development and asked the commission, to keep in mind, as the plans are being reviewed to consider including affordable housing into these plans. He said it is an ideal location because it is close to the highway and access to public transportation.

6. Development Compliance Officer Report:
Mr. Driska was absent and Mr. Popper gave the report.

and parking at the site in general. Mr. Emond said that they are working to resolve the issues and to provide more parking for the tenants.

Mike Cannata said the air valves, gate valves and water valves had significant amount of snow on them last winter and they were inaccessible. He said that this cannot happen again.

Mike Cannata made a motion to approve Application #22-08: Request for Site Plan Modification at 150 Country Squire Drive to allow for the expansion of parking with the conditions that no snow can be piled on water gate valves, air access valves, generator access area and the tower access area. Seconded by Chris Cambareri. *All in favor, motion passed.*

11. Public Hearing:

- a. Application #22-06: Request to amend the Zoning Regulations to add Section 6.11 to allow for the retail sales of cannabis and cannabis related products in the Highway Business Zone District and to amend Section 3.5.C.4 to allow for the cultivation of cannabis in the Industrial Zone District. The Town of Cromwell Planning and Zoning Commission is the Applicant.

Mike Cannata recused himself at 8:36pm. Chairman Kelly read the Legal Notice.

Brian Dufresne made a motion to open the Public Hearing. Seconded by Paul Cordone. *All in favor, motion passed.*

Mr. Popper explained that a couple of issues had been raised at the last public hearing. He said these included: 1) Whether the cannabis retail store should be permitted only in a freestanding building or in strip center or multi-tenant building; 2) The distance of the required setbacks from other uses such churches, daycare facilities, schools, parks and residences; 3) The distance of the required setback between medical cannabis store, a hybrid medical/retail facility and an adult retail facility. Mr. Popper said he had done some research on separation distances in other municipalities and had submitted that information to the commission in his comments memo but he wished to read the information into the record. He read the following comments to the Commission.

Other municipalities setbacks include:

Manchester:

No Cannabis retailer shall be located within 500 feet of the property line of any property containing a school, 200 feet of the property line of any property containing a religious institution, charitable institution, hospital or veteran's home.

No Cannabis cultivator or micro-cultivator shall be located within 500 feet of the property line of any property containing a school, 200 feet of the property line of any property containing a religious institution, charitable institution, hospital or veteran's

home.

East Hartford:

No building, structure or premises shall be used and no building or structure shall be erected or altered that is arranged, intended or designed as a cannabis retailer or cannabis hybrid retailer if part of such building, structure or premises is situated:

- a. Within five hundred (500) feet radius from any part of any building, structure or premises used for the purpose of a public school a duly authorized school other than a public school, an institution of higher learning, a house of worship, charitable institution whether supported by public or private funds, library, public playground, town parks and recreation facilities, daycare centers/nurseries, municipal fire or police station, municipal town hall or other municipal or Board of Education facility open to the public.
- b. Within two hundred (200) feet in radius from any residential zoning district.

Thompson:

No non-medical cannabis facility or micro-cultivator shall be permitted within 1,000 feet pf any public or private school, library or day care facility.

Meriden:

All Micro-cultivators shall be located so that the building is at least 250' from a residential structure, measured wall of the Micro-cultivator to wall of the residential structure.

All cannabis retailers shall be located so that the building is at least 500' from a measured wall of the Cannabis retailer to wall of the K-12 School structure or playground.

Mr. Popper asked the commission if they have a preference over a free-standing building or a shopping center or other multi-tenant building. He said the restrictions will apply for medical, hybrid and retail facilities. Chairman Kelly said she thought the facility should be in a free-standing building and after an extensive discussion the other commission members agreed.

Mr. Popper asked if the commission members were comfortable with the required separation distances between the facilities and other uses as proposed in the new regulations. The commission members and Mr. Popper discussed the setbacks from other uses and the fact that they are in many ways one sided.

Mr. Popper said for instance the regulations may say that a cannabis facility cannot be within 1,000 feet radius from any part of any building, structure or premises used for the purpose of a public school a duly authorized school other than a public school, an institution of higher learning, a house of worship, charitable institution whether

supported by public or private funds, library, public playground, town parks and recreation facilities, daycare centers/nurseries, municipal fire or police station, municipal town hall or other municipal or Board of Education facility open to the public.

He explained if someone wanted to open one of the previously referenced operations after a Cannabis retailer is in business, they can move within the 1,000 feet radius. The commission members expressed their concerns regarding this part of the regulations again noting that it seemed a one-sided approach.

Chairman Kelly asked if there were any members of the public that wished to address the commission on this public hearing item.

Attorney Amy Souchens from the Law offices of Hurwitz, Sagarin, Knuff, LLC, in Milford representing the applicants Michael J. Cannata and Bantry Bay Ventures, LLC, said she will be coming in with the application when the regulation is adopted in whatever format it takes. She said the reason you put in a separation distance is protect the other facilities mentioned such as churches and daycares and if someone is making a business decision to open a business within 1,000 feet, they are aware the Cannabis facility is here within those setbacks. Attorney Amy Souchens said she strongly encourages the Commission if they are going to have a discussion about whether there is separation distance prohibiting certain businesses after a cannabis facility is open, it should be a separate text amendment process.

Mr. Popper noted that the recording machine had stopped recording and had discharged the recording disc. He asked the commission to continue the public hearing to the next meeting. Chairman Kelly expressed her concerns regarding the recording machine and said she would be notifying the Town Council of this incident.

Ann Grasso made a motion to continue the Public Hearing to the next regular meeting on Thursday, May 5th. Seconded by Brian Dufresne. *All in favor, motion passed.*

Mike Cannata returned to the commission at 9:27PM.

12. Commissioner's Comments:

James Demetriades recommended that Chairman Kelly and the Commission send a letter to the Town Council requesting a new recording machine.

Mike Cannata made a motion to recommend that Chairman Kelly write a letter to the Town Council requesting a new recording machine. Seconded by Brian Dufresne. *All in favor, motion passed.*

13. Approval of Minutes:

Received: 5/12/22
9:47am
Nicole Charest, ATC

PLANNING & ZONING COMMISSION
REGULAR MEETING
Wednesday, May 4, 2022
7:30 P.M.
Town Hall 3rd Floor and Via ZOOM
MINUTES

Call to order

Chairman DeFelice called the meeting to order at 7:30 p.m.

Roll Call

In attendance: Phil Augur, Janet Morganti, Josh Eddinger, Mike Dahlheimer, John Batorski, Jim Piotrowski, John DeNunzio, Michael Fumiatti, Richard Eriksen, Frank DeFelice, Chris Balay, Will Spooner

Absent:

Others in attendance: Robin Newton, Town Planner

Seating of Alternates

none

Amendments to Agenda

None

Approval of Agenda

A motion was made by C. Balay, seconded by P. Augur, to approve the agenda. All ayes. Motion passed.

Public Comment

- Richard Parmelee thanked the board for offering zoom so residents can attend meetings more easily

Town Planner/ZEO's Report

R. Newton noted that legislature passed to make remote hybrid meetings a permanent option

Receipt of Applications:

None

Payment of Bills

A motion was made by P. Augur, seconded by W. Spooner to pay the following bills:

- a. \$50.00- Nicole Charest: Minutes for Planning and Zoning for the month of April

All ayes. Motion passed.

Minutes of Previous Meetings

A motion was made by R. Eriksen, seconded by J. Morganti, to approve minutes of the April 20, 2022 meeting. Richard Eriksen, Frank DeFelice, Michael Fumiatti, Chris Balay, Janet Morganti, Mike Dahlheimer, Phil Augur: Aye. Josh Eddinger, Will Spooner: Abstain. Motion passed.

A motion was made by R. Eriksen, seconded by P. Augur to exit the regular meeting and enter Public Hearing. All Ayes. Motion passed. F. DeFelice noted for the record that all members seated for the regular meeting will be seated for the public hearing.

Public Hearing

- a. Text Amendment for Section 14.7 of the Durham Zoning Regulations to Allow Cannabis Establishments by Special Permit in Certain Zones with specific standards and conditions
 - a. R. Newton presented correspondence from planners at RiverCOG. F. DeFelice read the correspondence into the record.

- b. F. DeFelice asked how long the commission could continue taking public comments to avoid missing the moratorium deadline. R. Newton suggested the first June meeting as a deadline for public comments.
- b. Public Comment
 - a. Richard Parmelee: noted that cannabis is illegal at the federal level and that there will be a downside to allowing cannabis. He stated that it is a gateway drug and does not have a place in Durham.
 - b. Matt Taber: spoke in support of the regulation. Noted that it would increase commerce and tax base in the town. Also stated that this allows a level of regulation which keeps cannabis users safe.
 - c. Phil Muzio: spoke in favor of the amendments and of the proposal and agreed with Matt Taber. Expressed concern that there is no emphasis on topline revenue growth for the budget process.
- c. Discussion from the Commission:
 - a. J. Morganti: stated that regardless of Connecticut's decision to exclude cannabis cultivation from agriculture, she considers it agriculture. Stated that anyone wishing to grow cannabis who meets the requirements set forth should be allowed to do so. She proposed that a minimum number of acres be set if the commission were to consider allowing cannabis in the farm residential zone
 - b. R. Eriksen: compared cannabis to alcohol and stated that the commission should get more public input.
 - c. P. Augur: Stated that the commission has been discussing cannabis for some time. Suggested moving forward with the regulations and revising as necessary
 - d. J. Eddinger: Agreed that the regulations can change, supports waiting on the decision to add cannabis in the farm residential zone. Stated that the regulations are a good starting point
 - e. The commission discussed whether cannabis would make a significant economic impact.
 - f. F. DeFelice asked what the Board of Selectmen did regarding cannabis and if the issue could be added to a ballot. R. Newton recalled that public comment on cannabis was heard at a Board of Selectmen meeting and the Board decided not to move forward with any ordinance regarding cannabis. She stated that holding a referendum would require a process to have the question put on the ballot
 - g. C. Balay: stated that he does not think more public comment is needed. If there was more opinion, more people would be attending the public hearings. One more session of public comment would likely be enough.
 - h. J. Morganti: asked whether the recommendation from RiverCOG about the water issue should be added to the regulations. R. Newton stated that she disagreed with the recommendation and noted that the Department of Public Health and the Sanitarian will oversee any issues related to well consumption rates and discharges into public systems.
- d. Additional Public Comment
 - a. Laura Francis: stated that the Board of Selectmen held a public hearing and planned to create an ordinance banning cannabis. Public opinion was not definitive, so the Board decided to wait until Planning and Zoning discussed the issue. She stated that if Planning and Zoning decides to ask the public again, the Board could propose a ban and take a vote. She also noted that a petition is needed to go to referendum.
- e. A motion was made by R. Eriksen, seconded by W. Spooner to extend the cannabis public hearing to June 1. Janet Morganti, Richard Eriksen, Frank DeFelice, Michael Dahlheimer, Will Spooner: Aye. Phil Augur, Josh Eddinger, Chris Balay, Mike Fumiatti. Motion passed.
 - a. P. Augur stated that there was plenty of opportunity for public comment and the ordinance will still be an option
 - b. J. Eddinger stated that the public is unlikely to bring up another opinion within the next month
- f. Removal of Section 4.5.6 Containing Special Standards for Outdoor Wood Burning Furnaces
 - a. F. DeFelice read out the current language. R. Newton shared the current state language and noted that the removal of the section does not negate standards that the state has in place
 - b. Mary Ann O'Brien: asked for clarification on the definition of a Wood Burning Furnace. F. DeFelice replied that it is a unit which provides supplemental heating to the home and does not include campfires.
 - c. Richard Parmelee: asked the reason for this language change. Noted that he burns wood for heat. F. DeFelice replied that the change is to match the state statutes. Another member noted that the regulation was created to prevent the furnace from affecting neighbors. Furnaces burn cleaner and can therefore be closer to other properties.
- g. A motion was made by R. Eriksen, seconded by P. Augur to extend the wood burning furnace public hearing to June 1. All ayes. Motion passed.
- h. A motion was made by C. Balay, seconded by P. Augur to exit the public hearing, and return to the regular meeting. All ayes. Motion passed.

Received: 6/8/22
9:41am
Nicole Charest, ATC

PLANNING & ZONING COMMISSION
REGULAR MEETING
Wednesday, June 1, 2022
7:30 P.M.
Via ZOOM
MINUTES

Call to order

Chairman DeFelice called the meeting to order at 7:30 p.m.

Roll Call

In attendance: Frank DeFelice, Chris Balay, Mike Dahlheimer, John Batorski, John DeNunzio, Jim Piotrowski, Josh Eddinger, Janet Morganti,

Absent: Richard Eriksen, Will Spooner, Phil Augur, Michael Fumiatti

Others in attendance: Robin Newton, Town Planner, Gail Foreman

Seating of Alternates

Jim Piotrowski seated for Phil Augur, John Batorski seated for Richard Eriksen,

Amendments to Agenda

None

Approval of Agenda

A motion was made by C. Balay, seconded by J. Piotrowski to approve the agenda. All ayes. Motion passed

Public Comment

- Roger Kleeman: Asked about the status of the junction between Shady Lane and Route 17. Stated that there is a drainage issue which could prevent the State of Connecticut from continuing work. R. Newton suggested contacting the Town Engineer
- Richard Parmelee: Expressed support for continuing hybrid meetings to allow more attendees
- Joe Pasquale: Asked why there was a posting for the Wood Burning Furnaces Public Hearing but not for Cannabis. R. Newton replied that the Public Hearings opened at the meeting on May 4th. By statute only the opening is required to be posted, not the continuation. The notice for Wood Burning Furnaces was reposted because the section number was incorrect

Town Planner/ZEO's Report

none

Receipt of Applications:

- a. J. Juliano, Re-subdivision, Shady Lane
 - a. 3 lot resubdivison. R. Newton suggested setting public hearing for July 6, 2022
 - b. A motion was made by J. Eddinger, seconded by J. Batorski to set a public hearing for the Shady Lane Re-Subdivision on July 6, 2022. All ayes. Motion passed

Payment of Bills

none

Minutes of Previous Meetings

A motion was made by C. Balay, seconded by M. Dahlheimer, to table the approval of the minutes of the May 4, 2022 meeting. All ayes. Motion passed.

Continued Public Hearing: Text Amendment for Section 14.7 of the Durham Zoning Regulations to allow Cannabis Establishments by Special Permit in Certain Zones with specific standards and conditions

- a. A motion was made by J. Batorski, seconded by J. Piotrowski to move from the regular meeting to public hearing. All ayes. Motion passed. All members seated for the regular meeting will be seated for the public hearing.
- b. Richard Parmelee: Expressed his opposition to allowing cannabis as it is illegal at the federal level
- c. Member of the Public: Stated that cannabis negatively affected her hometown in Colorado. Noted that crime levels increased. Expressed concern about security of the locations and how finances will be handled
- d. Joe Pasquale: Questioned the regulations. 14.7.2 states a definition on Hybrid cannabis retailers and asked why it is different from the state definition. Suggested adding Dispensary definition to the regulation. Noted that the increased traffic in the commercial zone from a dispensary would cause further problems in Durham. Stated that having a cannabis establishment in the commercial zone would negatively impact children in the community. Suggested restricting cannabis establishments to the industrial zone where they are out of sight and the roads can handle increased traffic
- e. Commission Comments:
 - a. C. Balay: Stated that the north end of town is the only available commercial zone space, and that any commercial addition to the town would increase traffic.
 - b. Member: Noted that the commission decided against large scale cultivators. Any cultivators would require a special permit and therefore would explain their security, management, etc. He compared cannabis to alcohol and noted that the detriment to society is similar, but alcohol is accepted. Stated that cannabis should not be illegal but should have strong regulations
 - c. F. DeFelice: Stated that the cannabis now being offered is stronger than it was years ago, and encouraged the commission to limit the strength of cannabis being sold when an application is presented.
- f. Member of the public: Suggested board members visit an establishment to experience the smell, noted that her family in Colorado cannot go outside sometimes due to the smell
- g. Joe Pasquale: Stated that there are 10 acres of commercial property at the south end of town. Asked if an applicant could apply for a building up to 30,000 square feet for a retail establishment. R. Newton replied that theoretically this is possible
- h. R. Newton: Explained that a public act 22-103 as an update to the cannabis public act from last year, removed the limit on how many cannabis establishments are allowed in municipalities. She further explained that the requirements and the cost will still limit who can apply.
- i. J. Piotrowski: Asked if multiple dispensaries could be built under the same permit. R. Newton replied that separate licenses would be required.
- j. The commission generally decided to allow 1 permit within the town for Hybrid Retailer, Retailer, and Micro-Cultivator. The commission allowed for public comment
- k. A motion was made by C. Balay, seconded by J. Eddinger to close the public hearing. All ayes. Motion passed. All members seated for the public hearing will be seated for the regular meeting
- l. A motion was made by C. Balay, seconded by J. Morganti to adopt the cannabis regulations with the amendment made during the public hearing. All ayes. Motion passed.
- m. A motion was made by J. Eddinger, seconded by J. Batorski that the cannabis regulations become effective 15 days after legal notice publication. All ayes. Motion passed.

Public Hearing: Removal of Section 4.6.5 containing special standards for Outdoor Wood Burning Furnaces

- a. A motion was made by J. Eddinger, seconded by J. Batorski to move from the regular meeting to public hearing. All ayes. Motion passed. All members seated for the regular meeting will be seated for the public hearing.
- b. Richard Parmelee: asked if there were protections in place for residents. F. DeFelice replied that the regulation is deferring to the state regulation.
- c. J. Eddinger: explained that the furnaces have become cleaner and more environmentally friendly and so the commission decided to defer to the state regulation
- d. A motion was made by M. Dahlheimer, seconded by J. Eddinger to close the public hearing. All aye. Motion passed. All members seated for the public hearing will be seated for the regular meeting
- e. A motion was made by J. Eddinger, seconded by C. Balay to delete section 4.6.5 from the regulations that contain special standards for outdoor wood furnaces, effective 15 days after legal notice publication. All aye. Motion passed.

Miscellaneous Discussions

- a. none

Adjournment

Robert J. Bask

NEW DEFINITIONS

Section 200 Definitions

2021 NOV 19 PM 4:11

Cannabis hybrid retailer: a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.

TOWN OF
EAST HARTFORD

Cannabis retailer: a person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs.

Cultivator: a person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than ten thousand square feet of grow space.

Micro-cultivator: a person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space.

Food and beverage manufacturer: a person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages with not less than ten thousand square feet of manufacturing space.

Micro-food and beverage manufacturer: a person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages with less than ten thousand square feet of manufacturing space.

Delivery Service Facility: a person that is licensed to deliver cannabis from (A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in section 21a-408 of the general statutes, or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to chapter 368v of the general statutes that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof, at an establishment with not less than ten thousand square feet of facility space.

Micro-Delivery Service Facility: A Delivery Service Facility with less than ten thousand square feet of facility space.

NEW TEXT UNDER THE FOLLOWING SECTIONS:

Industry 2 (I-2) Zone; Section 502.2 Special Permit Uses

Business 3 (B-3) Zone; Section 403.2 Special Permit Uses

- xx. Cannabis retailer or cannabis hybrid retailer, subject to the review provisions of Section 207 Special Permit Uses, and provided that:
 - 1. No building, structure or premises shall be used and no building or structure shall be erected or altered that is arranged, intended or designed to be used as a cannabis retailer or cannabis hybrid retailer if any part of such building, structure or premises is situated:
 - a. Within five hundred (500) feet in radius from any part of any building, structure or premises used for the purpose of a public school, a duly authorized school other than a public school, an institution of higher learning, house of worship, charitable institution whether supported by public or private funds, library, public playground, Town parks and recreation facilities, daycare centers/nurseries, municipal fire or police station, municipal town hall or other municipal or Board of Education facility open to the public.
 - b. Within two hundred (200) feet in radius from any residential zoning district.
 - 2. A proposed security plan for the cannabis retailer or cannabis hybrid retailer shall be outlined in a report to be reviewed and approved by the East Hartford Chief of Police.
 - 3. The Fire Department shall review and approve the proposal and report on the fire-fighting feasibility of the proposed cannabis retailer or cannabis hybrid retailer.
 - 4. The applicant shall have received provisional license approval from the State Department of Consumer Protection to operate a cannabis retail establishment.
 - 5. Hours of operation shall be limited to between 8 a.m. – 10 p.m., Monday through Saturday, and between 10 a.m. – 6 p.m., Sunday.
 - 6. The applicant shall submit a sign package for review and approval by the Commission.

Industry 2 (I-2) Zone; Section 502.2 Special Permit Uses

Industry 3 (I-3) Zone; Section 503.2 Special Permit Uses

- xx. Cannabis cultivator, food and beverage manufacturer, or delivery service subject to the review provisions of Section 207 Special Permit Uses, and provided that:
 - 1. The production and/or storage of cannabis shall be conducted indoors.
 - 2. A proposed security plan for the production facility shall be outlined in a report to be reviewed and approved by the East Hartford Chief of Police.
 - 3. The Fire Department shall review and approve the storage of fertilizers associated with the production of cannabis and the fire-fighting feasibility of the proposed facility.

4. The production and/or storage of cannabis shall not create the emission of dust, odor, fumes, smoke, wastes, noise, vibrations, traffic, and environmental impacts to surrounding properties.
5. Any proposed retail use shall be subject to the requirements of a cannabis retailer and hybrid retailer.
6. Hours of operation for a delivery service shall be limited to between 6 a.m. – 12 a.m., Monday through Saturday, and between 8 a.m. – 8 p.m. on Sunday.
7. The applicant shall submit a sign package for review and approval by the Commission.

Business 3 (B-3) Zone; Section 403.2 Special Permit Uses

Industry 2 (I-2) Zone; Section 502.2 Special Permit Uses

Industry 3 (I-3) Zone; Section 503.2 Special Permit Uses

- xx. Cannabis micro-cultivator, micro-food and beverage manufacturer, or micro-delivery service subject to the review provisions of Section 207 Special Permit Uses, and provided that:
1. The production and/or storage of cannabis shall be conducted indoors.
 2. A proposed security plan for the production facility shall be outlined in a report to be reviewed and approved by the East Hartford Chief of Police.
 3. The Fire Department shall review and approve the storage of fertilizers associated with the production of cannabis and the fire-fighting feasibility of the proposed facility.
 4. The production and/or storage of cannabis shall not create the emission of dust, odor, fumes, smoke, wastes, noise, vibrations, traffic, and environmental impacts to surrounding properties.
 5. Any proposed retail use shall be subject to the requirements of a cannabis retailer and hybrid retailer.
 6. Hours of operation for a delivery service shall be limited to between 6 a.m. – 12 a.m., Monday through Saturday, and between 8 a.m. – 8 p.m. on Sunday.
 7. The applicant shall submit a sign package for review and approval by the Commission.



Published on *East Hartford CT* (<https://www.easthartfordct.gov>)

[Home](#) > [Departments](#) > [Development / Planning Department](#) > Cannabis Establishment Regulations & Zoning

Cannabis Establishment Regulations & Zoning



Adult use of cannabis is now legal in Connecticut, with possession of up to 1.5 oz. of cannabis permitted. Retail sales for recreational use will likely not be operational until the end of 2022. The Connecticut Department of Consumer Protection (DCP) will begin accepting applications for certain adult-use cannabis establishment licenses in February of 2022. Applications will be selected through a random lottery process, with separate lotteries for social equity applicants and general applicants. Applications then will be reviewed and vetted by the DCP and the Social Equity Council. The first 90-day application period will open on February 3rd and close on May 4th. There will be multiple lotteries, and DCP will announce the number of licenses available before each application round. In the first round, there will be 56 state licenses available for retailers, micro-cultivators, and other cannabis businesses throughout Connecticut. They will be evenly split between social equity applicants and general applicants. There are also a few license types that are not subject to the lottery process.

In November of 2021, the East Hartford Planning & Zoning Commission approved zoning regulations pertaining to retail sales and production of cannabis. Businesses must first receive a license through DCP before applying to receive a special permit to operate in East Hartford. The number of retailers and micro-cultivators permitted in East Hartford will be limited based on the town's population. Please see the following links for the approved regulations, which include definitions of various cannabis uses, and general illustrative maps of where retail and production uses will be permitted as Special Permit Uses.

Approved Regulations

Cannabis Production Locations Map

Cannabis Retail Locations Map

Social equity provisions in the law legalizing adult use of cannabis are intended to help address long-standing inequities brought about by the prohibition of legal cannabis sales. Social equity applicants are business entities that are at least 65% owned and controlled by an individual or individuals who meet income and residency requirements. Social equity licenses will be for businesses in areas deemed to be disproportionately impacted by cannabis prohibition. [Click here to view the map](#) of disproportionately impacted areas in East Hartford, highlighted in blue.

Important Links:

[State of Connecticut Cannabis Website](#)

[Social Equity Council](#)

[Disproportionately Impacted Areas](#)

[Lottery Process](#)

[State of Connecticut Cannabis Information & Definitions](#)

Source URL: <https://www.easthartfordct.gov/development-planning/pages/cannabis-establishment-regulations-zoning>



ZONING REGULATIONS

Adopted May 4, 1954 –

As amended through October 21, 2021

		a fence, plantings within the buffer must provide for six-foot vertical growth with sufficient density to protect adjoining properties.
		7. There will be a maximum stay of seven nights for guests of the facility.
	CA, CB, CM all districts	1. 1 Parking Space per bedroom is required.
Brew Pub	LI Zone	<ol style="list-style-type: none"> Public service/sales area shall not exceed forty (40%) percent of the gross floor area of the facility. The Commission may establish hours of operation for service/sales of beverages for consumption on the premises. Non-premises produced beer and/or wine shall not exceed forty (40%) percent of gross sales of beer and/or wine for consumption on the premises.
Cannabis Establishment	LI Zone	<ol style="list-style-type: none"> <p>Definition:</p> <p>For the purpose of this Special Permit, "Cannabis Establishment" shall mean "Retailer" as defined in "Section 1 Subsection 45 of 2021 Public Act 1201 (the "Act") or "Micro Cultivator" as described in Section1, subsection 36 of the Act.</p> <p>Location Restrictions:</p> <p>The property on which the Cannabis Establishment is located shall not be less than 2000 feet from the following, measured at the closest mutual property line:</p> <p>Public or private school</p> <p>Places of worship</p> <p>Public or private playgrounds</p> <p>Any other "Cannabis Establishment" as defined herein, or in the Act.</p> <p>Places serving alcoholic beverages for consumption on premises</p>