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TOWN AND CITY CLERK  
ANSONIA, CONNECTICUT

# Planning and Zoning Public Hearings

1. Moratorium on Recreational Marijuana
2. Zoning Text Change Amendment PZC – Motels/Hotels

Monday, September 20, 2021

**Chairman Heon 00:07**

September Monday September 20 2021 The time now is 6:33pm I'd like to begin with a pledge of allegiance if everyone would please recite the Pledge of Allegiance. I pledge allegiance to the flag of the United States of America to the Republic for which it stands, one nation, under God, indivisible, with liberty, and justice for all.

**Chairman Heon 00:37**

Okay, can we have a roll call please I know most of the commissioners just double check the commissioners.

**Darlene Zawisza 00:47**

Can you hear me. Yes. Chairman Heon, commissioners Malerba, Mr. Holman, Mr Levinsky, Mr. D'Alessio, Mr. Moffat, he's excused, and Commissioner McCormack, go back to Mr Malerba, he told me he would be here.

**Chairman Heon 01:47**

I'm just scrolling through the participants to see if I see him in here,

**Chairman Heon 02:07**

No I do not see him. Okay, we have four though, right

**Darlene Zawisza 02:16**

Yes we do.

**Chairman Heon 02:17**

Okay. All right. With that, we're going to go on to our first public hearing, which is the discussion on a moratorium on recreational marijuana. And with that, the draft regulation that's being proposed was being put forth by our city planner, on behalf of the city. Dave Elder So Dave, like to defer over you at this time to go over what that proposed moratorium is and kind of a little history behind it.

**David Elder 02:54**

I can share my screen if you want or it should be in your packets, I believe it was the first attachment labeled as number three in your packets.

**Chairman Heon 03:02**

Yes. I could read it and if you'd like.

**David Elder** 03:14

Yeah, we're good year. If I would have thought to read it. So, you know, moratorium is (inaudible) This is zoning regulation, essentially does require a public hearing. That's why we're all here this evening. I was asked by the by the city to draft the moratorium to prohibit the processing of applications for recreational marijuana. So I've done that, and it is similar to the other moratoriums that the city has done and it also meets the statutory requirements for moratoriums that it'd be limited in scope, and in time. So I'll just read the proposal. The proposal the regulation text change amendment, the intent of the proposal and zoning regulation amendment is for inhibit the processing or acceptance of any and all applications related to recreational marijuana use within the city limits of Ansonia this moratorium will enable the commission time to review and consider this, or how such a use may be integrated into the city and its zoning regulations. Specifically the moratorium would read as of the effective date of this amendment, the city of Ansonia Planning and Zoning Commission Shall Not Accept process or take any action on any application for any premises located within Ansonia when any such development or application involves use of recreational marijuana in any form including production growing sales or distribution. The reason for this moratorium is to allow the commission appropriate and reasonable time to assess permitting such a use as appropriate within the city and or drafting regulations permitting such use. This moratorium shall become effective the day after publication of the appropriate legal notice and newspaper has some general circulation within the city of Ansonia and shall remain in effect for a period of nine months from the date of adoption of this section. So that's the language, and if there's any clarification needed it would prohibit the processing of any applications for recreational marijuana and then in those six months, the Commission does need to make some process so at the end of the six months. If anyone were to ask the commission what happened within these past six months or I'm sorry, nine months. If anyone were to approach the commission and say you know what's the result of the moratorium, have you looked at zoning regulations. You know the commission would have to explain what they've done in those nine months, and a suitable response could be that they've considered that, and, you know, they've determined that recreational marijuana sales and production is not something that the city wants to allow in their city at all or they could within those nine months say yes we do want to allow it, and they could have draft regulations that would indicate how it would be how it would be implemented in the city, and then it doesn't have to be final in nine months, either it's just within those nine months there's an expectation that you are able to show what's been done within the nine months in terms of the deliverable are really just a status update. That's all I have, I'd be happy to take any questions Mr. Chairman.

**Chairman Heon** 06:35

Okay, thank you. I believe this is the same course that we did with the medical marijuana as well when that first came out, this is kind of new to our commission. We did see, obviously this one coming for a little while but we do need to take some time to come up with a regulation as to if and where it'll be allowed similarly to the medical marijuana, and I guess it's just important to note that the medical marijuana that we currently have in our zoning regulations is not affected by this.

**David Elder** 07:12

Correct. So someone still could make application for medical marijuana in accordance with our regulations.

**Chairman Heon** 07:18

Right. And I assume will probably follow the same, at least that was my plan we'll follow the same trajectory that we did with the medical marijuana and coming up with a regulation for this as well. With that, is there any other staff Rhonda, Dave, any other city staff that would like to comment on this.

**Ronda Porini** 07:42

I have no comment thanks

**Chairman Heon** 07:50

commissioners any comments on this before we open it up to the public?

**Chairman Heon** 08:02

And I'm just scrolling through, I don't see anybody if there's any other. Okay. That being said, I'm going to open it up to public comment at this time. We would just like if you would please state your name and address for the public record. And also if you would limit your comments to three minutes. And if you aren't going to do a follow up comment, a second comment after we've given everyone a chance to speak. If you could just limit that to like two minutes just so we can keep things going with that. Representative Rochelle I see you got the first hand up.

**Representative Rochelle** 08:46

Thank you, Jared, I did want to reach out tonight and speak with you all, obviously, as you know, the legislature has a broader base of subject information regarding this policy regarding the bill itself. So I wanted to share some information with you all, and also offer an invitation to the members of p&z if you'd like to do a tour of the facilities in West Haven, or any of the dispensaries, I'd be happy to bring you through it for those locations I can arrange that. So you can get a better idea of what these are and what these are not like California, but the truth is that there's 19 states already have recreational marijuana it's 1% of the country's population that have recreational marijuana regulated. So this is not anything that's new and as quaint and around for quite some time in fact Connecticut has at the MediCal program for almost a decade now, so wanted to give you an overview of some of what's in the bill regarding regarding regulating this industry now and, and why I think it would be a little short sighted in order to look more economically injury and so on. So the first thing to know is this bill is 300 pages long, and a full about 100 pages of regulation. So this is a deeply organized bill that takes account, everything from seed to sale. In fact, there is a scanning process that tracks seeds to sale to ensure that everything is heavily regulated and I'll give you an example of that in West Haven facility staff wear scrubs, they can't wear pants, they have pockets so that every single seat is coded for nobody can be able to take seed out. To get a little bit of background, just something to be aware of is that Ansonia is one of 35 towns out of 169 that was selected for economic prioritization. What I mean by that is that we took a map of the state and they looked at what towns have been either a adversely impacted by the previous regulations on marijuana or high poverty rates and high interest rates. And so these are the towns that are going to get first priority for getting licenses for, for all aspects of this industry. And so what that means is that 50% of all applications will go to these 35 towns. If we were to put a moratorium in place, it would mean that any potential business that is interested in potentially opening in the area, based on what you have right in, in this proposal would not be able to put an application in and

therefore wouldn't be able to apply that state, to be considered for one of these applications. So you'd be essentially taking Ansonia, out of the running for this business altogether. And that's something to be aware of. The other thing to note is that we put into this bill that municipalities are able to put a 3% tax. That will go directly to the municipality, so not only will there be tax revenue goes to the state and then a trickle down for things like food education funding and other other resources for communities, but the city would directly benefit tax wise, that can be put with anything at the city inappropriate. And by putting this type of provision a moratorium, again the businesses would not be able to get their, their licensing in a row to even apply that state programs but it would take into money completely out of the running there. I also just want to point out that delivery services are not up, there's no nothing the city can do to prevent, prevent drug free services so this were an effort by some to stop it being in the community, it's, it's already in the community is 100% legal and delivery services would still be happening within the community, so the only real change would be that you'll be taking into account the running for the revenue, and for the jobs. So just keep that in mind, and I wholeheartedly am happy to put bring you all to a facility if you'd like to my email address is Kara.Rochelle@cga.ct.gov. I'm happy to go on a little road trip with you all down to West Haven. There's also dispensaries in Waterbury, New Haven two and Milford and towns like orange are actually looking at doing PNC codes where they allow the use some outside locations, some, some outside areas of bars and restaurants I know it's not here. I'm not advocating for that. I'm letting to know what other towns are doing around you, so you have a better idea of where folks are going to make sure you get that information if anyone wants further details or has follow up questions I'm happy to schedule a separate conference call or give you any information that you need. But I do think that this this provision is a little, you know horse before the cart and could end up doing more harm than good.

**Tim Holman** 13:20

I have a question. Sure. The livery services, they come from other facilities throughout the state.

**Alderman Phipps** 13:30

There'll be a regulated system delivery services and other thing that will be regulated by the state, yes there will be the ability for delivery services from from dispensary, because it's a it's an industry just like, you know we have liquor stores in town, it's that nature.

**Tim Holman** 13:46

So essentially if we was to pass this amendment, and we stopped the sale or production in our town. It still could be delivered here, and we would lose out on a 3% tax. Correct. Because it's taxed in another town. Correct.

**Chairman Heon** 14:08

All right, thank you. Looks like we have a John Feddern saying your last name right.

**John Feddern** 14:17

Yep, you got it. Jared Thank you. Thank you. You nailed it. John Feddern, Hubble Avenue. I just want to say, I understand the need for regulation of recreational cannabis you're kind of going through the same thing now that you did with the ? back a couple years ago, but the regulations that are needing to be written can be crafted concurrently with the acceptance of applications for cannabis dispensaries

and grow facilities. But the thing is enacting a moratorium just kind of kicks the can down the road, and we have an opportunity to establish businesses, local businesses owned and operated by local residents with local jobs, and that opportunities go into passes by. Right now, the first Connecticut dispensaries are projected to open in mid 2022 Nine months from now, is mid 22 I'm also aware that the President of the Board of police commissioners, has written a letter to the board of alders, I believe it was last month's meeting proposing a ban on all recreational sales and growth facilities in Ansonia. And another concern I have is that a moratorium is really just laying a path toward an eventual outright ban. And that would be really really short sighted. The city would be something its nose and steady tax revenue stream 3% of all sales we're talking about 10s of 1000s of dollars to the city to start maybe hundreds of 1000s of dollars as we go on during the legalization process, just want to kind of draw a contrast here. There are currently no less than I believe 35 establishments in Ansonia restaurants package stores, grocery stores, private clubs that sell alcohol so pretty well most everyone in Ansonia is within a brisk walk of being able to tie one on at this point. This board is considering acting over one or two cannabis dispensaries and or growth facilities so I kind of want to draw contrast here, you know, you may be saying to yourself, you know, alcohol is one thing, while we're talking about cannabis now, and that's a false equivalency. And the thing is, you'd be right if you're thinking that for one cannabis is a prescribed medication, alcohol is not, you're not gonna see any doctor prescribe alcohol for cancer pain management PTSD, glaucoma, HIV Parkinson's ms or sickle cell anemia or the other 20 to 30 conditions that cannabis is currently prescribed for. Many people die from alcohol use, CDC now reports that there's over 30,000 deaths from alcohol use and that doesn't include accidents attributed to alcohol use. On the other hand, the CDC doesn't even have a category for deaths caused by the health effects of cannabis, people die from alcohol overdoses, I have actually known a couple of people who came very close. You can't overdose on cannabis, alcohol use is linked to cancer cannabis use is not alcohol use is a major factor in violent crimes cannabis use is not the National Institute on Alcohol Abuse and Alcoholism estimates that 25 to 30% of violent crimes in this country are linked to the use of alcohol. According to report from the DOJ, that's millions of alcohol related violent crimes per year. To contrast that the government doesn't even track violent acts specifically related to cannabis use because cannabis has not been associated with violence. Finally, alcohol use contributes to the likelihood of domestic abuse and sexual assault. Cannabis just simply does not, really I just kind of being honest with you guys people in Ansonia are going to get their weed somewhere. The problem is that that somewhere is most likely to be the black market, particularly in the first five years of this legalization ramp up that we have. After that, it'll be from another town. And I feel like instead of sitting back, the city should be leaning in to provide well regulated and controlled cannabis supporting efforts to extinguish the black market right now for cannabis and not fostering it through its own inaction. I strongly urge the board to reconsider this moratorium. And at the very least the timeframe should be shortened to maybe 1/3 of what it is right now, so that the city is in a position to lead on this pro business initiative by the beginning of next year. Thank you.

**Chairman Heon** 18:11

Thank you.

**Tim Holman** 18:14

I have a question for Dave Elder.

**Chairman Heon 18:16**

Hold on please. We're just going to continue with the, with the public right now. Lynne Schwarzenberg

**Lynn Ann Schwarzenberg 18:25**

hi everybody my name is Lynn Schwarzenberg I live at 63 Hubbell Avenue. I'm here tonight to implore the members of the planning and zoning committee to reject the nine month moratorium on welcoming the cannabis industry to Ansonia, as others have already stated, this is an excellent opportunity for both an increase in tax revenue, and an influx in good of good jobs for our city. Ansonia is one of the 35 towns and cities in Connecticut to receive extra consideration and funding from the state for cannabis businesses. But make no mistake, this is a time sensitive issue and a nine month moratorium, has a very good chance of becoming a de facto ban. If there are no licenses left at the end of that period. If we push off the acceptance of applications for nine months. We will miss the boat on this, and neighboring towns will reap the benefits. Instead, let's learn from the example of places like ? Massachusetts. When Massachusetts legalized recreational cannabis ?. They were afraid of people standing around outside getting high outside the shops, car accidents from people driving high and all the traffic in lines we're going to be out of control. But none of that happens. Now, ? residents are watching as neighboring towns are collecting all the extra tax revenue. And they're now in fact trying to get the band reconsider. But once it's in place, it's very hard to reverse. Please understand that cannabis users will obtain their cannabis, whether there's a dispensary in Ansonia it or not, as someone who's had their medical cannabis card for over six years, I can assure you that getting ourselves to sell in our seeing more to spend our money is not beyond our capabilities. Please don't deprive Ansonians of a piece of the pie, in this very profitable industry, please reject this moratorium. Thank you.

**Chairman Heon 20:38**

Thank you. Is there anyone else would like to speak on, Alderman Mr Phipps I see your digital hand is up.

**Alderman Phipps 20:51**

Thank you, Jared, I would if I were to just speak the notes I had written down I just been repeating, while other people have already said about the only thing that I can take from this issue is that by, it's only a moratorium right now may put us on the sidelines watching the parade go by, so to speak. And that's something that I don't think we want to do. There are benefits to the town financially for doing it. And I think there are a myriad of laws and protections built into the law, some of which we may not even be aware of because it is a complicated. And I don't think that even the people who wrote the law have a complete understanding of what they wrote, but I have confidence that when it does get applied. There will be protections for everybody, as well as benefits. I think all we got to do is look up to the border and the stories we hear often Massachusetts, of people in shirts and ties and fancy cars standing in line with a handful of money to buy the product. Well, if we could get a piece of that action, without harm. I'd say go for it. But don't put us on the sideline by twiddling our thumbs while somebody else might be jumping in and winning the awards. That's it. Thank you.

**Chairman Heon 22:24**

Thank you. Okay. Tim, I know you had a question.

**Tim Holman** 22:32

Yeah, I wanted to ask this to Dave Elder, are you there?

**David Elder** 22:41

I was on mute. My apologies.

**Tim Holman** 22:44

this proposal you drew this up, right. Correct. Um, did I don't recall, maybe I missed a couple of minutes so we asked you to draw this up or how did this come up.

**David Elder** 22:57

No, I was asked by the Economic Development office to draft moratorium for your consideration.

**John Marini** 23:14

Added with edit: Adding this was a recommendation through a letter submitted from the Police Commission. They discussed the pros and cons and were asked to bring to the Board of Alderman for acting on.

**Tim Holman** 23:50

Added with edit: Mr. Holman asked about losing out if we put this 9 month moratorium in.

**Chairman Heon** 25:20

to be honest with you Tim and that's the purpose of enacting a moratorium is to do that research and come, like we did with with the medical marijuana. And we did try and rush that to get that on the books for the same reasons that folks are alluding to, and to my knowledge, we didn't have anyone other than one person express interest in a dispensary and then decided not to do it, but we've had those inactive for quite some time. At this point, I Sheila your hand is up, go ahead. I mean, you would know better if there were any other applicant we haven't seen any applications come before us. But, I mean you would be able to tell us the interest that may have come to City Hall,

**Sheila O'Malley** 26:07

no there are, there haven't been any applications, and I will echo what John said, which is you know the PD has asked us to, to do a moratorium, and I will also say to you that you're not missing any boat. It's a long process, I think, a nine month moratorium is, is, is not a long time to wait to decide how to do things properly, you have a very small city, with very limited room for development, and I, and I think a nine month moratorium is is appropriate. I also think there are many other communities out there that are doing a nine month moratorium so this is not unusual. This is not going to, you know, squash any opportunities that exist out there. Just want to let you know.

**Chairman Heon** 27:03

I think you have representative I see your hands up and I just gonna, I'm just gonna throw it out there to anyone who hasn't spoken yet, if they would like to speak before we go back to you. Is there anyone else from the public who would like to speak, you could raise your digital hand. Turn on your camera, raise your real hand. If you're on the phone. Just state your name,

**Dan King** 27:38

I would just like to add that we have seen this in the medical dispensary. We have a lot of properties and a lot of available space within a city that we could use. I opposed to several other constituents, a lot of people my neighborhood. Ban and illegal businesses. And the letter that was sent to the Board of Alderman from the polic commission was rather vague because it's basically two lines but, you know, that's normally in any cannabis business and account without any backup or anything. So we would actually, you know by negatively, you won't have an available in our community. It takes away the profits of the client. If it's an off in the street with a retail establishment for we're going to profit and take the money. As it was said earlier, one way or another, people are going to get what they want, whether they drive to Massachusetts, whether you're buying off the corner. You know as a dispensary I don't know of a single one anywhere in the United States, where somebody was shot in the corner of illegal Dispensary for selling weed, we've had that happen in our community. I think it's to just throw that out there and say, No, we're not interested in your business. When there are incentives involved, I think is that little ? because we have a planning and zoning, for a reason. So if somebody puts an application and we can review, make sure it's done right, it put whatever restrictions or things we want, at that time and work with them, but the flat out say we're not even willing to accept applications, or talk to you is denying business. We're losing out on a possible, you know, tax revenue. Like I said, I really think, like, having a legal business that takes that out, I mean you know in the 1920s we saw speakeasy was opened up with violence and crime infested when they banned alcohol in the United States. They're a legal business, we're not talking about you know we're gonna open in a brewery ours, we have 15 places on Main Street just a local, that's all well and good, I don't have a problem with that. We're really going to look at a possible business revenue, and just say no thanks to your legal business and your investment is ?

**Chairman Heon** 27:38

I hear you, Dan.

**Sheila O'Malley** 30:18

it's not a ban it's a moratorium.

**Dan King** 30:21

It takes us right now, we're not even accepting applications. We have the process in place, let's use it. I'm a big believer in follow the process, follow the rules. That's why we have them.

**Chairman Heon** 30:36

Alderman, just fine right, just, yeah, just to let you know, the, the point of the Planning and Zoning Commission, considering the moratorium is to make that process for this new legalized use, we did this with medical when it was new, and, and that is the intent that I'm understanding is that we're going to now go through the same practice with, with the recreational. So I don't I just want to clarify that I don't think anyone here is just flat out saying no, we're not going to do this. And we're not going by doing

**Dan King** 31:11



But by doing a moratorium for nine months it really takes us out of the running. We're basically putting up a sign you're not one. This is going to be very competitive with a lot of places are willing to take it. We were on the West Haven facility, go to the other ones. These are some, you know, little dangerous drug shacks, these are you know high end resale shops. They know how to conduct business. This isn't a corner store operation. That's not what we're looking at. I just don't want to slam the door shut possible tax revenue. And I don't think, I think it's unfair to you know the voters in the state and the legislature, if there's a way. This is illegal. And we're looking for ways to deny illegal. That's my opinion, that's what a lot of my constituents are telling me. Why would we refuse a possible business, why would we push that out. If somebody wants to open a bar in town, we don't say know what we're moratorium on that, we have 15 package stores, we have 20 bars, restaurants serve alcohol. This along the way, there are laws and we can take this body is tailored to watch and decide at a broad stroke of just saying no, we're not accepting any application. It really does. You know, inhibit us that they're going to go somewhere else.

**Chairman Heon** 32:39

Thank you. Thank you. One more representative and then we'll go back to you, Sharon. Papcin.

**Sharon Papcin** 32:51

Hi, from onside Sylvan drive Ansonia Connecticut. I think that the data collection is very important here. I think the state should have sufficient amount of data that they base their decision on, and even bring it to the table, what worked in some states what didn't work. I'd only see what's out there in the news, but I don't have the data in front of me. So I see that Colorado was not so successful, they, they put it there, right now they're spending more on social services than the revenue income coming in. Now that should probably bounce off in the future. Once they, you know, because there were new at this. So then you also have Massachusetts which has been a relatively balanced success. So I think looking at that and setting up the guidelines as to what works, what doesn't and getting all that information is really important. I think what Dan said about losing out in business now. Certainly, six months from now, nine months from now, if there's something in Hartford that people are going to but they open up something in Ansonia, well then the Ansonia people are going to go the unsold you're not going to travel to Hartford from so we wont take Rway from that success at that time. It's just the time leading up to it. So thank you very much.

**Chairman Heon** 34:25

Thank you. We're, we will go back to representative, Rochelle.

**Representative Rochelle** 34:30

Thanks for a second round with you all. Just want to clarify a few things. First is this, this, the legalization process in Connecticut was was several years in the making. It was a very long process. That's why the bill, and has about 100 pages of regulation is because we've looked at the best the best we have one of the tightest regulated medical programs in the country and very similarly, you know, Connecticut has their own way of doing things, Medicaid is very tightly regulated. Like I said, we're going to have from seed to sale a tracking system. This is not willy nilly thing, like other states is very deeply regulated. The second thing to be aware of is that there absolutely is a timeline involved and when I say that I mean that to be true because the licensing applications will open in January we're

expecting. And so at that point, people who are looking to open a greenhouse or we're open a company to make cookies or whatever the case says they're going to need to have things like verification from P & Z in there, they're going to, you know right now is when these businesses aren't looking at what towns are going to be open, because it's a long process, the earliest ones that maybe will open up the next summer and the reason is is because there's going to be mountains of paper we're going to need to start now. And when I said there's going to be special consideration for towns like Ansonia, like Derby are two of the 35 out of 169 towns. And what that means is not only are they going to be prioritized 50% of all applications being that we're trying to as a state funnel. This economic development towards communities like ours specifically to help these communities survive, but also the application fees will be less for residents of these, these census tracks. So it is an opportunity for our residents to get into the industry as well and become business owners or partners, so it's really critical that we don't miss this window, and There absolutely are. There is a window involved because of the rounds of applications that are not going to open single town in the state, or looking now which towns going to be good partners and that's.

**Chairman Heon** 36:43

Thank you. Okay. Sharon, did you have something to add again or did I forget to lower your hand

**Chairman Heon** 36:59

There is someone with the name of "B"

**Amy Arutt** 37:07

Hi, that's me, Amy Arutt, I'm sorry I didn't fill out my whole name. Prospect Street. Um, I feel like there's been a lot of time to look at research and data. Because this, you know, this has been legal for a long time in other places. I did say one little blurb from like a 300 page report from Colorado, and I don't know where Sharon got her information but I just want to read this, who says, this is from the 2020 report, it says, Colorado, according to the report, as of June 2020, 2709 licensed marijuana businesses were registered in Colorado, the total revenue from taxes license and licenses and fees, increased from 67 million in 2014 to 387 million in 2020, the amount of taxes transferred to the school capital construction fund, and public school fund increased 264% from 33 million in 2015 up to 120 million in 2020. So, but, I mean, I know that there was a moratorium put on dispensaries years ago. I think that it doesn't sound like anybody's really done any due diligence for looking at statistics, it's I don't know this sounds like it just came from a letter from the police but, I mean as far as, you know other towns that have these dispensaries there haven't been incidents, there's a dispensary in Westport right by you know the nice restaurants there in town. It's, you know, it's a fancy, fancy town compared to here. And people are like they said before, people are going to get their weed, and it will come here through, you know, Uber Eats or kind of thing or something like that. I just wanted to, um, you know, put that out there that I think that it's kind of blind, I think people are doing this blindly, in comparison to what the opportunities are, and having not done due diligence beforehand. Thank you.

**Chairman Heon** 39:15

Thank you. Is there anyone else would like to comment at this time. Anyone else would like to comment at this time. And the third call anyone would like to comment at this time.

**Sharon Papcin** 39:30

Jared, I forgot to ask, is there a list of, is there some guidelines as to what every city and state, I mean every city in Connecticut is doing currently what what they've submitted what their boards have been planning, I think, I think someone had mentioned that we do have that information. So,

**Chairman Heon** 39:55

likely at this time, Sharon, just to let you know if this does go actually either way, we're likely going to in our regular meeting next week, engage our city planner on doing that research and coming up with some recommendations for us.

**Sharon Papcin** 40:13

Okay, and then to Tim's point tonight about the crime data that's very important, crime data from the other states, crime data, leading up to this, and you know to figure that out, but thank you so much, I appreciate it and I look forward to seeing your research.

**Chairman Heon** 40:31

Thank you. Thanks. We have Tom lionetti,

**Tom Lionetti** 40:39

Tom Lionetti at 79 Sunset drive. I live in Derby. And I think we're gonna have the same problem and I can't understand how either Derby or Ansonia could pass up on this. If you take a ride down to the Milford dispensary and you see the clientele that goes in there you're going to be quite surprised, three piece suits. It's not what you think. I don't know I just think it's gonna be good for Ansonia. And if you don't do this I hope Derby does, so we can get the money we can make the money, but I'm all in favor of it and I hope everybody is. Thank you.

**Chairman Heon** 41:23

Thank you Tom. We won't hold it against you that you're calling in from Derby. We always like the rivalry.

**Tom Lionetti** 41:32

Well thank you very much. Maybe I'll move to Ansonia if you guys pass it.

**Chairman Heon** 41:38

I thank you. We have Alderman Mammone has his hand up. Hey, Jared, thank

**Alderman Mammone** 41:45

Tony Mammone 35 Berkshire road. Just wanted to say, it seems, you know, it seems like, I don't know I guess there's the assumption that there's multiple applications, kind of, in flight for this when it doesn't seem you know, I guess based on what Sheila said, there's been no applications. If we look at what the medical dispensary kind of what we saw the moratorium was put into place. And again I know Milford has guys with three piece suits, Maseratis' whatever pulling in, but even the medical dispensary we've had no interest, We don't have any of those in town so I think nine months to kind of plan this out and see kind of make sure we're doing the right thing for the city for the police for everybody. I think it

makes sense just to pause, make sure we have all of our ducks in a row. Before we move forward with a hasty decision. Especially if there's nobody beating down our door to make this happen, the buy in is pretty pretty large I guess from, from a grower, as well as a dispensary kind of setup. So, I don't think there's any harm or foul. We don't think there's a giant truck of, you know, funds waiting to be dumped in Ansonia that we're passing on the medical folks, medical dispensaries have had the opportunity, or at least the openness to come to Ansonia, they haven't come. So, I'm not sure if there's going to be recreational dispensaries beating our door down. When you know if there's potentially Shelton where they may have a higher clientele or something along those lines, so I'm supporting the moratorium to just wait and make sure we have everything in a row where we need it, especially some of those other statistics that were mentioned previously. Thank you.

**Chairman Heon** 43:29

Thank you. Kianna DeCiusis?

**Kianna DeCiusis** 43:34

Hello, I think I would just like to say oh I'm sorry I live at 47 North Prospect Street. I would just like to say that there's a strong chance that there aren't any applications in currently, because it's known that the state is going to be helping fund businesses. So, taking into account that we currently don't have applications in for this kind of business doesn't necessarily mean it won't happen. However, it definitely won't happen if there's a nine months, cause I think that people will want to get into this as soon as possible and if we are giving the impression that we're not interested in this business, people will not be interested in opening their business in Ansonia. Thank you.

**Chairman Heon** 44:20

Thank you, Sharon, I see your hand up, but I'm just going to throw it out there to anyone else who hasn't spoken, if they'd like to speak before we go back to Sharon is there anyone else who would like to speak at this time. Okay, Sharon, go ahead.

**Sharon Papcin** 44:39

Sorry about that. okay, so basically, You guys are not saying there's that there's not interest you're saying that you want to study this. Now, should this be moving fast, so you see it moving fast in next couple of months. Is that something that you could speed up as well, on your end, maybe cut the time from nine months to six months or, or, if no one is moving on it, to an extent, is that something that you're flexible about.

**Chairman Heon** 45:08

We're flexible to a point of our regulation so we go the process of changing the regulations where we have to conduct a public hearing, and then it has to close it comes to a vote. And then there's an appeals period but surely, you know, to put an amendment forward, or to put a proposal forward to passing does not take a full nine months, it just depends on how long it takes to craft the regulation, weighing the public input, and then putting it to public hearing and a vote.

**Sharon Papcin** 45:42

Okay, thank you very much, I understand.

**Chairman Heon** 45:45  
We have Tommy Howell.

**Tommy Howell** 45:49

Hi there. Um, I think that just the only thing that I want to say is that Jared: can you just give us your address? I'm sorry to cut you out I'm on Hubble Avenue. The problem is that we haven't had applications beating down our door for the medical marijuana dispensaries, because originally Ansonia pretty much by their denial originally said, We don't want yet and so they went elsewhere. They already put their applications and other towns and got their licenses and are open there. And I think that that is a prime example of why this moratorium is problematic for the idea of drawing these businesses into Ansonia, thank you.

**Chairman Heon** 46:41

Okay, thank you. Is there anyone else who would like to speak.

**Tim Holman** 46:48

Yeah, one last thing. I think we're confusing the issues here, medical and recreation are two different things. Medical was an established thing that we voted on, but remember when the recreational comes around in January. There's gonna be a flood of applications, because of the amount of money that the state is going to pour into that, to help you get the business going. So, if we extend this nine months, We're cut out of the January file. So we can't, we can't sit here and say, Oh, we didn't get any applications for recreational, I mean for medical the recreational one is entirely different. There's a whole spectrum is a lot more involved with that, a lot more.

**Chairman Heon** 47:44

Um, I guess. I don't know the answer to this specifically but if there is a moratorium put in, and a regulation should get passed. Does that automatically stop the moratorium, or does it have to go through the full length as specified on the moratorium, Dave?

**David Elder** 48:03

So the. If no regulation is passed within those nine months where the commission doesn't propose a new regulation, then the moratorium will last nine months, at the end of those nine months. We do not need to have a hearing the moratorium will expire on its own so unlike the beginning of the process that it requires a public hearing to enact moratorium, you do not need a public hearing to end the report, the moratorium will expire on its own in nine months, if the commission chooses to adopt regulations or two things. So one of two things would happen, either the commission adopts regulations within those nine months, that would go through a typical public hearing and regulation adoption process. At the same time we would end the moratorium. At the same time that we adopt those regulations, or if the commission wanted to shorten the moratorium, or end the moratorium without adopting regulations. They could do that too, but it wouldn't be a regulation text chain so it would require public here.

**Chairman Heon** 49:10

I mean that makes sense. I'm sure it would be handled concurrently with any proposal that would come through so basically it's a do not exceed the timeframe that's on the moratorium.

**David Elder** 49:22

Correct, with a with a, with a built in expiration at nine months,

**Chairman Heon** 49:32

We have one more hand up here Dave Rhodes. Hi, can you hear me, yes we can.

**Dave Rhodes** 49:42

Hi Dave Rhodes Jackson Street 146 Not a marijuana smoker myself a lot of friends. I know do I have family to do my sister gets medical marijuana. This is truly a case of you snooze, you lose, we're up against the clock here, I think Kara, Senator or Representative Rochelle said January 1 are starting to accept applications. We can't lose on this. Let's not snooze. We need that money. It's helpful. And, you know, we got to get it done, marijuana industry is a highly regulated industry, you're not going to be looking at a lot of crime there's security measures everywhere. You know we got to get this done. That's all I got to say.

**Chairman Heon** 50:30

Thank you. I just wanted to add one comment of mine, my personal opinion on this. I'm not against anything I'm not, I'm not. I'm not really taking a position totally on it but as a planning and zoning Commissioner, I think that we're mostly charged with. Does this fit and where can we fit in, and I personally want to take the time to make sure that we're not popping up something inappropriate in a neighborhood where it doesn't it where is that suitable to be. And I think that that's, that's the way that I'm looking at this and that's the charge that I'm taking from it is to make sure that if this is going to go somewhere it's going to go in the right place, and it's not going to disrupt the lives of anyone who's living in that in that certain area. So, that's just my personal opinion on it I don't think we need to take the nine months to. I don't think it has to be the nine months I think we can get on it. If it's something that, it seems like there's a lot of interest and an importance but I do want to make sure that we do it properly and not rushed and jumped the gun, just my personal opinion on that. With that, Representative Rochelle has her hand up. Go ahead.

**Representative Rochelle** 51:48

I just want to share a little bit more information about the application process with you. And what we're seeing and what we've heard so far. The thing to be aware of is that because the application process is such an intensive processing industry. This involves lawyers this involves, you know, a really high level of business pedigree in order to get one of these applications in an insubstantial amount of money as well. We're expecting though in the not the absolute that most of the folks that will be in the first round of applications will be existing businesses that are currently offering offering medical, they're looking to expand their industry into the, into the recreational sector. So these will be known, known for the majority, well known, businesses that will be looking to get in on this level and again 50% of applications must go to these 35 pounds, so they are looking now which towns are going to be willing to work with. I'm happy to get you guys, you know copies of what, what other towns in Massachusetts are doing. That's a pretty easy thing to do we can get things like that for you all. Um, and it's also worth

noting that we have people I will get into who are aware, but we have people from our own community that have facilities in Massachusetts. I don't know if anyone's aware of that. But we do. And so there are folks that have said things to me like this community has given so much to me I'd like to get back. And so that's something to keep in mind, I won't get into anything more than that because it's not my place to say but I think it would be a mistake to put these types of regulations in now, but I'm happy to again walk you through the facilities if you guys tours and get us any information that you need, what Massachusetts assuming because they're really good example of remodeling.

**Chairman Heon 53:33**

Thank you. I also, you know, just want to point out that a moratorium on this doesn't negate any informal discussion just like any other applicant will potentially have bringing in any type of business that can go in through city hall the building department, any of the normal functions to come through. It's the formal process that would be

**Representative Rochelle 53:53**

if they see that they're unable to start to get their ducks in a row P and z are gonna hinder their ability to application and so they're going to look elsewhere.

**Chairman Heon 54:06**

Okay, John Fetterman has his hand up.

**John Feddern 54:12**

Thanks Jared. Just a quick thing I think you alluded to this in your comments about two minutes ago, this moratorium can be shortened. And then if you get to a point where you haven't gotten your ducks in a row, you can extend that moratorium at that time so I think that going back to my original comments, you know, the regulations do need to be there, there's no, you know, really, There's no doubt about that. But nine months, you're already putting yourself in a position to where you know you're you're casting that dye. My point is this moratorium could be a lot shorter. You guys are very capable on the p&z board putting this stuff together, you did it once with medical marijuana, you can do it again with recreational. It's just that this this timeframe that we're talking about this nine months really is going to be a game breaker. Okay. There's a lot of money on the line here and come January, that's when those permits are going to be started putting in. So just want to tackle that next.

**Alderman Stuart 55:10**

Thank you. President Stuart.

**Alderman Stuart 55:16**

Oh, Jared. Thank you for your comments. And anybody that knows me knows anytime that tax revenue, or new business comes up my eyes light up. So I really appreciate this conversation, and all the comments and the you know the prospects of, you know, future, and figuring out the right way. We did pass this down to you guys. We received the, the memo from from the Police Commission, and we sent it to P&C for a reason. And, you know, there was a comment about horse before the cart. And you know I think acting to circumvent this process through p&z least speaking for myself and I want to see this go through the full process. There's a lot a lot at stake, as everyone has said, and there's some

very smart people on this commission. I have a lot of confidence in them, and you've handled a lot of really tough issues, particularly recently. And so I have faith that, that the right decision be made, I don't know, the 90 days, whatever the you know the dates of a moratorium. I do like the idea of you guys thinking this out and doing it the right way. You have one chance to really nail it. I'm not an alcohol scholar, but, you know, I know that prohibition ended like 90 years ago or whatever, and know marijuana was just legalized in Connecticut, like less than three months ago. So, this is really new, I know it's been on the horizon but I'm okay with you guys spending a little bit of time, and you can decide on your own with that moratorium moratorium length would be. But thank you all for your work on this, I basically want to thank you and I appreciate the conversation.

**Chairman Heon** 57:08

Thank you very much. Is there anyone else who would like to speak at this time. Anyone else who'd like to speak at this time. And third and final call anyone who'd like to speak at this time. Okay, hearing none, and seeing none. I'll entertain a motion. At this time to close the public hearing on recreation on the moratorium for recreational marijuana. This is not a motion to enact it that would or not enacted that would potentially come at our meeting next week. This is just to close the public hearing.

**Chairman Heon** 57:59

Tony, I'm a lip reader here. It looks like you're making a motion. Motion. Motion by Commissioner Levinsky to close the public hearing on recreational marijuana, do we have a second. I'll second. Second by Mike D'Alessio All those in favor. Aye. Any opposed. Motion carries. All right, Thank you. Okay, we're going to move directly into the second public hearing, which is the zoning text change, motels, hotels, and with that we will go to Dave elder our city planner. Just for a explanation of the proposed change.

**Chairman Heon** 58:59

Dave are you still there. Okay, let me just take the strike. Let me just read the amendment, the draft, I don't know if they've lost connection or not. The draft that was proposed by Dave elder proposed zoning text change amendment the intent of the proposed zoning regulation amendment is to revise the type of permit required for locating hotels and motels from a site plan application to a special permit application. This revision would enable the commission to a larger degree of consideration for locating such a use, including but not limited to a unique location in its neighborhood context. So, as I'm sure most people on here realize we recently had a proposal that included a 25 room hotel. After that, there was some discussion amongst the commissioners, regarding a way to better regulate it so we don't have any other applications popping up through various areas through site plan approval so we would like to move this over to a special permit. within the zones that it was once allowed under site plan approval. This just gives the commission a little bit more latitude on where these potential hotels can be applied for to be constructed. I think that it was made pretty fairly known through public opinion with the last one that with the restrictive use, and the small land size within the city of Ansonia that we want to make sure that we have the proper places to put the proper uses. I'm not a planner, so I don't know how to explain it any better.

**David Elder** 1:01:05



But, I'm sorry I, my 13 year old was trying to, trying to grill some things that lead to a small grease fire, and so I had to run downstairs but I'm back, so thanks for covering me but, yeah, that's exactly right. So, it would change the process that's currently right now, the hotel motel use is permitted by a site plan application, which we generally think of as a permitted use by right so provided the application meets all the standards in the zoning regulations, it's permitted a special permit also involves a site plan application, but it also involves a Statement of Use, which is a script, it's a description, usually in the form of a narrative, it's good practice to put it right on the site plan talks about the hours of operation, and its intended uses of the site so in case that we saw before there were multiple uses of the site so a Statement of Use will explain how the use would be, how that use would operate. Additionally, the special permit aspect of the application does afford, and require a public hearing, as we know the Commission can call public hearing on any matter before and at any time if they think it's in the public's interest with a special permit. It would be required as part of the application. And it also allows you to consider to consider the uniqueness, that's an important word so the application itself as a special permit allows the commission to consider unique characteristics of the application both that could sort of work in favor of the application, but also that could work against the application if they think that there are specific characteristics to the site that they don't think are appropriate. So for example, you might have a use that you would think is okay in a commercial zone but you wouldn't want that same use next to some, you know, athletic fields where you have a lot of youth regularly so the commission could consider that type of unique characteristic or unique locational characteristic of that youth so that's the intent, that's the primary difference between the two being the site plan which you can think of as a permitted use by right in a special permit, which gives the commission, a little more discretion to consider the unique characteristics of the site and the use within the larger context that we have happy to take any questions. Mr Chairman, if.

**Chairman Heon** 1:03:41

So just in the draft Dave. It's supposed to be SP next to each other, correct, not s&p.

**Chairman Heon** 1:03:59

Where it says proposed on the chart. Dave.

**David Elder** 1:04:17

I'm sorry I'm here, I ended up on mute again let me, let me just make sure we're both looking at the same.

**Chairman Heon** 1:04:23

I think it's a spacing issue but I just want to make sure for clarification.

**David Elder** 1:04:27

So on my screen. Okay existing as a site plan so they're strike throughs on this site plan,

**Chairman Heon** 1:04:35

mine is mine is vertical, similar to how, where it says hospital veterinary s s on top of each other, mine is s on the top line and P on the bottom. Oh yeah, okay.

**David Elder** 1:04:46

Yeah, that's a formatting issue, it should be s&p next to each other just like the provisional permit. Yes exactly

**Chairman Heon** 1:04:55

correct. Okay, I just wanted to make sure, just to clarify that in case anyone else had the same draft that I have. Okay, with that staff are there any other staff comments, Rhonda Dave. Anybody else on city staff

**Ronda Porini** 1:05:14

I have no comments.

**Chairman Heon** 1:05:19

Commissioners any initial questions from any of the planning and zoning commissioners. I'll just make a general statement I think we heard the public loud and clear. During the last application that involved this type of use, and we're here to try and make sure that we maintain, you know that interest that that was expressed to us,

**Tim Holman** 1:05:47

because it's the right thing to do.

**Chairman Heon** 1:05:53

Good job. Thank you. Thank you commissioners and staff is there anyone from the public who would like to speak regarding the motel, hotel, special permit applications zoning text change. Anyone from the public like to speak. And for a third and final call Anyone from the public like to speak. President Stuart

**Alderman Stuart** 1:06:25

Josh Stuart, 19 Prindle. I just kind of want to reiterate what I said before, on the other issue and this was a tough one. You guys really had some fun with the, with the original conversations. And, you know, that's why, that's why I made that statement that I have the most confidence in this board to do the right thing in the right areas for you know for the city so just thanks again, and you guys are always handling tough issues. So my thanks to everyone on the commission. Appreciate it, thank you. I will give one more final call Anyone from the public, like to speak at this time regarding motels and hotels. I feel like we're leaving out Holiday Inn.

**Chairman Heon** 1:07:21

All right, hearing none, like to entertain a motion at this time to close the public hearing. Pertaining to zoning text change for motels and hotels.

**Tim Holman** 1:07:36

Mr Chairman, I'd like to make that motion. Motion by

**Chairman Heon** 1:07:39

Commissioner Holman second by Commissioner Levinsky All those in favor. Aye. Anyone opposed. Motion carries. Okay. All right, at this time. We've been in for the better portion of an hour so just like to take a brief pause and at 745. We will reconvene with the final public hearing of the night, I'm just going to pause the recording, and we'll reconvene at 745.

ZOOM recording:

[https://us06web.zoom.us/rec/share/CqWZb-Dam8mxuT-Q1wbCMYS\\_HFwh1DQZhbU-Zlu6lqT7LLFifr\\_t9KcFJu5v0jn.-zwlQL5ipRWjKgKh](https://us06web.zoom.us/rec/share/CqWZb-Dam8mxuT-Q1wbCMYS_HFwh1DQZhbU-Zlu6lqT7LLFifr_t9KcFJu5v0jn.-zwlQL5ipRWjKgKh) Passcode: Y6DF5@H=