

Planning and Zoning Commission

7/5/2022

Meeting Minutes

Note: This meeting was held online. Recording available [here](#).

A. Call to Order

W. Parsell called the meeting to order at 7:30 PM.

B. Roll Call/ Seating of Alternates

Walter Parsell

Doug Roberts

Andy Marco

John Tehan

Bob Shabot

Rebeca Sinosky

Joe Hall – Absent

C. Applications to be Received

None

D. Public Hearing

a. PZ-22-9: Text Amendment Application pertaining to the Regulation of Cannabis Applicant: Planning & Zoning Commission (continued from June 7)

M. D'Amato read comments that were sent in via the town's website. The comments were as follows.

Josh Hannon wrote in support of the regulations as they were written.

Rebecca Rooney wrote to show her support for the regulations and indicated they were reasonable.

Sam Rooney wrote to share his support for the regulations.

J. Tehan referred to a comment made by Nicholas Tella from the last meeting suggesting that the commission look at studies surrounding cannabis establishments in relation to crime. J. Tehan said that he had done some research and found several studies showing that crime decreased in areas in proximity to cannabis establishments. He shared these studies with the Commission.

W. Parsell opened the meeting to public comment.

Nicolas Tella mentioned that he found an article that showed that crime increased and made the point that both sides of the argument should be looked at.

Ralph Tulis offered a correction to the Memo from M. D'Amato on June 2nd, 2022. He pointed out that the memo said towns must adopt a prohibition through the legislative body. He added that requires a petition be submitted and signed by 10% of electors, and that any established allowed use gets grandfathered. He added that according to statute the planning and zoning commission can prohibit a cannabis establishment. He indicated that he disagreed with the minutes from the last meeting.

Matt Pelletier said that he spoke with someone law enforcement to get their opinions and they weren't enthusiastic about it and noted that it would increase petty crime and other things.

Marissa Pelletier cited a study from the University of Colorado that noted an increase in crime in relation to cannabis establishments and asked if these establishments were allowed in Willington if money would be allocated to pay for a resident state trooper.

Sarah Reis asked if anyone reached out to Natures Medicine a dispensary in Storrs to gain insight. She commented further about this dispensary and the fact that it had barred windows to prevent theft.

Jamie Copreck asked who was responsible for regulating a new application and establishments. She noted a building on Tolland turnpike with junk in the yard. W. Parsell said that planning staff had commenced enforcement action and that it was a long process. M. D'Amato added that it would be regulated through the state as well as the commission. He noted that the case on Tolland turnpike was different.

No further comments from the public. W. Parsell Motioned to close PZ-22-9. R. Sinosky seconded. **All in Favor. Motion Passed.**

W. Parsell noted that he wanted to think further about this before voting. B. Shabot agreed. M. D'Amato pointed out that as long as there no regulations, then cannabis establishments must be treated as like uses. B. Shabot said that they can adopt these regulations and change them later on. W. Parsell and B. Shabot began to discuss that option. A. Marco said that they shouldn't be talking about this outside of the discussion. M. D'Amato noted that if they get to a point where the commission wants to prohibit these uses then they would need to propose language to do so. W. Parsell Motioned to add a discussion about the cannabis regulations to item J. Staff Report and Discussion of the agenda. **All in Favor. Motion Passed.**

E. New Business

a. PZ-22-9: Text Amendment Application pertaining to the Regulation of Cannabis Applicant: Planning & Zoning Commission (action possible but

not required)

J. Tehan said he was in favor of the regulations as written. He said he thinks that cannabis establishments are better than liquor stores and don't attract violence.

W. Parsell said he was opposed.

A. Marco said he was interested in the how outspoken the town was about it. He cited both sides of the argument and said there was a lot to consider.

W. Parsell said that he considered the lack of a resident state trooper as a problem for the town when looking at cannabis. He noted that this would bring in lots of traffic and college students. He noted the effect of college students on the town and how cannabis would affect that.

R. Sinosky said she was unsure of which way she would vote at this time. She said she would be hesitant to have a cannabis establishment over near the Truckstop and highway with so many drivers.

D. Roberts noted his concern with proximity to the police barracks. He also noted his concerns with the effect on society, and brought up his previous comments asking for opinions from the Board of Education and other town entities.

A. Marco brought up the idea of a Moratorium. M. D'Amato said the only thing that the commission risks is that if there is nothing in place an applicant could come in as a similar use. He stated a moratorium could be established again. W. Parsell asked for M. D'Amato to come up with some options. M. D'Amato said that there are three options. One being that they remove the use from the regulations making them non-conforming and then prohibit them. Option two would be to prohibit cannabis establishments and option three would be to approve the regulation as written with bigger separating distances. W. Parsell asked to have these options on the agenda for the next meeting. M. D'Amato asked if he could get it in would they want it on the agenda for commission consideration, or if they want it as a public hearing. W. Parsell said to put it on as a public hearing. M. D'Amato said if he can get it in to CRCOG then he will put it on the agenda two meetings from now. He added that he will clarify with Halloran and Sage that if the commission denies the text amendment to allow the use it is not considered prohibition. M. D'Amato said he would have an update at the next meeting. R. Sinosky asked about the three options. M. D'Amato clarified and said he could try and provide redline tweaks. W. Parsell asked if the way it's written now is that they could have a retail establishment, a hybrid, and a grow operation. M. D'Amato clarified that those three are considered retail but once one is established there are separating distances preventing another establishment within 1000 feet of the existing one. He further explained that they can't cap the number of establishments, but they can come up with criteria that will prevent the placement of multiple establishments. He said another thing they could do is dial in the allowed zones and limit the areas they could locate that way. M. D'Amato said he could try to look at that and have something ready for the next meeting. W. Parsell said he didn't think that its worth it to spend time on that. D. Roberts said he would really like to know the opinion of the selectmen. W. Parsell agreed. E. Wiecewski stated that she didn't want to speak on behalf of the board, nor have they discussed the matter yet, but she would be open to having the discussion at the next meeting and taking public input. W. Parsell said it would be a good thing for it to be on an agenda and get the thoughts of the selectman. E. Wiecewski said they would look to add it to the next agenda or the first agenda in August.

F. Unfinished Business

a. Town of Willington Affordable Housing Plan

M. D'Amato explained the background of the affordable housing plan and explained that when the commission was comfortable with the working draft, a public hearing would be scheduled. A discussion was held about when the public hearing could be scheduled.

W. Parsell brought up the legislative changes regarding accessory dwellings and his concerns with them. B. Shabot commented on the layout of the plan and highlighting that the Commission was required to make certain legislative changes for the public. M. D'Amato said he could clear these things up.

A discussion was held on what the types and sizes of housing that could be built following these legislative changes.

M. D'Amato said he would make changes, post the plan online, and add it to the agenda and tentatively schedule a hearing.

J. Tehan asked about the zoning enforcement case at 331 River Road. M. D'Amato noted that the town filed a motion of contempt with the court and were waiting for the judge to issue it, at which point they could begin to take action to get it cleaned up. He indicated that he would send links to these cases from the Judicial website online. B. Shabot asked M. D'Amato to comment on the digging occurring next to Dunkin Donuts. M. D'Amato stated that staff continues to work with the property owner. They had worked with him through previous violations and were currently working to resolve this issue. W. Parsell

asked why they were digging. M. D'Amato said it was to be determined and staff was working on it. D. Roberts brought up Loves travel stop and noted a stop sign at Polster Road and said this brought on a new traffic pattern and asked if there was a way to alert people of the stop sign. M. D'Amato said he would take a look and get in contact with the people on site or at DOT.

G. Approval of Minutes

a. June 7, 2022

J. Tehan asked if the changes B. Shabot requested were made. B. Shabot said they appeared in the 6/21 minutes and what he requested was there. J. Tehan moved to approve the minutes and 6/7. W. Parsell seconded **R. Sinosky abstained. All else in Favor. Motion passed.**

b. June 21, 2022

J. Tehan moved to approve the minutes as written(including the amendments to the 6/7 minutes). B. Shabot seconded. **D. Roberts and W. Parsell abstained All else in Favor. Motion Passed.**

H. Correspondence

None

I. Public Participation (for items not in the agenda):

W. Parsell and A Marco said that they liked the changes M. D'Amato made to the agenda. A. Marco asked if M. D'Amato could add that no decisions will be made at the public hearing so that the public better understands.

James Marshall noted concerns with the visibility of the link for the meeting materials and suggested making it more prominent. He addressed concerns with the logistics of a hybrid meeting and asked if the town was equipped and planning for the meeting hybrid on July 19th. W. Parsell noted the commission experience with hybrid meetings and asked M. D'Amato to comment on the planning for the meeting. M. D'Amato said that they were exploring different locations and seeing which location is most viable.

R. Tulis noted the R. Sinosky was listed as a full member of the commission on the website. He noted concerns with audio when attending hybrid meetings for the board of selectman and stated it had to do with the technology in the room. He said he would rather see it fully online, and that he thinks its clearer for everybody. He said he attended an SBC meeting hybrid, and it was awkward. He stated concerns with minutes not matching up with meeting recordings and asked the commission to please pay attention to the minutes.

Nick Tella. noted that material provided on the agenda comes from Tyche Planning and Policy Group and was concerned that materials were not hosted on the Town's website. He asked what the setup was to prevent loss of these files if the company no longer is with the town. He voiced concerns with having the zoning agent contracted as opposed to a town employee. He said he hopes the board seeks someone who specializes in rural planning rather than urban planning. He wanted to make sure big money doesn't take over town.

Jamie Copreck asked if anything was being done to make the town more family friendly and attract small business. She asked if anything was being done to incentivize family friendly business. W. Parsell listed family friendly opportunities in town and explained some of the processes of the PZC. R. Tulis responded and noted previous small business that Willington had. He stated that the problem was that people who

live here didn't support the businesses that the town had. M. D'Amato noted the commission just implemented the South Willington Village Zone for the express purpose of promoting small scale village-oriented businesses.

J. Staff Report/Discussion

a. July 19th Hybrid Meeting Reminder

A. Marco asked if the commission should have someone who is monitoring the online side of the meeting to keep things organized. W. Parsell noted that he would be on vacation and asked if J. Tehan could chair that meeting as he would be attending remotely. J. Tehan Agreed

b. River Rd Project Community Forum Update

M. D'Amato explained that there were concerns from the public which prompted the applicant to plan a community forum. The meeting was originally going to be hosted by the EDC, but they weren't comfortable holding the meeting. M. D'Amato explained that the applicant still planned to host the meeting and were looking for a venue in town, but the meeting would be on the 13th of July. W. Parsell questioned the purpose of the meeting. M. D'Amato explained it was to address concerns that were outside of the scope of the zone change application. A. Marco asked if this causes an issue with ex-parte communication. M. D'Amato explained that it was discussed and that the applicant planned to address the comments from that meeting with the PZC during the hearing. He asked how this works since the public hearing hasn't opened, and this meeting is occurring. A discussion was held about this meeting. W. Parsell reiterated that he wants the land use attorney's opinion. M. D'Amato explained this is a meeting hosted by the applicant, not required or held in conjunction with any town or commission.

W. Parsell took further public comments and made it clear nothing can be asked about the public hearing.

J. Marshall voiced concerns that the public was not allowed to speak about this at previous meeting but would be able to at this community meeting. He said that it seemed inappropriate as part of a P.R. effort this was being pushed. He stated that it was said at a prior first selectman's meeting that this issue would be addressed at the last meeting, and it wasn't. He said no mention was made that the issue was to be taken up at this community meeting.

J. Tehan noted that the public hearing had not been opened yet. J. Marshall responded saying this was an item on the agenda which people were not allowed to speak about, and it seemed ridiculous.

N. Tella asked for explanation on the guy who went door to door and asked if the town had asked for that to happen. W. Parsell said that was not the case.

R. Sinosky indicated at 9:21 pm that she needed to leave the meeting to attend to a fire department call.

R. Tulis voiced concerns and said he thought the commission was treading on thin ice by having a conversation about a meeting by an outside compliment. He said it gives of the wrong impression to the towns people, and again asked for the town to seek legal advice.

S. Reis asked for clarification on the community meeting. She asked if this meeting would be an open dialogue. W. Parsell said he though that it would be an open dialogue. S. Reis asked why it was being pushed to another agenda when it was a PZC issue. W. Parsell aid he can't comment until the public hearing.

E. Wieceński said that she wanted to be clear that she had asked an individual to address concerns at a PZC meeting which they didn't. She tried to encourage a dialogue because there seemed to be a need, her only input was investigating a concern the residents had and was hoping it would be addressed. She said she hoped that it was addressed at the next PZC meeting. She wanted to be clear her communications with Mike were to address concerns with door to door knocking and her hope was that the applicant addressed that.

R. Tulis referenced a guidance letter from Halloran and Sage and pointed out that two-way conversations of technical nature were allowed in a public hearing.

J. Marshall thanked the commission for the opportunity to voice their concerns. He questioned the motive behind the community meeting and explained the purpose of the meeting was not portrayed at the last PZC meeting.

c. Cannabis Regulations Discussion

K. Adjournment

J. Tehan motioned to adjourn the meeting. W. Parsell Seconded. **All in Favor. Meeting Adjourned at 9:21 pm.**