

HARWINTON PLANNING COMMISSION WEDNESDAY, AUGUST 10, 2022
TOWN HALL 7:00 P.M.

Present: Chairman Michael Orefice, Lee Hall, Roland Perreault, Paul Roche, Alan Colombie and Land Use Coordinator Polly Redmond
Absent: Alternate Member Debra Freidus

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman M. Orefice called the meeting to order at 7:00 p.m. All members present are seated.

2. APPROVE MINUTES OF PREVIOUS MEETING: 7/13/2022

Taken up at the end of the meeting.

3. PLANNING COMMISSION REPORT IN ACCORDANCE WITH CGS 8-3A(B) ON ZONING COMMISSION'S PROPOSED REGULATION AMENDMENT TO CONSIDER IMPLEMENTING ZONING REGULATIONS IN CONNECTION WITH PUBLIC ACT 21-1, CANNABIS ESTABLISHMENT USES. THE ZONING COMMISSION CLOSED THEIR PUBLIC HEARING ON JULY 25, 2022.

Chairman Orefice states that even though the Zoning Commission closed the public hearing the Planning Commission can still weigh in as a governing body and the Zoning Commission will read the report at their next meeting. He notes that in reading over past Zoning Commission meeting minutes it appears that not much discussion was held and an opinion on whether they were for or against Cannabis Establishments was never given until their last meeting on August 8th where they now have a tentative motion to prohibit.

A. Colombie states his belief that the Zoning Commission wanted Planning to express their thoughts on the proposed Zoning Regulation and tie it to the Plan of Conservation and Development. Chairman Orefice agrees in that the Planning Commission, in compliance with State Statute, shall give a report to the Zoning Commission stating findings consistent or not consistent with the POCD. If the Planning Commission were to give a report that Cannabis Establishments were consistent with the POCD, the Zoning Commission would then have to pass their proposed regulation, to prohibit, by a 2/3 vote of the Commission. Chairman Orefice points out that, unlike Harwinton, there are neighboring cities and towns that allow Cannabis Establishments and those cities and towns have police departments available to monitor them. A. Colombie and L. Hall refer to the 3% tax sales incentive from the gross receipts of cannabis with both agreeing that it is not worth it and does not go towards local law enforcement.

R. Perreault arrives at 7:20 p.m.

P. Roche notes that the POCD calls for economic development and so Cannabis Establishments would be consistent with that part of the POCD. A. Colombie notes that the POCD also calls for keeping the town rural and with no "downtown" here in Harwinton he believes it isn't good to even have one Cannabis Establishment in town. R. Perreault states that if it were to be permitted in Industrial zones, those areas are limited. He states that the POCD mentions finding alternatives for the town's tax base as well as allures to the rural character of the town but the town has changed regardless with development of houses. L. Hall notes that the longevity of the law is uncertain in that if the state sees an uptick in negative outcomes for legalizing recreational marijuana, they could withdraw the law. Discussion is held on the cultivating and production aspect of cannabis involving heavy security and large facilities that would require a lot of water. A. Colombie states that cannabis is a drug and believes the risk of permitting these facilities doesn't outweigh the benefits.

With no further discussion, P. Roche **motioned** that the Planning Commission is in agreement with the Zoning Commission's proposal to prohibit the cultivating and production of cannabis but believes the retail, Cannabis Establishment Uses, should be permitted by special permit, on a case by case basis, and could be restricted to industrial and retail zoned land, specifically the western section of Harwinton adjacent to Route 8 and the eastern section of Harwinton, adjacent to the defunct airport which is now a bus company, which is identified areas of economic development in the Plan of Conservation and Development. R. Perreault seconded the motion.

L. Hall is not in favor of the motion. A. Colombie is not in favor of the motion.

Chairman M. Orefice is not in favor of the motion.

In favor of the motion: P. Roche and R. Perreault

Motion fails, 3-2.

A. Colombie **motioned** that the Planning Commission is in agreement with the Zoning Commission's draft proposal to prohibit Cannabis Establishment Uses and that their proposal is in keeping with the Plan of Conservation and Development to keep the rural character of the town. L. Hall seconded the motion.

P. Roche is not in favor of the motion. R. Perreault is not in favor of the motion.

In favor of the motion: A. Colombie, L. Hall and Chairman M. Orefice

Motion passed 3-2.

4. DISCUSSION ON PUBLIC ACT 21-29, SECTION 9 – REQUIRED TRAINING FOR MUNICIPAL LAND USE COMMISSIONERS.

No discussion.

5. OLD BUSINESS.

With the arrival of R. Perreault, members now have a quorum to vote on the Minutes of the Previous Meeting. P. Roche **motioned** to approve the minutes of 7/13/2022, seconded by R. Perreault. Motion passed with P. Roche, L. Hall and A. Colombie voting. L. Hall and Chairman M. Orefice refrain from voting due to their absence at the previous meeting.

6. NEW BUSINESS.

LUC Redmond received information from the office of Guion, Stevens & Rybak on a proposed lot line revision at 135 Birch Hill Road where the Aquilante's are acquiring 7 acres from their neighbors (Freedman) at 69 Birch Hill Road. A Property Survey showing the land to be conveyed is provided.

P. Roche **motioned** that this lot line revision is not a subdivision, seconded by R. Perreault. Motion passed unanimously.

7. CORRESPONDENCE. None.

8. ADJOURN.

R. Perreault **motioned** to adjourn the meeting at 8:30 p.m., seconded by P. Roche. Motion passed unanimously.

Respectfully submitted,

Polly Redmond, Land Use Coordinator