

ASHFORD PLANNING AND ZONING COMMISSION
ASHFORD, CT / REGULAR MEETING MINUTES
VIRTUAL MEETING via Zoom
Monday, September 12, 2022

Present: Jeffrey Silver-Smith (Chair), Janet Bellamy, Luther Brauch, (alt.), Alex Hastillo (Clerk), Doug Jenne (alt.), Catherine Sampson, Mark Schnubel, Richard Williams, Nord Yakovleff (arrived late)
Guests: Mike D'Amato, Facilitator and Zoning Enforcement Officer, Bob Corriveau

Relevant documents supplied to members by Zoning Officer, Mr. D'Amato, available via the Agenda link:

34 Amidon Dr. Application for Short Term Rental, dated 9/5/22
34 Amidon Dr. Parking Layout
Proposed Language to Regulate or Prohibit Cannabis Establishments, July 10, 2022. 4p.

The Meeting was called to order by Chairman Silver-Smith at 7:03 p.m.

1. Seating of Alternates: Mr. Brauch was seated for Mr. Schillinger and Mr. Jenne for Mr. Dufresne.

2. Approval of Minutes:

MS. BELLAMY MOVED AND MR. HASILLO SECONDED A MOTION TO APPROVE THE MINUTES OF THE JULY 12, 2022 MEETING AS CORRECTED. MOTION PASSED UNANIMOUSLY.

corrections p. 2 , 3d paragraph , 2d sentence - should read ...report be ready by October?
p.2 7. A. 3d paragraph last 3 lines: should read... Tony Paticchio, John Boiano. Input was gained from Energize Connecticut, Mass. Dept. of Energy...

3. Public Comments: none

4. Bills: fee for initial public hearing notice has been paid

5. Correspondence: email received from Brian Griffiths of Westford Hill Rd. with two complaints, excavator operations on Sunday and noise past 10 p.m.

6. Public Hearing:

A. PZ-22-2: Text Amendment Application pertaining to the Regulation of Cannabis Establishments

B. PZ-22-3: Text Amendment Application pertaining to the town-wide prohibition of Cannabis Establishments

Since the initial public hearing had to be cancelled, the new date and information were announced in the *Ashford Citizen*. With no public comments, commissioners were allowed brief comments prior to the close of the Public Hearing. Ms. Bellamy, Mr. Williams and Mr. Brauch voiced opinions; the Public Hearing was closed at 7:15 p.m.

MR. HASTILLO MOVED AND MS. BELLAMY SECONDED A MOTION TO MOVE THE CANNABIS DISCUSSION AHEAD OF THE 154 WESTFORD HILL RD. EXEC. SESSION. MOTION PASSED UNANIMOUSLY. *[the town website agenda was different from that sent to members, thus the need to make the motion]*

7. Unfinished Business

A. Discussion on:

a. PZ-22-2 Text Amendment Application pertaining to the regulation of Cannabis Establishments

b. PZ-22-3 Text Amendment Application pertaining to the town-wide prohibition of Cannabis Establishments

The following discussion was prefaced by the Chairman reading the *Ashford Citizen* notice and the major parts of the text provided by Mr. D'Amato. He hoped that all members had read the proposed language document provided by the Zoning Officer. Mr. Williams spoke advising that there be no prohibition of cannabis retail or cultivation but instead regulation via special permits. Ms. Bellamy preferred prohibition as she could not see how enforcement would be carried out or effective, especially since we have no police force.

Mr. D'Amato recommended discussing retail and then cultivation issues separately.

Mr. Williams expanded on the use of special permits and restricting retail/cultivation to non-commercially zoned areas as a way to handle the issue. He felt strict prohibition left no flexibility. Mr. Brauch noted his perception that traffic would be incidental; as more retail stores are opened, the cannabis stores would be less of a destination over time. Mr. Williams thought that cannabis operations could be best placed near Exit 72 at I84.

The Cadlerock/Wagonshed property on Rte. 44 was also noted by Mr. Williams as a possible site as it is now owned partially by Ashford (376 acres). However, Ms. Bellamy noted the land there is not completely remediated. This TD area cannot be considered for cannabis at this time as Ashford and Willington are planning to procure a professional land assessment.

Mr. Brauch asked why a cannabis business is being kept out of our business zoned areas? What is the reason? Mr. Williams stated his opinion that he did not want a cannabis business in our town center (intersection of 44 and 74). Mr. Schnubel who lives in that area stated that there is ample traffic that he deals with whenever he wants to get out of his driveway. He thinks a cannabis retail business should be treated like a package store. He further stated that a new business might be interested in the Midway property as it has ample parking.

The Chair asked for a motion.

MR. WILLIAMS MOVED THAT THERE BE NO TEXT AMENDMENT APPLICATION LANGUAGE PERTAINING TO THE TOWN-WIDE PROHIBITION OF CANNABIS ESTABLISHMENTS (PZ 22-3).

MOTION PASSED WITH 6 YES (BRAUCH, HASTILLO, SAMPSON, SCHNUBEL, SILVER-SMITH, WILLIAMS), 2 NO (BELLAMY, JENNE), AND 1 ABSTENTION (YAKOVLEFF).

Mr. Brauch asked if the zoning regs would need changing; the Chairman noted they most likely will need tweeking. Mr. Jenne asked for clarification of the TD zone; why would special permits be required there?

MR. HASTILLO MOVED AND MR. WILLIAMS SECONDED A MOTION TO ACCEPT THE TEXT AMENDMENT APPLICATION LANGUAGE PERTAINING TO THE REGULATION OF CANNABIS ESTABLISHMENTS BY SPECIAL USE PERMIT WITH MODIFICATIONS TO THE TEXT AS DISCUSSED AT THIS MEETING (REMOVAL OF THE TD ZONE COLUMN ON P.3).

MOTION PASSED WITH 7 YES (BRAUCH, HASTILLO, SAMPSON, SCHNUBEL, SILVER-SMITH, WILLIAMS, YAKOVLEFF) AND 2 NO (BELLAMY AND JENNE).

7. Unfinished Business

B. Update 154 Westford Hill Rd. - Executive Session

MR. HASTILLO MOVED AND MS. BELLAMY SECONDED A MOTION TO GO TO EXECUTIVE SESSION. MOTION PASSED UNANIMOUSLY.

The session began at 8:06 p.m. including Atty. Ken Slater and ended at 8:22 p.m.

8. New Business

A. PZ-22-4: Special Permit for Short Term Rental, 34 Amidon Dr., Applicant R. Corriveau
(for Receipt only)

MS. BELLAMY MOVED AND MR. HASTILLO SECONDED A MOTION TO RECEIVE PZ-22-4 SPECIAL PERMIT FOR SHORT TERM RENTAL, 34 AMIDON DR., APPLICANT, R. CORRIVEAU. MOTION PASSED UNANIMOUSLY.

B. Affordable Housing Plan Survey Results and Update

Mr. D'Amato noted the survey closed in July and the 100 paper surveys were combined with the online and analyzed. There were many written responses as allowed in the survey. He noted a few significant results e.g. 52% felt affordable housing is important for vitality / 60% or more felt affordable housing important for seniors and younger families. But he indicated he would write up the results and email them to members tomorrow. The PZC needs to look at this data for what makes sense for the beginnings of the plan. The survey results will also be sent to Jessica Miller, Ashford Housing Authority Exec. Dir., and she will be asked to participate in our next meetings. If citizens seem to understand "affordable housing" then an education effort might not be necessary.

C. Items for Future Discussion:

- a. Alternative energy regulations (Solar, Wind, etc.)
- b. Agriculture and zoning regulations - coexistence
- c. Plans of Conservation and Development (POCD) - Update of current plans (Due by 2025)

Chairman Silver-Smith indicated all need attention. POCD is a living document and should reflect current thinking, etc. These topics will appear in future agendas. Mr. Williams noted that a brain storming session may be planned for Knowlton Hall. Mr. Brauch thought that the PZC should take the lead and control the dialog. Conducting a survey or surveys might be an option. Ideas from all parts of the town are needed.

9. Zoning Officer Report

Mr. D'Amato is working on a code violation with the Health Dept., coordinating with the new Wetlands Agent, working with the BOS and IT regarding hybrid meetings and the new short term rental request [*to mention a few*].

10. Adjourn

MR. WILLIAMS MOVED AND MS. BELLAMY SECONDED A MOTION TO ADJOURN. MOTION PASSED UNANIMOUSLY AT 8:49 P.M.

Respectfully submitted by Valerie B. Oliver, Recording Secretary
9/13/2022