

Robert J. Bask

**East Hartford Planning & Zoning Commission
Hybrid-Teleconference Meeting
June 14, 2023**

2023 JUN 16 AM 11:23

TOWN CLERK
EAST HARTFORD

A Regular Meeting of the **EAST HARTFORD PLANNING AND ZONING COMMISSION** was held via Microsoft "Teams" at Community Cultural Center 50 Chapman PL Room 105, East Hartford CT on June 14, 2023.

1. CALL TO ORDER

Chair Ryan called the meeting to order at 7:03 PM.
Chair declared a quorum

Present:

John Ryan, Chair
Henry Pawlowski, Vice Chair –via teams
Carol Noel, Secretary
Peter Marra
Valentine Povinelli
Stephen Roczynski
Sidney Soderholm

Also Present

Carlene Shaw, Planner
Steve Hnatuk, Planner

PUBLIC HEARING

The legal notice read into minutes by Carol Noel Commissioner

The following Legal notice was published in the Journal Inquirer on May 30th & June 2nd

LEGAL NOTICE

The Town of East Hartford Planning and Zoning Commission will hold a hybrid teleconference public hearing at the East Hartford Community Cultural Center Auditorium located at 50 Chapman Place East Hartford and on a Microsoft Teams virtual meeting on Wednesday, June 14th, 2023 at 7:00 P.M. for the following application:

SPECIAL PERMIT APPLICATION: 470 Main Street – Under Section 3.2; Application for Special Permit for the modification of the existing car wash facility including the removal and relocation of car vacuums and the reconfiguration of egress and ingress locations on Lilac Street.
Applicant: Richard Breski
Assessor's Map/Lot: 11/81

SPECIAL PERMIT APPLICATION: 1120 Silver Lane – Under Section 2.3; Application for Special Permit the construction of a 15’ by 30’ accessory storage building for the existing church.

Applicant: Lister Regis

Assessor’s Map/Lot: 57/2

ZONING TEXT AMENDMENT: Under Section 9.5; Application for a Zoning Regulation Amendment to revise Section 3.2.A. Business Zones Permitted Uses and Section 6.4 Retail Related Use Provisions to permit Cannabis Retailers and Hybrid Retailers in the B-1 and B-2 Business Zones by Special Permit and revise Retail Related Use Provisions pertaining Cannabis Retailers and Hybrid Retailers.

Applicant: East Hartford Planning and Zoning Commission

1. PUBLIC HEARING APPLICATIONS

A. SPECIAL PERMIT APPLICATION: 470 Main Street – Under Section 3.2; Application for Special Permit for the modification of the existing car wash facility including the removal and relocation of car vacuums and the reconfiguration of egress and ingress locations on Lilac Street.

Applicant: Richard Breski

Assessor’s Map/Lot: 11/81

Application Documents: 470 Main Street Application Documents

Applicant withdrew application. Chair notes withdrew without prejudice; can always return before the commission.

B. SPECIAL PERMIT APPLICATION: 1120 Silver Lane – Under Section 2.3; Application for Special Permit the construction of a 15’ by 30’ accessory storage building for the existing church.

Applicant: Lister Regis

Assessor’s Map/Lot: 57/2

Application Documents: 1120 Silver Lane Application Documents

Chair asks if applicant is here to present application. No one present.

Carlene Shaw, Planner gave a brief summary. Additional shed is needed for storage. Previous church used room inside the building for storage. New church is now using the rooms as classrooms.

Chair asks: Anyone wishing to speak for this application?

Anyone wishing to speak for this application? Anyone wishing to speak for this application?

Hearing none.

Anyone wishing to speak against this application? Anyone wishing to speak against this application? Anyone wishing to speak against this application? Hearing none.

Before moving to next item, any issues or concerns? Comm. Marra asks where the shed will be placed as there are wetlands on the property. The shed will be placed on existing paved area.

Chair comments that the applicant may not have been aware to attend meeting. Asks for a motion to hold/keep application open.

Comm. Sid Soderholm motions to keep Special Permit Application for 1120 Silver Lane open because applicant did not show.

Motion seconded by Comm. Carol Noel. All in favor. Motion approved. 7-0

C. ZONING TEXT AMENDMENT: Under Section 9.5; Application for a Zoning Regulation Amendment to revise Section 3.2.A. Business Zones Permitted Uses and Section 6.4 Retail Related Use Provisions to permit Cannabis Retailers and Hybrid Retailers in the B-1 and B-2 Business Zones by Special Permit and revise Retail Related Use Provisions pertaining Cannabis Retailers and Hybrid Retailers.

Applicant: East Hartford Planning and Zoning Commission

Application Documents: Cannabis Retail Text Amendment Application Documents

Steve Hnatuk read zoning text:

Text Amendment Application Summary

Following the passage of Public Act 21-1 An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis (June Special Session), as of July 1, 2021, the personal use and possession of cannabis by adults over the age of 21 became legal in the State of CT. The CT Department of Consumer Protection has established regulations pertaining to the use and sale of cannabis and has begun issuing licenses for various cannabis establishment uses. In accordance with the above law and regulations, the Town of East Hartford Planning and Zoning Commission adopted Zoning Regulations in November 2021 to define and regulate Cannabis Establishments in the Town of East Hartford and subsequently revised those regulations in November 2022 to further expand and clarify the permitted uses and zones for Cannabis Establishments.

As the Planning and Zoning Commission has obtained more information about appropriate locations, feasibility, and site-specific considerations for cannabis retail establishments, a desire to modify the existing regulations has been suggested. A summary of proposed changes is included below:

1. Modify existing language to permit Cannabis Retailers and Hybrid Retailers only in the B-1 and B-2 Business Zones by Special Permit.
2. Revise the Zone Specific Retail provisions pertaining to Cannabis Retailers and Hybrid retailers to enact siting criteria and additional performance standards for Cannabis Retail establishments so as not to permit an overconcentration of uses.

Steve Hnatuk presented PowerPoint that shows some of the changes. Recommendations that have been proposed by the staff.

Existing Regulations – Cannabis Retailers

B-3 Business and I-2 Industrial – Special Permit Use

Zone Specific Retail Provisions:

- Shall not be 500 feet from any:
 - School (public or private)
 - Institute of higher learning
 - House of worship
 - Charitable institution
 - Library
 - Playground
 - Town park and rec facility
 - Daycare
 - Police/Fire station
 - Town Hall
 - Board of Ed
- Shall not be within 200 feet from any residential zoning district

Existing Regulations – Cannabis Retailers

B-3 Business Zone and I-2 Industrial– Special Permit Use

Zone Specific Retail Provisions (cont.):

- 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.
- 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.
- The applicant shall have received provisional license approval from the State Department of Consumer Protection to operate a cannabis retail establishment.
- Hours of operation shall be limited to between 8:00 AM and 10:00 PM, Monday through Saturday, and between 10:00 AM and 6:00 PM, Sunday.
- The applicant shall submit a sign package for review and approval by the Commission.

Proposed DRAFT Regulations

B-1/B-2/B-3 Business and I-2 Industrial – Special Permit Use

Zone Specific Retail Provisions:

- A cannabis retailer, hybrid retailer, or dispensary shall be located according to the following criteria and standards:
- 1) Shall not be located on any parcel which is adjacent to a parcel which is used as a public or private school, a town park, town recreational facility, or town hall.
- 2) Such establishment shall not be located within 2,500 feet of any portion of any building used as a cannabis retailer or hybrid retailer located in the Town of East Hartford.

Proposed DRAFT Regulations

Red – New Requirement
Green – Existing Requirement

B-1/B-2/B-3 Business and I-2 Industrial – Special Permit Use

Zone Specific Retail Provisions (cont.):

- b. Any application for cannabis retailer, hybrid retailer, or dispensary shall include the following elements in addition to those which may be required by Section 9 or elsewhere in these regulations:
 - 1) A security plan which shall be outlined in a report to be reviewed and approved by the East Hartford Chief of Police.
 - 2) A sign package for all proposed signage.
 - 3) A parking and circulation plan.
- c. In addition to any conditions imposed pursuant to Sections 9.3 and 9.4 of the Regulations, all special permits for Cannabis Retailers, Hybrid Retailers, or Dispensary shall be subject to the following conditions:
 - 1) Any approval granted shall be approved with the condition that the applicant continuously maintains the appropriate licensure issued by the State of Connecticut.
 - 2) The conditional approval shall not be considered fully executed until a copy of the State issued license has been provided to the Town Planner. Such approval must be filed with the Town within six months of the issuance of the Special Permit.
 - a. The Town Planner may issue not more than two six-month extensions to this requirement provided the applicant can demonstrate that an application has been filed with the Department of Consumer Protection and the expected decision date will fall within the timeframe of the extension.
 - 3) No entity shall commence operations, sales, or advertisements without a valid, current license from the State and fully executed Special Permit from the Town.
 - 4) Hours of operation shall be limited to between 8:00 AM and 10:00 PM, Monday through Saturday, and between 10:00 AM and 6:00 PM, Sunday.

Proposed DRAFT Regulations

Red – New Requirement
Green – Existing Requirement

B-1/B-2/B-3 Business and I-2 Industrial – Special Permit Use

Zone Specific Retail Provisions (cont.):

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 - 2) A sign package for all proposed signage.
 - 3) A parking and circulation plan.
- c. In addition to any conditions imposed pursuant to Sections 9.3 and 9.4 of the Regulations, all special permits for Cannabis Retailers, Hybrid Retailers, or Dispensary shall be subject to the following conditions:
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 - 3) No entity shall commence operations, sales, or advertisements without a valid, current license from the State and fully executed Special Permit from the Town.
 - 4) Hours of operation shall be limited to between 8:00 AM and 10:00 PM, Monday through Saturday, and between 10:00 AM and 6:00 PM, Sunday.

Zoning Regulations Special Permit Criteria

E. SPECIAL PERMIT CRITERIA

1. Suitable Location for Use –

1. The location and size of the site, the nature and intensity of the operations involved in or conducted in connection with the use, and the location of the site with respect to streets giving access to it are such that the use shall be in harmony with the appropriate and orderly development in the district in which it is located and shall promote the welfare of the Town.
2. The proposed use shall be of such location, size, and characteristics that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is proposed to be situated and shall not tend to depreciate the value of property in the neighborhood and shall not be detrimental to the orderly development of adjacent properties in accordance with the zoning classifications of such properties.

2. Appropriate Improvements –

1. The design elements of the proposed development are in accordance with the design guidelines incorporated in Section 5.A of these Regulations and are suitable in relation to the site characteristics, the style of other buildings in the immediate area, and the existing and probable future characteristics of the neighborhood in which the use is located.
2. The location, nature, and height of buildings, walls and fences, planned activities and the nature and extent of landscaping on the site will be such that the use shall not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
3. The proposed use or activity shall not have adverse effect upon the neighboring area resulting from the use of signs, artificial illumination, or any noise-making device(s).

3. Suitable Transportation Conditions –

1. The design, location, and specific details of the proposed use or activity shall not adversely affect safety in the streets nor increase traffic congestion in the area nor interfere with the pattern of vehicular circulation in such a manner as to create or augment unsafe traffic conditions.
2. Parking area or areas will be of adequate size for the particular use and shall be suitably screened from adjoining residential uses and entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
3. Streets and other rights-of-way will be of such size, condition and capacity (in terms of width, grade, alignment and visibility) to adequately accommodate the traffic to be generated by the particular proposed use.

(continued on next page)

Steve Hnatuk present maps that shows the zoning of possible Cannabis retail stores. At this time no applications have been received. Suggests keeping Public Meeting open. Discussion and comments by commission. Chair asks with the proposed Silver Lane Plaza, would a Cannabis store be able to open one there. Steve says is not zoned for that. Chair also concerned if a Church decides to move into an open space next to an existing Cannabis store. Regulations would not allow.

Comm. Soderholm concerned more with the larger issues of placement in residential areas. Security—who is responsible to make sure retailer is safe. Urges to make sure all security is implemented. Who is pushing for the regulation changes? Comm. Soderholm questions on some of the actual language. Steve states that this just an summary overview; not the actual text change.

The actual text change does have the word dispensary included.

Comm. Soderholm comments on placement and highways. Chair suggests they will look for placement where it benefits them regarding locations.

Amanda Ostrowitz –public/conditional retail Cannabis business owner

Applauds the Commission and Steve Hnatuk for working with the new regulations. Heavily contingent on location. Suggests doubling distances from 2500 to 5000 in regards to other dispensaries in surrounding towns. A perfect store size would be 2000 – 5000 SQFT. In regards to security, no children are allowed in the store, per state statute, and cannot see in the store. Security measures are in place. Overall this is a huge improvement and much more attractive.

Summary by Steve: comments by commission to bring over to Police department for further security comments. Who is actually inspecting them? Should be DCP, but will verify.

Motion by Comm. Carol Noel to hold Public Hearing open for the Zoning Text amendment for next meeting on June 28th. Motion seconded by Steve Roczynski. All in favor. Motion approved.

Motion to move to regular meeting made by Comm. Carol Noel. Seconded by Comm. Steve Roczynski. All in favor. Motion approved.

REGULAR MEETING

2. NEW BUSINESS:

A. SITE PLAN APPLICATION: 417 Main Street - Under Section 7.1; Application for a Site Plan for updated signage for Goodwin University offices and operations at 417 Main Street

Applicant: Christopher Adams

Assessor's Map/Lot: 10/112

Application Documents: 417 Main Street Application Documents

Christopher Adams, owner/partner of Adams/Ahern

Presents new signage for Goodwin University. Signs to guide visitors/ students to appropriate offices and entrances. Same signage used in other Goodwin University properties.

Chair asks if any questions or comments.

Comm. Soderholm comments the signage would be a great improvement.

Chair entertains a motion.

Comm. Soderholm motion to approve 417 Main Street - Under Section 7.1; Application for a Site Plan for updated signage for Goodwin University offices and operations at 417 Main Street including an increase in vehicular and pedestrian directional signage.

Applicant: Christopher Adams

Assessor's Map/Lot: 10/112

Conditions of approval:

1. In evaluating this application, the Planning and Zoning Commission has relied upon information provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete, and/or inaccurate, this permit shall be modified, suspended or revoked.
2. The Final Plans shall be revised to:
 - a. To incorporate the final Certificate of Approval.

Approved Plans:

1. "Signage Improvements 417 Main Street" dated April 2023
2. "Signage Proposal Goodwin University 417 Main Street" dated April 10th, 2023

Motion seconded by Comm. Roczynski. All in favor. Motion approved.

B. SPECIAL PERMIT APPLICATION: 470 Main Street – Under Section 3.2; Application for Special Permit for the modification of the existing car wash facility including the removal and relocation of car vacuums and the reconfiguration of egress and ingress locations on Lilac Street.

Applicant: Richard Breski

Assessor's Map/Lot: 11/81

Application Documents: 470 Main Street Application Documents

Withdrawn – Chair moved to next item.

C. SPECIAL PERMIT APPLICATION: 1120 Silver Lane – Under Section 2.3; Application for Special Permit the construction of a 15' by 30' accessory storage building for the existing church.

Applicant: Lister Regis

Assessor's Map/Lot: 57/2

Application Documents: 1120 Silver Lane Application Documents

Previous motion to holding open for next meeting.

D. ZONING TEXT AMENDMENT: Under Section 9.5; Application for a Regulation Amendment to revise Section 3.2.A. Business Zones Permitted Uses and Section 6.4 Retail Related Use Provisions to permit Cannabis Retailers and Hybrid Retailers in the B-1 and B-2 Business Zones by Special Permit and revise Retail Related Use Provisions pertaining Cannabis Retailers and Hybrid Retailers.

Applicant: East Hartford Planning and Zoning Commission

Application Documents: Cannabis Retail Text Amendment Application Documents.

Holding open for next meeting.

4. MISCELLANEOUS

A. 2024 PLAN OF CONSERVATION AND DEVELOPMENT UPDATE:

Town Staff is currently drafting a finalized contract with BFJ Planning firm. The preliminary stages of its rewrite is expected to begin within the next month or so.

Carlene Shaw states waiting for contract to be signed. Chair ask maybe by August? Yes

B. ADOPTION OF AFFORDABLE HOUSING PLAN: The final draft of this has been reviewed by the Planning and Zoning Commission and Town Council and posted to the Town's website. Document Link: Final Draft of Affordable Housing Plan

Steve Hnatuk looking for a formal vote by Commission.

Motion by Comm. Carol Noel to formally approve the Affordable Housing Plan as presented.

Seconded by Comm. S. Roczynski. All in favor. Motion approved. 7-0

5. APPROVAL OF MINUTES

A. Planning and Zoning Commission Meeting Minutes-May 10, 2023

Motion by Carol Noel to approve minutes of May 10, 2023. Motion seconded by Steve Roczynski.

Comments by S. Soderholm- Housing to housekeeping

All in favor. Motion approved 7-0.

MISCELLANEOUS DISCUSSION

Comments on the gas stations on Silver Lane. Com. Peter Marra inquires on the state of the hotel.

Steve Hnatuk spoke with the Fire Marshal, work needs to be done regarding sprinkler systems, and proper permits were not applied for to make necessary upgrades.

Comm. Marra remarks great progress of warehouses at Rentschler field

ADJOURNMENT

Chair Ryan entertains a motion to adjourn.

Motion by Comm. Carol Noel to adjourn meeting, seconded by Steve Roczynski. All in favor, 7-0, meeting adjourned at 8:26 PM.

Next meeting is June 28, 2023 at 7:00 pm

Location Community Cultural Center Auditorium

Respectfully submitted,

Sana Hart, Clerk