

MINUTES FOR MEETING 1604
A REGULAR MEETING AND PUBLIC HEARING OF THE
NEW HAVEN CITY PLAN COMMISSION
Wednesday, March 30, 2022 at 6:00 PM
WEB-BASED MEETING HOSTED ON ZOOM

To view meeting materials, visit:

<https://cityplancommission.newhavenct.gov/pages/march-30-2022-meeting>

I. ROLL CALL

Commissioners Present: Chair Leslie Radcliffe, Commissioner Ernest Pagan, Commissioner Carl Goldfield, Ex-Officio Commissioner City Engineer Giovanni Zinn, Vice Chair Edward Mattison

City Staff Present: City Plan Director Laura Brown, Deputy Director of Zoning William Long, Planner Esther Rose-Wilen, Policy Analyst Dijonée Talley, Attorney Roderick William

Chair Radcliffe announced that the items 1602-05 and 1603-06 for 19 Wheeler Street aka Fairmont Av would remain on the table.

II. SITE PLAN REVIEW

1603-03 495 ORANGE STREET
MBLU: 211 0377 04000
Owner: 495 Orange LLC; **Applicant/Agent:** Andrew Rizzo, AR Consulting LLC

Site Plan Review

Conversion of an existing 3-story office building into 5 residential units in the RH-2 Zone.

Agent Matt Nolan introduced the item.
Engineer John Gabel walked through the site plans.

Chair Radcliffe asked how much exterior work would be done. Engineer Gabel responded that some work would be done in the parking lot but no new construction or changes to the exterior of the existing building.

Chair Radcliffe requested a breakdown of the units and unit sizes which Agent Nolan provided.
Chair Radcliffe requested the total number of parking spaces, Agent Nolan responded that there were five spaces including one accessible space.

The Commissioners discussed the location of the site along Orange Street and the availability of on-street parking.

Vice Chair Mattison asked what the current use is. Agent Nolan responded that it was previously an attorney's office but is currently vacant.

Chair Radcliffe requested a description of trash removal which Engineer Gabel provided.

Chair Radcliffe asked about bicycle storage, Engineer Gabel responded that there was covered outdoor bicycle parking for 2 bicycles.

Commissioner Goldfield confirmed that city garbage totes were permissible for 6 units and under.

Commissioner Pagan moved to approve the item at 6:24pm. 4-0 in favor.

***1602-05** **19 WHEELER STREET aka 'FAIRMONT AV'**
MBLU: 082 0974 02001
Owner: Airline Avenue Realty LLC; **Applicant:** Murphy Road Recycling LLC; **Agent:**
Meaghan Miles, Carmody Torrance Sandak & Hennessey LLP

Site Plan Review and Coastal Site Plan Review

Existing solid waste facility in the Coastal Management area in the IH Zone.

Chair Radcliffe restated that items 1602-05 and 1602-06 would remain on the table, but that the Commission was looking to decide on a date for a Special Meeting in April to hear these items.

Chair Radcliffe opened the Public Hearing at 7:00pm.

III. PUBLIC HEARINGS (start at 7 PM)

***1603-06** **ORDINANCE OF THE BOARD OF ALDERS** amending the Zoning Ordinance of the City of New Haven concerning the responsible and equitable regulation of adult-use cannabis.
Submitted by: William Long, Deputy Director of Zoning

Policy Analyst Dijonée Talley and Deputy Director of Zoning William Long introduced the item.

The Commissioners requested clarification on aspects of the state laws and regulation for adult-use cannabis, which City Staff provided.

Chair Radcliffe opened the floor for public testimony.

Tom Antonez, 64 Balfour Ct Pagosa Springs Colorado, asked a question about how applicants for licenses could plan their business without having determined a location and expressed both excitement and concerns about opportunities for cannabis businesses in CT.

Chris Ozyck, 603 Quinnipiac Avenue, expressed the need to clarify regulations around billboard advertisements. He mentioned additional spaces where he feels cannabis establishments should be prohibited: greenways such as the Farmington Canal, and Historic Districts. He also expressed that there should be a time limit on the Special Permits, such as 2 years, so that the community could weigh in on how a facility is doing (similar to waste management Special Permits). He also expressed that some of the tax funds generated by the establishments could be used to mitigate unwanted impacts on the community and or oversight.

Chair Radcliffe requested clarification on expiration of the State licenses. Policy Analyst Talley stated that City Staff would follow up on this question.

Ray Pantalena, 188 Barlett Drive, Madison, CT. Expressed support for the proposed ordinance text and map amendment and invited the public to check out his medical marijuana establishment on Whalley Ave to learn more about them.

Jimi Cooper, 244 Atwater Street, asked if there was any assistance for local residents with the Social Equity applications and small business support.

Policy Analyst Talley spoke to some of the challenges and opportunities with small business support.

Anstress Farwell, 34 Wooster Place, asked if there was a distance requirement between establishments and asked if any other uses triggered the 500-foot buffer such as recreation centers or early childhood education.

Chair Radcliffe responded that cannabis establishments could not be within 1,500 feet of another establishment and referenced the map that shows where establishments are permitted.

Anstress Farwell asked if afterschool and recreation centers were included for the 500-foot buffer and mentioned it would be interesting to hear about best practices from other places with legalized adult use cannabis.

Policy Analyst Talley mentioned that many of these kinds of “sensitive receptors” were already located in residential zones where cannabis establishments are proposed to be prohibited and added that cannabis establishments are highly regulated by the State with many regulations in place to prevent nuisances.

Aaron Goode, 702 Quinnipiac Avenue, asked about the excluded areas and why River Street MDP was an excluded area.

Deputy Director Long responded that MDP areas were proposed to be excluded for the time being as the plans for those areas were further developed.

Jimi Cooper, 244 Atwater Street, asked about street vending of cannabis and whether it was restricted in the same areas as Cannabis Establishments.

Policy Analyst Talley responded that mobile vending is not permitted at this time per State statute.

Attorney Williams provided additional details on how cannabis sales can be taxed.

Commissioner Goldfield asked whether the city had to take further action to impose these taxes, which Attorney Williams responded that they do not, it is automatic.

Commissioner Goldfield asked whether the ordinance would ‘override’ regulations of the local historic districts and Attorney Williams responded that it would not.

Commissioner Goldfield asked whether the CPC had the authority to impose its own renewal period on the establishments.

Attorney Williams stated that the State recommended Special Permits or some other permitting process and did not necessarily prohibit time restrictions and requirements for renewal.

Policy Analyst Talley confirmed that some types of cannabis businesses do have to renew their licenses every five years with the State, or some other time period, and that City Staff would look into this further.

Commissioner Goldfield expressed that it could be good to attach a renewal period to the Special Permit and asked Staff what the timeline was for CPC to make their recommendation.

Deputy Director Long responded that CPC needed to finalize their recommendation on March 30. He further recommended that the CPC add their previously discussed condition that a map be produced including street names as a recommendation to their report to the BOA.

Chair Radcliffe closed the Public Hearing at 8:49pm.

The Commissioners deliberated on the item discussing:

- The possibility for a moratorium on all adult-use cannabis establishments.
- Whether there should be a 500-foot buffer around locations of other “sensitive receptor” or whether the proposed Special Permit criteria was sufficient.
- The potential benefits and nuisances of these establishments to the surrounding area.
- The need for additional public education and engagement.
- The need for further advice on best practices from other municipalities with legalized recreational cannabis.
- Whether the Special Permits can and should be time limited.
- The need for additional information on the “Cannabis Allowable Locations Map.”

The Commissioners came to a consensus on adding the following additional recommendations to the staff report:

- That “street names” and “neighborhood boundaries” are incorporated and included on the map entitled “Cannabis Allowable Locations Map.”
- That the Board of Alders considers conducting research by having other municipalities provide their experiences prior to adopting any ordinances related to cannabis establishments ordinances within the City of New Haven.
- That the Board of Alders imposes an expiration time limit for special permits related to Cannabis Establishments that aligns with the State’s time limits based on the specific time limits for each license type.
- That the Board of Alders conducts a robust public education and engagement process including experts with experience in the field.

Vice Chair Mattison moved to provide a favorable recommendation to the Board of Alders with the added considerations. 4-0 in favor.

***1602-06 19 WHEELER STREET aka ‘FAIRMONT AV’**
MBLU: 082 0974 02001
Owner: Airline Avenue Realty LLC; **Applicant:** Murphy Road Recycling LLC; **Agent:**
Meaghan Miles, Carmody Torrance Sandak & Hennessey LLP

Special Permit

Renewal for an existing solid waste facility in the Coastal Management area in the IH Zone.

Item remained on the table.

IV. MINUTES OF MEETINGS

Meeting:

- Meeting #1603 (March 16, 2022)

Vice Chair Mattison moved to approve the March 16, 2022 minutes. 3 in favor with 1 abstention.

Commissioner Pagan moved to adjourn at 9:53. 4-0 in favor. The meeting adjourned at 9:53pm.

NOTE:

Next Regular Meeting of the City Plan Commission:

Wednesday, April 27, 2022 at 6:00 PM (Submission deadline: March 17, 2022 by 12:00 PM)

NOTE:

The submission deadline for the May 18, 2022 CPC meeting is April 21, 2022.

NOTE:

The City Plan Commission agenda is available on the City website one week before the meeting date. Written testimony should be submitted to City Plan staff 24 hours in advance of each public meeting. Draft agendas will continue to be shared with the CPC distribution list via email and posted on this webpage and the City Plan Department website one week before each public meeting. Final agendas will be posted on the commission webpage and on the City Plan Department website 24 hours in advance of each public meeting. Updates will occur to the web agenda as necessary. Official agenda is filed with the City Clerk at least 48 hours before the meeting time.

NOTE:

Since the meeting is remote, participation by a quorum of members is expressly prohibited at the physical location will not be present however any member of the public may request, in writing, a physical location and “any electronic equipment necessary” to attend the meeting in real time no later than twenty-four (24) hours prior to the meeting. Said individual shall have the “same opportunities to provide comment or otherwise participate” in the meeting as would be afforded if the meeting was held in person with the following exception: Under law, if such person loses the ability to participate because of an interruption, failure or degradation of such person’s connection to the meeting by electronic equipment the committee is not required to adjourn or postpone the meeting.

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