



Town of Hamden

Planning and Zoning Department

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March 15, 2023

Planning and Zoning Commission Minutes

The Planning and Zoning Commission, Town of Hamden, held a Hybrid Public Hearing and a Regular Meeting on Tuesday, March 14, 2023 at 7:00 p.m. The In-Person meeting was held at the Legislative Council Chambers, Memorial Town Hall, 2372 Whitney Avenue, Hamden, CT and via Town's Zoom teleconferencing platform.

Commissioners in attendance: Michele Mastropetre (Chairman), Joseph McDonagh (Vice Chair) Jay Cruikshank, Richard Pearce (via zoom), Shenae Draughn, Felicia Bond.

Staff in Attendance: Eugene Livshits, Town Planner; Christopher Soto, Assistant Town Planner; Camile Deans Administrative Assistant to Commissions, Atty. Tim Lee, Assistant Town Attorney; Genevieve Bertolini, Stenographer.

Commissioner McDonagh called the meeting to order at 7:05p.m.; He asked members of the panel to introduce themselves. He informed everyone that Brack Potier was no longer the Chair and that his term expired, he highlighted that Mr. Potier has been the chair for six years and he has done a great job, he also thanked Mr. Potier for his service to the Town. He asked that they add an item to the agenda, the election of a new chairman.

Commissioner McDonagh made a motion to add the election of a Chairman to the agenda, the motion was moved by Commissioner Draughn. The item was added to the agenda, Vice Chairman McDonagh asked for nominations for the new chair. He then made the first nomination to elect Commissioner Mastropetre as the new Chairman, Commissioner Cruickshank seconded the motion, there were no other nominations, and all commissioners present were in favor of Commissioner Mastropetre. Commissioner Mastropetre was elected Chairman, she thanked the commissioners for their support, she also thanked Potier for his service and added that he will be missed.

A. Public Comment Session

Chairman Mastropetre called for public comments both in-person and online.

There were no public comments.

B. Public Hearing

1. Zoning Regulations Amendment 23-991
Section 678: Adult use Cannabis
Town of Hamden, Applicant

(Please note this item was noticed with item number 22-990 on the public hearing advertisement and agenda, this was a Scribner's error)

Town Planner Eugene Livshits read his report.

Chairman Mastropetre asked if there were any members of the public who would like to come forward to speak in favor of the application.

Amanda Ostrowitz resident at 63 Greentree Drive Glastonbury CT, gave a favorable comment for the application. She informed the panel that she has received her retailer license for the sale of cannabis and is enthusiastic to start her operation in Hamden, they have already identified a space in the town. They also have another cannabis retail store and therefore she stands in support of the application.

Attorney Pellegrino from Pellegrino Law Firm in New Haven gave a favorable comment on the application. He suggested permitted use and a few more zones that could be included in the application. One of which were T-5 zones.

Chairman Mastropetre asked if there was anyone else who would like to speak in favor. No one else came forward.

Chairman Mastropetre asked if there were any members of the public who would like to come forward to speak against the application. Mr. Tom Kelleher a Businessman in the town of Hamden, came forward and expressed that he could not understand the regulations because they were read too fast. He expressed that he was in favor, Town Planner Eugene Livshits gave him a copy of the regulations.

No one spoke against the application.

Commissioner McDonagh read three letters from citizens. The first letter was from Jennifer pope who expressed disappointment in the proposed language and restrictions around cannabis establishments in the proposed regulations, she also expressed that it was not the role of the Planning and Zoning Commission to speak on health and safety and if they have giving the same provisions for other business in the neighborhood. She further stated that “Cannabis sales are already bringing new development and new businesses across the state of Connecticut. These changes have brought additional revenue to the state and other municipalities and could also bring new revenue to Hamden. Unnecessary and overreaching policies like these mean to restrict growth and will assure continued financial burden on residents by limiting tax revenue to residential property owners and renters where a new revenue stream is possible. Cannabis establishments should follow the same restrictions as any other business. Zoned appropriately to commercial or manufacturing zones as appropriate but without the overreaching and vague restrictions and requirements that place undue burden without warrant. As written, these regulations will surely turn potential businesses away for more friendly towns and cities as surely the prior moratorium and delayed establishment of the proposed regulations already have.”

Commissioner McDonagh read the other letter from Christopher Atchley, which stated “I write today to ask that careful consideration be made to not overburden cannabis establishments looking to make their home here in Hamden, with excessive and unequal regulations. Please extend to them the same leniency that has been extended to the abundance of liquor stores and tobacco shops across our town. Now is not the time to play morality police. The addition of these cannabis establishments is an opportunity to expand our tax base and help alleviate some of the tax burden on our taxpayers.”

The Final letter was from Ted Stevens, “I am writing to express my support for Zoning Regulations Amendment 22-990. As you know, the Planning and Economic Development Departments have spent the

past year conducting outreach and determining an optimal set of regulations. Based on the research they have done and the feedback they have received, I believe that the proposed amendments before you today will both encourage business development while also protecting the public good and the character of the town. Regulating retail cannabis operations similarly to package stores, as these amendments seek to do, is a sensible approach. These amendments will contain sales in already established retail areas, while keeping them away from schools, playgrounds, and other non-compatible uses. Additionally, requiring a Special Permit for each new use ensures that the Planning and Zoning Commission will have a chance to review and approve each new proposed establishment. I am confident that such reasonable regulations are not so overly burdensome as to discourage businesses from opening cannabis-related businesses in Hamden, while not being so overly permissive that the Town and the Commission lose their ability to effectively regulate such businesses. That being the case, I hope you will vote to support these proposed amendments at tonight's meeting.”

Commissioner McDonagh addressed a few concerns he had and explained what the duties of the commissioners and planning and zoning department.

Chairman Mastropetre asked if there were any further comments, there were none. Chairman Mastropetre closed the Public Hearing.

C. Regular Meeting

Item 1

Zoning Regulations Amendment 23-991

Section 678: Adult use Cannabis

Town of Hamden, Applicant

(Please note this item was noticed with item number 22-990 on the public hearing advertisement and agenda, this was a Scribner's error)

Chairman Mastropetre, asked for a motion, Commissioner McDonagh made a motion to approve the application, Attorney Tim Lee made a suggestion to add an effective date of April 1, 2023. Commissioner Cruikshank seconded the motion. All Commissioners present were in favor of the motion. Commissioner Cruikshank expressed that he prefers that people purchased cannabis legally, and that the regulations provides guidelines that applicants can use to determine potential location sites.

Item 2

8-24 Review – 23-423

Farmington Canal Trail

Elijah Gomez Memorial Stone and Bench

Hamden Police Dept.

Assistant Town Planner Christopher Soto read the item detail.

Chairman Mastropetre asked for a motion, Commissioner McDonagh made a motion for a favorable response, Commissioner Draughn seconded the motion. All Commissioners present were in favor.

Item 3

8-24 Review – 23-424
Garden of Hope Reflection
Sign and 2-3 Fruit Trees
Paint Hamden Pink Committee

Assistant Town Planner Christopher Soto read the item detail.
Chairman Mastropetre asked Mr. Soto where the Garden of hope is located, Mr. Livshits informed her.
Commissioner Cruickshank asked if they needed a favorable approval from the Town Center Park Commission or the Legislative Counsel, Attorney Tim Lee advised that he is correct, he could get an advisory recommendation. They added the recommendation to the report.

Commissioner McDonagh made a motion to send a favorable recommendation along with the amended recommendation. Commissioner Cruickshank seconded the motion. All Commissioners present were in favor.

Item 4

*8-24 Review – 23-425
250 Worth Ave
Property Acquisition
Town of Hamden

Town Planner Eugene Livshits read the item detail.
Chairman Mastropetre asked if the pool on location will become a public pool or is it still being used by the residents, Mr. Livshits informed her that it does need significant rehabilitation and won't be used.

Chairman Mastropetre asked for a motion, Commissioner McDonagh made a motion to send a favorable recommendation, Commissioner Bond seconded the motion. Two commissioners present voted in favor, four commissioners abstained

Item 5

*8-24 Review – 23-426
233 Skiff St.
Property Acquisition
Town of Hamden

Attorney Tim Lee read the item detail.
Commissioner McDonagh wanted some clarification on what part of the building was being taken, Mr. Lee explained what part of the property will be used.

Commissioner McDonagh made a motion to send a favorable recommendation, Commissioner Cruickshank seconded the motion.

D. Old Business

1. Review minutes of February 14, 2023 Regular Meeting. The minutes were approved with no corrections by Commissioner McDonagh, Commissioner Draughn Seconded the motion.

E. New Business

No New Business

F. Discussion

Land Use Training

Mr. Livshits explained to the panel that there is a land use training coming up, and the importance of commissioners doing certifications and trainings in order to be more effective. He also asked the Commissioners to keep an eye out for training calendars, and Planning and Zoning will coordinate with commission members. Chairman Mastropetre also stressed the importance of the trainings and her experience with learning a lot from them.

G. Adjournment

Commissioner Draughn made a motion to adjourn. Commissioner Draughn seconded the motion.

Meeting Adjourned at 8:00pm.

Submitted by: _____
Camile Deans, Administrative Assistant to Commissions