

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

**RPC
Representatives**

Bethany:
Michael Calhoun

Branford:
Charles Andres

East Haven:
Vacant

Guilford:
Vacant

Hamden:
Ryszard Szczypek

Madison:
Christopher Traugh

Meriden:
David White

Milford:
Benjamin Gettinger

New Haven:
Kevin DiAdamo
(Chair)

North Branford:
Vacant

North Haven:
James Giulietti
(Secretary)

Orange:
Vacant

Wallingford:
Vacant

West Haven:
Christopher Suggs

Woodbridge:
Peggy Rubens-Duhl

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Thursday, January 8, 2015 RPC Meeting at 5:15pm at Bellini's Italian Restaurant:
2 Broadway, North Haven, CT 06473

AGENDA

1. Administration

1.1. Minutes of the December 11, 2014 RPC Meeting **1**

2. Action Items

2.1. Town of North Branford: Proposed Zoning Regulation Amendments to Section 54 – Alcoholic Beverages. Submitted by: Town of North Branford. Received: December 22, 2014. Public Hearing: TBD. **3**

2.2. Town of Clinton: Proposed Zoning Regulation Amendments to add Section 10 – Standards for Special Exception. Submitted by: Town of Clinton. Received: December 8, 2014. Public Hearing: February 2, 2015 **5**

2.3. City of West Haven: Proposed Zoning Regulation Amendments pertaining to Medical Marijuana Dispensaries and Producers. Submitted by: City of West Haven. Received: December 24, 2014. Public Hearing: January 27, 2015. **10**

2.4. Town of Stratford: Proposed Zoning Regulation Amendment to extend moratorium on medical marijuana dispensaries and producers and methadone dispensaries and/or clinics. Submitted by: Town of Stratford. Received: December 15, 2014. Public Hearing: January 27, 2015. **17**

2.5. City of Shelton: Proposed Zoning Regulation Amendment pertaining to the keeping of chickens in Residential Districts. Submitted by: City of Shelton. Received: December 19, 2014. Public Hearing: January 28, 2015. **21**

3. Other Business

3.1. Election of Officers and Executive Committee **26**

The agenda and attachments for this meeting are available on our website at www.scrkog.org. Please contact SCRCOG at (203) 234-7555 for a copy of agenda in a language other than English. Auxiliary aids/services and limited English proficiency translators will be provided with two week's notice.

"Necesidades especiales: Audio de circuito cerrado para personas con deficiencia auditiva y/o intérprete de lenguaje de señas e intérprete para personas con Dominio Limitado del Inglés son proporcionados por aviso a dos semanas de anticipación. Agenda puede solicitarse en un idioma distinto al Inglés contactando a SCRCOG. Favor de contactar a SCRCOG al (203) 234-7555 para hacer arreglos para estos servicios."

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, December 11, 2014 Meeting

Present: Kevin DiAdamo, Peggy Rubens-Duhl, Michael Calhoun, James Giulietti, Charles Andres, David White, Eugene Livshits

1 Administration

1.1 Minutes of the November 13, 2014 RPC meeting.

Motion to accept the minutes as presented: Charles Andres. Second: Peggy Rubens-Duhl. Vote: Unanimous.

2 Statutory Referrals

2.1 Town of Orange: Proposed Zoning Regulation Amendment pertaining to Outdoor Storage and Outdoor Displays

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: Charles Andres. Second: Michael Calhoun. Vote: Unanimous.

2.2 Town of North Haven: Proposed Zoning Regulation Amendment to add Section 5.1.3.5.4 – Reduced Lot Sizes

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: Charles Andres. Second: Michael Calhoun. Vote: Unanimous. Abstain: James Giulietti

2.3 Town of Southington: Proposed Zoning Regulation Amendments pertaining to Recreational Vehicles

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: Peggy Rubens-Duhl. Second: Charles Andres. Vote: Unanimous.

2.4 Town of Woodbridge: Plan of Conservation and Development Update

By resolution, the RPC has determined that the 2015 Plan of Conservation and Development for the Town of Woodbridge appears consistent with the policy statements of both the State and Regional Plan of Conservation and Development.

Motion: Charles Andres. Second: James Giulietti. Vote: Unanimous.

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

Supplemental Referrals from the Town of North Branford, Town of Clinton and Town of Southington:

Motion to add supplemental referrals to the RPC Agenda: Charles Andres. Second: Michael Calhoun.
Vote: Unanimous.

2.5 Town of North Branford: Proposed Zoning Regulation Amendment to Section 54.4.2 (Alcoholic Beverages)

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: Charles Andres. Second: Peggy Rubens-Duhl. Vote: Unanimous. Abstain: Charles Andres

2.6 Town of North Branford: Proposed Zoning Regulation Amendments pertaining to Self-storage Facilities

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: Kevin DiAdamo. Second: David White. Vote: Unanimous.

2.7 Town of North Branford: Proposed Zoning Regulation Amendments to Section 54 - Alcoholic Beverages

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendments need further clarification as to what is being regulated in Section 54 – Alcoholic Beverages. Sub-section 54.1 – General, makes the regulations applicable only to businesses where alcoholic beverages are sold at retail for consumption on-premises and then states that consumption on-premises is not regulated within Section 54.

Motion: Charles Andres. Second: Peggy Rubens-Duhl. Vote: Unanimous.

2.8 Town of Clinton: Proposed Zoning Regulation Amendments to add Section 10 – Standards for Special Exception.

The item has been tabled until the January Regional Planning Commission meeting in order to obtain additional information pertaining to the Zoning Amendment.

Motion: Charles Andres. Second: James Giulietti. Vote: Unanimous.

2.9 Town of Southington: Proposed Zoning Regulation Amendments pertaining to Signage

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: Peggy Rubens-Duhl. Second: Michael Calhoun. Vote: Unanimous.

3 Other Business

Motion to Adjourn: Christopher Suggs. Second: Charles Andres. Vote: Unanimous.

Referral 2.1: Town of North Branford

Subject:

Proposed Zoning Regulation Amendments to Section 54 – Alcoholic Beverages

Staff Recommendation:

The Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

A private applicant has proposed Zoning Regulation Amendments to Section 54 of the North Branford Zoning Code. The proposed Amendments would modify Sections 54.1, 54.2, 54.3, 54.4 and add Sections 54.4.3 and 54.5. In Section 54.1 – General, the amendments make the section applicable to off-premises consumption under a valid existing permit. There is additional language added which states that consumption on-premises is not regulated under Section 54, but a special use permit is required. Section 54.2 pertains to the measurement of the distance requirement and it has been slightly modified (specific changes can be seen in the Agenda Packet). Section 54.3 – Discontinuance, adds the language “with a valid existing permit” after Liquor Outlet. In Section 54.4 – Location, the amendment reduces the distance requirement from any church, synagogue, college, school, etc... from 500 feet to 400 feet when the Liquor Outlet is separated by a State Highway from the church, synagogue, college, school, etc... Section 54.4.3 exempts a Liquor Outlet in a retail commercial center that contains a building with 14,000 gross square feet or greater on the first floor and contains one or more tenants and has a direct access to a state highway from the distance requirements. Section 54.5 – Relocation, also exempts any Liquor Outlet with a valid existing permit relocating within a 1,500 foot radius of the former location from the distance requirements.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.

SECTION 54* - ALCOHOLIC BEVERAGES

- 54.1 General: The following regulations shall apply to the location of any business where alcoholic liquor, wine, beer and /or ale is sold at retail for consumption ~~on off or off~~ premises under a valid existing permit issued by the Liquor Control Commission of the State of Connecticut, which business is hereinafter referred to as a "Liquor Outlet". Consumption on premises is not regulated in this Section 54 of the Zoning Ordinance, however a Special Use permit is required for such uses. Refer to the text, and the table set out in Attachment A.
- 54.2 Measurement: All required distances shall be measured from the front door of the retail space utilized by the Liquor Outlet ~~nearest corner of any building or premises used as a liquor outlet~~ to the ~~nearest corner~~ front door of any church, synagogue, or college, or the ~~nearest boundary of a school building, or, park or town-owned playground boundary~~, or to the front door ~~nearest corner of any building or premises of~~ any other liquor outlet.
- 54.3 Discontinuance: If any existing Liquor Outlet with a valid existing permit, which shall be located within the prescribed distance provided for in Section 54.4, shall be discontinued for a period of one (1) year, such liquor outlet shall not be resumed except in conformity with Section 54.4.
- 54.4 Location:
- 54.4.1 No Liquor Outlet shall be located within 500 feet of any church, synagogue, college, school, park or town-owned playground. However, when a state highway separates the Liquor Outlet from any church, synagogue, college, school, park, or town-owned playground, the required distance shall be reduced to 400 feet.
- 54.4.2 No Liquor Outlet shall be located less than 1500 feet from an establishment with the same class permit.
- 54.4.3 The Location requirements set out in Section 54.4.1 and 54.4.2 of the Zoning Ordinance shall not apply to a Liquor Outlet in a retail commercial center that contains a building with 14,000 gross square feet on the first floor or greater, and containing one or more tenants and has direct access to a state highway.
- 54.5 Relocation: Any Liquor Outlet with a valid existing permit may be relocated within a 1500 foot radius of the front door of the former location of the Liquor Outlet, and Section 54.4 regulations shall not apply.

Referral 2.2: Town of Clinton

Subject:

Proposed Zoning Regulation Amendments to add Section 10 – Standards for Special Exception

Staff Recommendation:

The Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Clinton has proposed to add Subsection 10.36 to Section 10 – Standards for Special Exception. The amendments are applicable to Buildings, Uses and Facilities of the Town, State, Federal Government or other Governmental Agencies over 15,000 square feet. The qualification is applicable to residential districts and the minimum lot area of the subject lot shall not be less than the district requirement. The following standard has been established: the footprint shall be governed by the requirements of the use proposed and shall not be subject to the requirements of Section 25.11.2 - Lot Requirement Standards by District: Non-Residential (Maximum footprint of any single building excluding shopping centers and neighborhood shopping centers and municipal facilities). The footprint may exceed 10,000 or 40,000 as the zone may specify. As part of receiving a Special Exception, a lighting plan and landscaping plan needs to be submitted.

The proposed amendment only adds the standards for special exception as the use was already permitted in all residential districts subject to Special Exception. In all non-residential districts the use was previously allowed by Site Plan Approval, but the amendment would require a Special Exception if it is over 15,000 square feet.

Communication:

In researching this proposal, I notified the adjacent municipality in the South Central Region.

10.36 Buildings, Uses and Facilities of the Town of Clinton, State of Connecticut, Federal Government and Other Governmental Agencies over 15,000 sq. ft.

10.36.1 Purpose: These Regulations are intended to promote the development of buildings, uses and facilities of the Town of Clinton, State of Connecticut, Federal Government and other governmental agencies that exceed 15,000 square feet of floor area in a way that is compatible with the surrounding areas and does not degrade the public health, safety and property values.

10.36.2 Qualifications: A Special Exception for a building, use or facility of the Town of Clinton, State of Connecticut, Federal Government or other governmental agency may be granted provided that:

- (a) In Residential Districts, the minimum lot area of the subject lot shall not be less than the district requirement.

10.36.3 Standards and Requirements: A Special Exception may be granted provided that the following criteria are met in addition to the standards, criteria and conditions stated in Section 9:

- (a) The footprint of any municipal, state or federal building shall be governed by the requirements of the use proposed and shall not be subject to the requirements of Section 25.11.21 (Maximum footprint of any single building). The footprint may exceed 10,000 or 40,000 square feet as the zone may specify.

10.36.4 Procedures: The applicant shall follow the procedures set forth in Section 4 of these Regulations, in addition to the following:

- (a) The following shall be submitted:
 - (1) Lighting Plan
 - (2) Landscaping Plan

Section 9

Special Exceptions

- 9.1 **General:** In accordance with the procedures, standards and conditions hereinafter specified the Commission may approve a Special Exception for the establishment of one or more of the uses for which a Special Exception must be secured from the Commission as required by these Regulations in the Schedule of Uses by District. All requirements of this Section are in addition to other requirements applicable in the District in which the Special Exception use is to be located.

(Amended 1/1/2012)

- 9.2 **General Conditions:** The Commission may approve a Special Exception if it determines that the proposed buildings, structures and/or use will conform to the following general conditions, in addition to any special standards hereinafter specified:

(Amended 1/1/2012)

9.2.1 That the location, type, character and size of the use of any building or other structure in connection therewith shall be in harmony with and conform to the appropriate and orderly development and use of adjacent property or impair the value thereof.

9.2.2 That the nature and location of the use and of any building or other structure in connection therewith shall be of such that there will be adequate access to it for emergency vehicles and fire protection purposes.

9.2.3 That the streets serving the proposed use are adequate to carry prospective traffic, that provision is made for entering and leaving the property in such a manner that no undue hazard to traffic or under traffic congestion is created and that adequate off-street parking and loading facilities are provided.

9.2.4 That the lot on which the use is to be established is of sufficient area and adequate dimension to permit construction and use of buildings, other structures and facilities in such a manner that will not be detrimental to the neighborhood or adjacent property.

(Amended 1/1/2012)

9.2.5 That the property will be suitably landscaped to meet the Performance Standards in Section 23.4 of these Regulations.

(Amended 1/1/2012)

9.2.6 That the use, site plan and architectural design shall be in conformance with the purpose and intent of any Plan of Conservation and Development adopted by the Commission for the area in which the use is located.

(Amended 1/1/2012)

9.2.7 That the site plan provides for connection, continuation and appropriate improvements of street in accordance with any future transportation, road, and/or circulation plan which is a part of a Plan of Conservation and Development adopted by the Commission where the use is to be located.

(Amended 1/1/2012)

- 9.2.8 That the architectural plans of buildings and other structures shall be of a character as to harmonize with the neighborhood, to accomplish a transition in character between areas of unlike character, to protect property value.

Permitted Use	VZ	B-1	B-2	B-3	B-4	M	I-1	I-2	IP
24.2.48 (Reserved for Future Use)									
24.2.49 (Reserved for Future Use)									
24.2.50 Philanthropic, educational or religious uses by a duly incorporated non-profit body or governmental unit, including but not limited to private schools, colleges and universities, museums, libraries, charitable institutions, cemeteries, place of worship, parish halls, fraternal societies and senior centers	SE	SE	SE	SE	SE	X	SE	SE	SE
24.2.51 Buildings, uses and facilities of the Town of Clinton	SP	SP	SP	SP	SP	SP	SP	SP	SP
(a) <u>Occupying less than or equal to 15,000 sq. ft. of floor area</u>	SP	SP	SP	SP	SP	SP	SP	SP	SP
(b) <u>Occupying more than 15,000 sq. ft. of floor area</u>	SE	SE	SE	SE	SE	SE	SE	SE	SE
24.2.52 Buildings, uses and facilities of the State of Connecticut, Federal Government and other governmental agencies	SP	SP	SP	SP	SP	SP	SP	SP	SP
(a) <u>Occupying less than or equal to 15,000 sq. ft. of floor area</u>	SP	SP	SP	SP	SP	SP	SP	SP	SP
(b) <u>Occupying more than 15,000 sq. ft. of floor area</u>	SE	SE	SE	SE	SE	SE	SE	SE	SE
24.2.53 Railroad rights-of-way and passenger stations including customary accessory services therein but not including switching, freight yards, freight terminals or storage sidings	P	P	P	P	P	P	P	P	P
24.2.54 Public utility substations and public utility water supply reservoirs, wells, water towers and water treatment facilities	SP	SP	SP	SP	SP	SP	SP	SP	SP
24.2.55 Communication towers not regulated as to location by the State of Connecticut	SE	SE	SE	SE	SE	SE	SE	SE	SE
24.2.56 (Reserved for Future Use)									
24.2.57 (Reserved for Future Use)									
24.2.58 (Reserved for Future Use)									
24.2.59 (Reserved for Future Use)									

P - Zoning Permit from ZEO Required
 SP - Site Plan approval from PZC Required
 n/a - Not applicable

X - Prohibited in District
 SE - Special Exception approval from PZC Required

Referral 2.3: City of West Haven

Subject:

Proposed Zoning Regulation Amendments pertaining to Medical Marijuana Dispensaries and Producers

Staff Recommendation:

The Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The City of West Haven has proposed Zoning Regulation Amendments pertaining to Medical Marijuana. The purpose of the amendments is to regulate the location of Medical Marijuana Dispensaries and Producers. The amendments include detailed definitions of “Dispensary” and “Producer”. There are additional definitions for “Public Building”, “Private Recreation Area”, “Public Park and Recreation Area” and “School”.

The proposed use is allowed only in the Light Manufacturing District subject to Special Permit Approval and Site Plan Approval. The amendments allow only one dispensary and one producer to be located in the City of West Haven. The amendments establish a separation requirement of 800 feet from a church, school, public building, public park and recreation area, private recreation area or residentially zoned land. The use cannot be in a building used for residential purposes.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.

Please mail to:

Re: RPC Referral
South Central Regional COG
127 Washington Avenue, 4th Floor West
North Haven, CT 06473

RPC Referral Submission Form

South Central CT Regional Planning Commission

1.) General Information:

Date Sent: 12/24/14

Subject: West Haven Regulation revision

Applicant Name: City of West Haven

Property Address (if applicable): 355 Main St.

Town/City: West Haven

Referral is from a private individual

Referral is from the Town/City Planning Department or the P & Z Commission

Public Hearing Date: Jan 27 2015

2.) Statutory Responsibility:

Application involves a subdivision of land within 500 feet of a town/city border

Application involves a proposed change to a town/city zoning regulation

If neither, applicant requests a voluntary RPC review for informational purposes

Material is for informational purposes only; an RPC resolution is not necessary

Other: _____

3.) Process:

Material sent "Return Receipt Requested" (as required by law)

Information on proposed change included

Existing language included (if applicable)

4.) Preferred contact regarding this RPC referral:

Name: Robert Librandi

Telephone Number: (203) 937-3580

E-mail Address: rlibrandi@westhaven-ct.gov

Comments: City of West Haven looking to add Medical Marijuana regulations. (enclosed)

Questions: (203) 234-7555
South Central Regional Council of Governments | <http://www.scrkog.org>

Section 49 Article 1. Medical Marijuana

- A. Purpose.** The intent of this section is to regulate the location of Medical Marijuana Dispensaries and Producers. The primary purposes of these regulations are to prevent a concentration of these uses in any one area, to minimize any adverse impacts, and to protect and preserve the quality of Southington's neighborhoods, commercial districts, property values and the quality of urban life through effective land use planning.
- B. Definitions - for use in this section of the Regulations:**
- 1. Dispensary or licensed dispensary means a person licensed as a dispensary pursuant to Section 9 of Public Act #12-55:**
 - A. No person shall act as a dispensary or represent that such person is a licensed dispensary unless such person has obtained a license from the Commissioner of Consumer Protection pursuant to this section.**
 - B. The Commission of Consumer Protection shall determine the number of dispensaries appropriate to meet the needs of qualifying patients in this state and shall adopt regulations, in accordance with Chapter 54 of the General Statutes, to provide for the licensure and standards for dispensaries in this state and specify the maximum number of dispensaries that may be licensed in this state. On and after the effective date of such regulations, the Commissioner may license any person who applies for a license in accordance with such regulations, provided (1) The Commissioner deems such applicant qualified to acquire, possess, distribute and dispense marijuana pursuant to Section 1 to 15, inclusive, of this act, (2) the applicant is a pharmacist licensed under Chapter 400j of the General Statutes, and (3) the number of dispensary licenses issued does not exceed the number appropriate to meet the needs of qualifying patients in this state, as determined by the Commissioner pursuant to this subsection. At a minimum, such regulations shall:**
 - 1. Indicate the maximum number of dispensaries that may be licensed this state;**
 - 2. Provide that only a pharmacist licensed under Chapter 400j of the General Statutes may apply for and receive a dispensary license;**
 - 3. Provide that no marijuana may be dispensed from, obtained from or transferred to a location outside of the state;**
 - 4. Establish a licensing fee and renewal fee for each licensed dispensary, provided such fees shall not be less than the amount necessary to cover the direct and**

indirect cost of licensing and regulating dispensaries pursuant to Sections 1 to 15, inclusive, of Public Act #12-55;

5. Provide for renewal of such dispensary licenses at least every two years;
6. Describe areas in this state where licensed dispensaries may not be located, after considering the criteria for the location of retail liquor permit premises set forth in subsection (a) of Section 30-46 of the General Statutes;
7. Establish health, safety and security requirements for licensed dispensaries, which may include, but need not be limited to: (i) the ability to maintain adequate control against the diversion, theft and loss of marijuana acquired or possessed by the licensed dispensary, and (ii) the ability to maintain the knowledge, understanding, judgment, procedures, security controls and ethics to ensure optimal safety and accuracy in the distributing, dispensing and use of palliative marijuana;
8. Establish standards and procedures for revocation, suspension, summary suspension and nonrenewal of dispensary licenses, provided such standards and procedures are consistent with the provisions of subsection (c) of Section 4-182 of the General Statutes; and
9. Establish other licensing, renewal and operational standards deemed necessary by the Commissioner.

C. Any fees collected by the Department of Consumer Protection under this Section shall be paid to the State Treasurer and credited to the account established pursuant to Section 19 of Public Act 12-55.

2. Producer or licensed producer means a person licensed as a producer pursuant to Section 10 of Public Act #12-55;
 - A. No person may act as a producer or represent that such person is a licensed producer unless such person has obtained a license from the Commissioner of Consumer Protection pursuant to this section.
 - B. The Commissioner of Consumer Protection shall determine the number of producers appropriate to meet the needs of qualifying patients in this state and shall adopt regulations, in accordance with Chapter 54 of the General Statutes, to provide for the licensure, standards and locations for producers in this state and specify the maximum number of producers that may be licensed in this state at any time. On and after the effective date of such regulations, the Commissioner may license any person who applies for a license in accordance with such regulations, provided (1)

such person is organized for the purpose of cultivating marijuana for palliative use in this state, (2) the Commissioner finds that such applicant has appropriate expertise in agriculture and that such applicant is qualified to cultivate marijuana and sell, deliver, transport or distribute marijuana solely within this state pursuant to Sections 1 to 15, inclusive, of Public Act 12-55, and (3) the number of producer licenses issued does not exceed the number appropriate to meet the needs of qualifying patients in this state, as determined by the Commissioner pursuant to this subsection. At a minimum, such regulations shall:

1. Indicate the maximum number of producers that may be licensed in this state at any time, which number shall not be less than three nor more than ten producers;
2. Provide that no marijuana may be sold, delivered, transported or distributed by a producer from or to a location outside of this state;
3. Establish a nonrefundable application fee of not less than twenty-five thousand dollars for each application submitted for a producer license;
4. Establish a license fee and renewal fee for each licensed producer, provided the aggregate amount of such license and renewal fees shall not be less than the amount necessary to cover the direct and indirect cost of licensing and regulating producers pursuant to Sections 1 – 15, inclusive, of Public Act #12-55;
5. Provide for renewal of such producer licenses at least every five years;
6. Provide that no producer may cultivate marijuana for palliative use outside of this state and designate permissible locations for licensed producers in this state;
7. Establish financial requirements for producers, under which (i) each applicant demonstrates the financial capacity to build and operate a marijuana production facility, and (ii) each licensed producer may be required to maintain an escrow account in a financial institution in this state in an amount of two million dollars;
8. Establish health, safety and security requirements for licensed producers, which shall include, but need not be limited to, a requirement that the applicant or licensed producer demonstrate: (i) The ability to maintain adequate control against the diversion, theft and loss of marijuana cultivated by the producer, and (ii) the ability to cultivate pharmaceutical grade marijuana for palliative use in an secure indoor facility;

9. Define "pharmaceutical grade marijuana for palliative use" for the purposes of this section;
10. Establish standards and procedures for revocation, suspension, summary suspension and nonrenewal of producer licenses, provided such standards and procedures are consistent with the provisions of subsection (c) of Section 4-182 of the General Statutes; and
11. Establish other licensing, renewal and operational standards deemed necessary by the Commissioner.

C. Any fees collected by the Department of Consumer Protection under this section shall be paid to the State Treasurer and credited to the account established pursuant to Section 19 of Public Act #12-55.

3. Public Building means any building owned, leased or otherwise held by the United States, the state, the town, any other town, any fire district, any school district, or any other agency or political subdivision of the United States or the state, which building is used for governmental purposes.
4. Private Recreation Area means any private business, whether for-profit or not-for-profit, intended to serve or attract clients, customers, or users under 18 years of age, for the purpose of engaging in indoor or outdoor youth-oriented programs or activities, including but not limited to sports or fitness centers, martial arts, dance, gymnastics, music or art studios, indoor open or guided play areas, camps, and the like.
5. Public Park and Recreation Area means public land that has been designated for park or recreational activities including, but not limited to, a park, playground, nature trails, swimming pool, reservoir, athletic field, golf course, basketball or tennis courts, pedestrian or bicycle paths, open space, wilderness areas, or similar public land within the town that is under the control, operation, or management of the town, any other town, or the state.
6. School means any public, private or parochial educational facility including, but not limited to, child day care facilities, nursery schools, preschools, kindergartens, elementary schools, middle schools, junior high schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, alternative schools, junior colleges, colleges and universities. School includes the school grounds, but does not include any facility used primarily for another purpose and only incidentally as a school.

C. **Applicability.** Medical Marijuana Dispensaries and Production Facilities shall be permitted only in the Light Manufacturing Zone (LM), subject to special permit use approval in accordance with Section 85 of these Regulations and site plan approval in accordance with Section 75 of these Regulations and the requirements of this section

- D. Separation Requirements.** Regulated uses identified in this section shall be subject to the following separation restrictions:
- a. No Medical Marijuana Dispensary or Producer shall be permitted on a site that is less than 800 feet from any site containing a church, school, public building, public park or recreation area, or private recreation area;
 - b. No Medical Marijuana Dispensary or Producer shall be permitted on a site that is less than 800 feet from any residentially zoned land as defined in the town's zoning regulations,
 - c. No Medical Marijuana Dispensary or Producer shall be permitted within the same building, structure or portion thereof that is used for residential purposes
 - d. All distances contained in this section shall be measured by taking the nearest straight line between the respective lot boundaries of each site;
- E. Sign and exterior display requirements.** No Medical Marijuana Dispensary or Producer shall be conducted in any manner that permits the observation of any material depicting, describing or relating to Medical Marijuana from any public way or from any property not licensed as an Medical Marijuana Dispensary or Producer. This provision shall apply to any display, decoration, sign, show window or other opening.
- F. Additional Restrictions**
- a. All vehicle parking for these uses must be on the proposed property and not on the street
 - b. Only one Medical Marijuana Dispensary and one Producer shall be approved within the City of West Haven

Referral 2.4: Town of Stratford

Subject:

Proposed Zoning Regulation Amendment to extend moratorium on medical marijuana dispensaries and producers and methadone dispensaries and/or clinics

Staff Recommendation:

The Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Stratford has proposed to extend a moratorium for a period of 12 months pertaining to medical marijuana dispensaries and producers and methadone dispensaries and/or clinics.

Communication:

In researching this proposal, I notified the adjacent municipality in the South Central Region.

December 12, 2014

South Central Regional
Council of Governments
127 Washington Avenue
4th Floor West
North Haven, CT 06473-1715

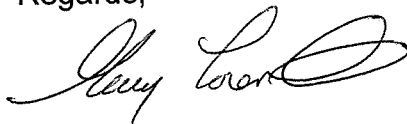
Attention: Peggy Rubens-Duhl

The following is referred to your Agency:

The Stratford Zoning Commission has proposed to extend a moratorium on the acceptance, consideration and approval of any applications or zoning permits regarding the establishment of Medical Marijuana Dispensaries and Producers as well as methadone dispensaries and / or clinics. The moratorium will allow the Town of Stratford to continue to study the DCP regulations, regulations from other communities and information from existing medical marijuana dispensaries and producers and methadone dispensaries and / or clinics to determine how these establishments may impact the general health, safety and welfare of the Town of Stratford.

This application will be heard at a public hearing of the Zoning Commission to be held Tuesday evening, January 27, 2015 at 7:00 P.M. in the Council Chamber, Town Hall.

Regards,



GARY LORENTSON
Planning & Zoning Administrator
ZONING COMMISSION

GL/ej

PROPOSED: APRIL 29, 2014
ADOPTED: JUNE 24, 2014
EFFECTIVE: JULY 2, 2014

ADOPTED ZONING REGULATION AMENDMENT
CONCERNING
A MORATORIUM ON MEDICAL MARIJUANA DISPENSARIES
AND PRODUCERS AND ON METHADONE DISPENSARIES AND/OR CLINICS

3.30 Medical Marijuana Dispensaries and Producers; Methadone Clinics

For a period of twelve (12) months commencing from the effective date of February 5, 2014 of this section no applications will be accepted, considered or approved and no zoning permits will be issued to permit the establishment of (a) Medical Marijuana Dispensaries and/or Producers; or (b) Methadone Dispensaries and/or Clinics within any zoning district within the Town of Stratford. For the purposes of this section Dispensary, Licensed Dispensary, Producer and Licensed Producer are defined in Public Act #12-55, Methadone Dispensary and/or Clinics shall mean any location utilized or proposed to be utilized to dispense Methadone and/or other varieties of synthetic opioids pursuant to a program for Methadone Maintenance Treatment of other treatment of opiate dependency. The expiration date of the Moratorium shall be [February 5, 2015] unless extended, amended or repealed by the Zoning Commission.

RECEIVED FOR RECORD
SUSAN M. D. G.
2014 JUN 26 AM 11:38
STRATFORD TOWN CLERK
19

PROPOSED: DECEMBER 8, 2014

PROPOSED ZONING REGULATION AMENDMENT
CONCERNING
A MORATORIUM ON MEDICAL MARIJUANA DISPENSARIES
AND PRODUCERS AND ON METHADONE DISPENSARIES AND/OR CLINICS

3.30 Medical Marijuana Dispensaries and Producers; Methadone Clinics

For a period of twelve (12) months commencing from the current expiration date of the moratorium, which is February 5, 2015 no applications will be accepted, considered or approved and no zoning permits will be issued to permit the establishment of (a) Medical Marijuana Dispensaries and/or Producers; or (b) Methadone Dispensaries and/or Clinics within any zoning district within the Town of Stratford. For the purposes of this section Dispensary, Licensed Dispensary, Producer and Licensed Producer are defined in Public Act #12-55, Methadone Dispensary and/or Clinics shall mean any location utilized or proposed to be utilized to dispense Methadone and/or other varieties of synthetic opioids pursuant to a program for Methadone Maintenance Treatment of other treatment of opiate dependency. The expiration date of the Moratorium shall be [February 5, 2016] unless extended, amended or repealed by the Zoning Commission.

Referral 2.5: City of Shelton

Subject:

Proposed Zoning Regulation Amendment pertaining to the keeping of chickens in Residential Districts

Staff Recommendation:

The Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The City of Shelton has proposed Zoning Regulation Amendments pertaining to the keeping of chickens in Residential Districts. Chickens are permitted as an accessory use to a permitted dwelling unit in any residential district on a lot less than 200,000 square feet subject to certain conditions. On lots between 40,000 square feet to 80,000 square feet, 5 chickens are permitted and on lots between 80,000 square feet and 199,999 square feet, 10 chickens are permitted. In both scenarios above roosters are prohibited. The chickens must be kept in appropriate enclosures or coops and are not allowed to roam free. The coops are prohibited in front of the building and must be at least 50 feet from the side and rear property lines. There is a requirement for screening from the adjacent property lines and street lines and the sale of eggs to the general public is prohibited.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.

PLANNING AND ZONING COMMISSION, CITY OF SHELTON

54 Hill Street, Shelton, CT 06484 (203) 924-1555 EXT. 1361

Ruth Parkins – Chairman

Richard D. Schultz, AICP – Planning and Zoning Administrator

ZONING/PLANNING REFERRAL TRANSMITTAL

Date: Dec. 17, 2014

TO: Carl Amento, Exec. Dir., SCRCG

FROM: SHELTON PLANNING AND ZONING COMMISSION

BY: Richard D. Schultz, AICP

PROPOSAL/PROJECT: Shelton PZC Initiated Zoning Regulations Amendments:

Section 45: Subparagraph 45.9: The keeping and Raising of Chickens

The subject proposal/project is referred to you by the Shelton Planning and Zoning Commission in accordance with the indicated provisions of the Connecticut General Statutes. A general description of the proposal/project is enclosed, but should you require additional information, please contact this office at 924-1555, extension 1361.

- (X) Section 8-3b Notice to Regional Planning Agency of Proposed Zone or Zone Use Change.
- () Section 8-3h Applications for projects within 500 feet of the City Line or with significant impacts on adjacent Town (traffic, drainage, etc.).
- () Section 8-26b Subdivisions abutting the City Line.
- () Section 8-26f Projects within 500 feet of the City Line or with significant impacts on adjacent Town.
- () Section 22a-104e Zoning Regulations, Plan of Development and other changes within the designated Coastal Area.
- () Section 22a-105 Coastal Site Plan Reviews

A public hearing/meeting on the subject proposal/project has been scheduled for Jan. 28, 2015 at 7:00 P.M. at the Shelton City Hall.

Attachments: Text Amendment

**SHELTON ZONING SUBCOMMITTEE
DRAFT AMENDMENTS**

THE KEEPING AND RAISING OF CHICKENS IN RESIDENTIAL DISTRICTS

9/25/14

Amend **SECTION 45 – ADDITIONAL STANDARDS**, by adding the following new Subparagraph 45.9 and renumbering existing Subparagraphs accordingly:

45.9 Keeping and Raising of Chickens,: The keeping and raising of chickens when accessory to a permitted dwelling unit in any residential district on a lot less than 200,000 square feet shall conform to the following standards and conditions:

- 45.9.1 On lots containing between 40,000 square feet and 80,000 square feet no more than 5 chickens shall be permitted. Roosters are prohibited.
- 45.9.1 On lots containing between 80,000 square feet and 199,999 square feet no more than 10 chickens shall be permitted. Roosters are prohibited.
- 45.9.2 All chickens shall be kept within appropriate enclosures or coops at all times and shall not be located within 50 feet from any side or rear property lines. No enclosure or coop shall be located to the front of the dwelling. All enclosures and coops shall be located on moderately well drained and/or well drained soils and properly maintained at all times. No chickens shall be allowed to free roam.
- 45.9.3 All enclosures and coops shall be appropriately screened from view from any adjacent property line and street line at all times.
- 45.9.4 All chickens and their eggs shall be used by the owners/occupants of the property. The selling of eggs and/or chickens to the general public is prohibited.
- 45.9.5 All enclosures and coops shall be maintained using best animal management practices to insure that chickens are kept in a sanitary condition so as to not be a public health hazard as determined by the Lower Naugatuck Valley Health District and/or the State Health Department.

**SHELTON ZONING SUBCOMMITTEE
DRAFT AMENDMENTS**

THE KEEPING AND RAISING OF CHICKENS IN RESIDENTIAL DISTRICTS

9/25/14

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**SHELTON ZONING SUBCOMMITTEE
DRAFT AMENDMENTS**

THE KEEPING AND RAISING OF CHICKENS IN RESIDENTIAL DISTRICTS

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- 45.9.5 All enclosures and coops shall be maintained using best animal management practices to insure that chickens are kept in a sanitary condition so as to not be a public health hazard as determined by the Lower Naugatuck Valley Health District and/or the State Health Department.

Memorandum

TO: Regional Planning Commission

FROM: Nominating Committee:

DATE: January 8, 2015

SUBJECT: Nominations for Officers and Executive Committee Members

The Regional Planning Commission Nominating Committee has nominated the following members as Officers and Executive Committee Members for your consideration. Please note that the proposed Officers also serve on the Executive Committee.

Chairman: Kevin DiAdamo
Vice Chairman: James Giulietti
Secretary: Christopher Suggs

Executive Committee:

Kevin DiAdamo
James Giulietti
Christopher Suggs
Charles Andres
Peggy Rubens-Duhl
Christopher Traugh
David White