

**-TOWN OF POMFRET
PLANNING & ZONING PUBLIC HEARING/MEETING MINUTES
NOVEMBER 15, 2023 @ 7 PM
COMMUNITY CENTER**

Chairman opened the meeting at 7:05 pm. Roll call was taken prior to the opening of the Public Hearing. P. Allegetti made a motion to seat T. Harris for J. Rivers. B. Champany seconded. All in favor.

I. Public Hearing

A. Peter B. Mann, 125 Valentine Road, text amendment regarding the prohibition of the retail sale of cannabis in the Town of Pomfret. The applicant is also a member of the Planning & Zoning Commission. Mr. Mann recused himself. L. Reeder of 294 Wrights Crossing Road spoke for the text amendment. She supports Mr. Mann. She said that statistics in the 70's, the THC content was between 1-3%, but today it is between 18-23%. Edibles can have up to 99%. This can cause depression, thoughts of suicide, etc. Addiction is a disease, and it is incumbent upon us to keep this away from the children. R. Wishart mentioned that Thompson and Killingly have already opened stores. L. Reeder said that the crime rate in Colorado (one of the first states to allow cannabis) was up by 28% between 2012-202. R. Reeder of 294 Wrights Crossing Road said he has been a lawyer in NY for 30 years. He said he has a client in Canada who is a legal cannabis company. In the United States, cannabis is illegal under federal law. There are no banks that will bank these companies. (He also mentioned that vaping is not better than cigarettes). B. Reingold of 47 Murdock Road was in attendance when the commission approved the retail sale of cannabis. He would like to know if any other towns have reconsidered their decision. No one knew anything regarding this. B. Champany said she didn't believe there was a threat to the schools. She asked where these retail sales could be located in Pomfret. Jamie said it could be near LOOS, Pizza 101, Vanilla Bean, etc. It must be 1000' from a school and it can't be sold to anyone under the age of 21. C. Wright Jones said she lived in Colorado and her biggest concern is edibles. What image do we wish to portray of Pomfret? There is no police force in Town. R. Wishart read into the record a message from K. Huff regarding him supporting P. Mann and his text amendment to prohibit the sale of cannabis in Pomfret. P. Allegetti made a motion to close the public hearing. B. Champany seconded. All in favor.

II. Roll Call – Present: R. Wishart, P. Allegetti, B. Champany, P. Mann, T. Harris, R. Brais, T. Harris, M. Nicholson, B. Reingold, L. Reeder, R. Reeder, and C. Wright Jones. **Absent:** R. Huoppi, N. Stellitano, J. Rivers, and J. Sheldon.

III. Open Regular Meeting

A. Items to add to the agenda – message from K. Huff (read into the record)

B. **Approve minutes of October 18, 2023** – P. Mann made a motion to approve the minutes as amended. P. Allegretti seconded. All in favor.

C. **Pending Applications** –

1. **Peter B. Mann, 125 Valentine Road**, text amendment regarding the prohibition of the retail sale of cannabis in the Town of Pomfret. Public Hearing was held and closed, and the commission has 65 days to make a decision. R. Wishart made a motion to decline the text amendment regarding the prohibition of cannabis. T. Harris seconded. Discussion took place. B. Champany said she doesn't see a difference between a package store or a pot store. R. Wishart said he took a ride to Killingly and the traffic was extremely slow at their facility in the Kohl's Plaza. He felt that if we didn't vote today, he didn't think the vote would change. P. Allegretti said he doesn't use marijuana. It seems like no people tonight with to prohibit the sale of cannabis. It will still be easy to get (either in Killingly, Putnam, etc.). With the private schools in Pomfret, he doesn't feel we need retail cannabis sales. Vote was taken with 2-yea, 1 nay, and 1 abstain. Motion doesn't carry. We had a motion to not approve prohibition. Still have an application to work on as 2 approved to deny prohibition, 1 was for prohibition, and 1 abstained. The only other option open is to approve the amendment. P. Allegretti made a motion to approve the text amendment for prohibition. R. Wishart seconded. Vote was taken with 1-yea, and 3-nay. Motion does not pass. J. Rabbitt felt we should leave this on the agenda and seek legal advice. IF this is tabled, Mr. Mann consents to continue this either in December or January. Jamie will reach out to legal.

IV **New Business**

A. **Acceptance of New Application(s)** - none

B. **Correspondence** – was informed that J. Rivers resigned his position on the commission as of 12/1/23. Notice from the Town of Brooklyn regarding a text amendment hearing regarding overnight accommodations for special events facilities.

C. **ZEO Report – Permits issued.** – 339 Mashamoquet Road, Greg Peservich, shed

D. **Complaints and Violations:**

1. **Barry Peloquin** –return to court with contempt.
2. **4 Nora Lane** – in litigation; awaiting hearing date. (Our opinion is this does not comply with the regulations; he has now put up two new buildings behind the transportation building.) Nothing new.

E. **Citizen's Comments** – on Babbitt Hill Road, we were told that NDDH didn't approve an expansion of the house. Needs to be looked into. M. Nicholson mentioned that there are seminars going on that would benefit commission members to attend and attain some of their required credits. R. Wishart asked M. Nicholson if there was any news regarding the Dept. of Health. M. Nicholson said they took a vote, and they have a no confidence vote in the Director. Killingly is looking into their own Dept. of Health. P. Allegretti asked if we pay a yearly fee to them. M. Nicholson said it costs \$38,000 yearly.

IV. Commission Business –

A. Discussion of other text amendments that need to be done (i.e.: Brewery; Signs; and Events). The only amendment the Town Planner is working on for the First Selectman is the Brewery amendment. The Town Planner mentioned that there are four different options:

(1) Industrial scale (like in Steak-Ums building); (2) Mid-Tier Specialty Brands (similar to the one on Rte. 101 in Killingly); (3) Micro Breweries (in commercial zones); and (4) Farm Breweries (small batch with lower production). P. Allegretti said that there is an entertainment part to breweries. J. Rabbit said that regardless of size, all breweries want the same options. M. Nicholson asked if a brewery could be added to the Airline Grill. This item can now be removed from the agenda.

B. Discussion and possible approval of 2024 meeting schedule – P. Mann made a motion to accept the 2024 meeting schedule as submitted. T. Harris seconded. All in favor.

C. Reminder: election of officers needs to be done before the end of year. P. Mann made a motion to maintain the same officers as we had for 2023. P. Allegretti seconded. All in favor.

V. Adjournment – B. Champany made a motion to adjourn. P. Mann seconded. All in favor. Meeting adjourned at 8:12 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Dated:_____