

SUFFIELD PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING
June 20, 2022

Present: Mark Winne, Chairman
Erin Golembiewski, Vice Chairman
Ginny Bromage, Secretary
Tracy Hespelt
Leon Litvak
Christine Sinopoli
Jeff Girard, Alternate
Ross Wilcox, Alternate
Jacob Byrnes, Alternate

Also Present: Bill Hawkins, AICP, Director of Planning & Development
Karen Isherwood, Town Engineer
Colin Moll, First Selectman
Ellie Binns, Administrative Assistant

The proceedings of this meeting were recorded and are available on the Town website, along with all of the application materials.

I. ROLL CALL

Chairman Winne, called the meeting to order at 7:00 PM as a hybrid meeting with seven members in-person and two members on the video/teleconference call. All members and alternates were present.

Ms. Bromage read the legal notice for the public hearing

II. PUBLIC COMMENT – None

III. PUBLIC HEARING

Continued from May meeting:

File # 2022-3: Request for a Zoning Regulation text amendment to modify Sections IV.B. - Use Table, IV.D. - Residential Zones and V.Y. Cannabis Establishments. Applicant: LASA Extract, LLC.

Attorney Daniel Finnegan of Bulkley, Richardson, and Gelinas, LLP of Springfield, MA representing the applicant, Rick Sotil of LASA Extract, LLC., addressed the Commission explaining the reasons why the proposed text amendment is not spot zoning. He also noted that LASA Extract already has a State license to process hemp, which may give them an advantage in the micro-cultivation application process. Attorney Finnegan noted that there were no comments from the public in opposition to the application. Mr. Sotil submitted for the record, two lab reports from the University of Connecticut March 2021 and one report from ProVerde

These minutes are not official until accepted at a subsequent meeting.

Laboratories dated January 2021 with test results indicating the CBD products he makes have a THC level below the maximum amount permitted. Mr. Sotil briefly explained the reports and stated that he felt the amendment requiring the best available technology for odor control was the preferred approach rather than the current regulation.

Mr. Winne asked for questions and comments from the Commission.

Ms. Hespelt spoke in support of keeping the processing local.

Mr. Hawkins noted that the proposed text amendment had been sent to Capitol Region Council of Governments (CRCOG) as required for a text amendment, and they did not raise any concerns.

Mr. Litvak was concerned that this text amendment would allow retail sales in a residential zone. John Larkin representing the applicant noted that Suffield is allowed two licenses, one for retail and one for a micro cultivator and LASA is only applying for the micro cultivator license and has no interest in selling retail in this location.

Mr. Winne opened the hearing to comments from the public.

John McGuire – 25 Oliver Trail, noted that this is a farm enterprise with a technological aspect and that LASA would have a leg up in the State cannabis license application process.

Ernie Begin - 50 Cross Street, spoke in support of the application mentioning the hemp pilot program that LASA Extract participated in.

George Dalrymple - 615 North Stone Street, was in support, speaking of the small business opportunity.

Michael Lefebvre who owns 9 acres of farmland on South Grand Street, noted that this is presently an area with mixed commercial use and not a typical residential area

Kody Sotil - 43 Shad Row, spoke in support of the application noting that it is a great opportunity for Suffield.

Jennifer Mikalonis – 222 Prospect Street, spoke in favor of the application.

Tom Coates – 1211 Newgate Road, noted that this is a great opportunity for Suffield.

Beth D'Agata - 1448 North Grand Street, spoke in support of Mr. Sotil and noted that this is on a State Highway surrounded by farmland and not a typical residential area.

Jason Kellogg - 938 East Street South, stated that the building is already set up for processing.

Victor Nigro – Copperhill Road spoke in support of the application.

First Selectman Moll spoke in support of the application and the connection to local agriculture.

With no further comments from the public, Mr. Litvak moved the close the public hearing. The motion was seconded by Ms. Bromage and passed unanimously 6-0-0.

File # 2022-4: Request for a two (2)-lot resubdivision located at 8 Halladay Avenue East. Map 50H, Block 40, Lot 54. Applicant- Joan Anderson

Brian Denno of Denno Land Surveying and Consulting, LLC. presented the application on behalf of Joan Anderson. He explained the purpose of the proposed resubdivision is to adjust the lot lines for estate purposes to separate the current house and farm stand at 8 Halladay Avenue East from the remaining farmland. He also explained that the property lines for 128 Halladay Avenue East will also be adjusted as part of the application. The plan also shows easements for the farm roads and driveways and indicates that the remaining land is not a building lot. Mr. Denno also requested waivers for sidewalks, streetlights and curbs, as there is no new road proposed.

Mr. Hawkins then read his report into the record noting that the reconfigured property for 128 Halladay Avenue East exceeds the requirements of the regulations. Similarly, the remaining land will have adequate frontage and area although it will not be an approved building lot as part of this application. He pointed out that a waiver for open space is not necessary since the land is being transferred for no consideration to an eligible family member. Mr. Hawkins was in agreement with the other waivers requested.

Ms. Isherwood then read her report into the record, which included requirements for iron pins to be set unless they would interfere with the tilling of the farmland, in which case she will discuss this with the surveyor to make adjustments. She also noted that an access easement should be shown on the final plans.

There were no public comments or further comments and questions from the commission members.

Mr. Litvak moved to close the public hearing. The motion was seconded by Ms. Golembiewski and passed unanimously 6-0-0.

File # 2022-5: Request for a two (2)-lot resubdivision located at 1095 South Grand Street. Map 17, Block 21, Lot 4. Applicant- Darlene Proulx

Brian Denno of Denno Land Surveying and Consulting, LLC. presented the application on behalf of the applicant, Darlene Proulx. The application is to create one new building lot of 15.30 acres with 781 feet of frontage on South Grand Street. He stated that the North Central District Health Department has approved a septic and well for the property and the Conservation Commission has approved the plan.

Mr. Hawkins then read his report into the record. He noted that the applicant has submitted a letter stating that the lot is being transferred for no consideration to their son and therefore the open space requirement would not apply. He did suggest, that a caveat be placed on the land records for the newly created lot stating that if the initial transfer of the lot is completed for any amount of money, a fee in lieu of open space of \$3,000 shall be paid to the Town of Suffield or a dedication of open space will be required to satisfy the requirements of Section 800 of the

Subdivision Regulations. Mr. Hawkins was in agreement with the waivers requested for sidewalks, curbs, and streetlights.

Ms. Isherwood then read her report into the record. She made recommendations that the final plans show the entire boundaries of each lot and that six iron pins and two monuments be placed on the property and be shown on the plans.

With no public comments or further comments and questions from the commission members, Mr. Litvak moved to close the public hearing. The motion was seconded by Ms. Bromage and passed unanimously 6-0-0.

File # 2022-6: Request for a (2)-lot resubdivision located on Copperhill Road between 1016 and 1080 Copperhill Road. Map 6, Block 10, Lot 44. Applicant- Victor Nigro, Jr.

Jay Ussery of J.R. Russo & Associates, LLC. Surveyors & Engineers presented the application on behalf of Victor Nigro, Jr. He described the property, which is north of 1080 Copperhill Road. The plan shows creating a lot 15.47 acres with 281.11 feet of frontage. The remaining land of 20.85 acres is not being proposed for building purposes in this application. He stated that the North Central District Health Department has approved a septic and well for the property and the Conservation Commission has approved the plan. They are requesting waivers for open space, sidewalks, curbs and gutters, and street lights.

Mr. Hawkins then read his report into the record. He noted that the applicant has submitted a letter stating that the lot is being transferred for no consideration to their son and therefore the open space requirement would not apply with a caveat similar to File 2022-5. Mr. Hawkins was in agreement with the waivers requested for sidewalks, curbs, and streetlights and noted that six street trees are shown on the plans along the front of the lot.

Ms. Isherwood then read her report into the record. She noted that, given the proximity of vegetation clearing and proposed fill for the proposed house to the limit of the FEMA flood zone line, they might consider modifications that could increase separation of site disturbance to the flood zone limit, and consider additional erosion controls. She is requesting seven iron pins and two monuments be placed on the plans and property.

There were no public comments or further comments and questions from the commission members.

Mr. Litvak moved to close the public hearing. The motion was seconded by Ms. Golembiewski and passed unanimously 6-0-0.

IV. OLD BUSINESS

File # 2022-3: Commission members acknowledged the positive comments made by the public at the hearing. They discussed concerns with approving retail in the R-45 zone that this application would allow. They also expressed concerns with the proposed text regarding odor control. There was also a concern that the proposed text amendment was too specific to one business in Town. Commission members noted that they felt that the current cannabis

establishment regulation, which allows these uses in the industrial zones, is appropriate for the town.

Ms. Bromage moved to approve the text amendments to the Zoning Regulations proposed in **File # 2022-3** as drafted with an effective date of July 9, 2022. The motion was seconded by Mr. Litvak and denied in a 2-4-0 vote with Ms. Bromage and Ms. Hespelt in favor and Mr. Winne, Mr. Litvak, Ms. Golembiewski and Ms. Sinopoli opposed.

File #2022-4: Ms. Bromage moved to approve the waivers requested for sidewalks, curbs and street lights as listed in Mr. Hawkins' report dated June 16, 2022. The motion was seconded by Ms. Golembiewski and approved unanimously 6-0-0.

Ms. Bromage moved to approve **File# 2022-4** with the conditions listed in Mr. Hawkins' report of June 16, 2022 and Ms. Isherwood's report of June 15, 2022. The motion was seconded by Ms. Golembiewski and approved unanimously 6-0-0.

File #2022-5: Ms. Bromage moved to approve the waivers requested for sidewalks, curbs and street lights as listed in Mr. Hawkins' report dated June 16, 2022. The motion was seconded by Ms. Golembiewski and approved unanimously 6-0-0.

Ms. Bromage moved to approve **File# 2022-5** with the conditions listed in Mr. Hawkins' report of June 16, 2022 and Ms. Isherwood's report of June 15, 2022. The motion was seconded by Ms. Golembiewski and approved unanimously 6-0-0.

File #2022-6: Ms. Bromage moved to approve the waivers for **File# 2022-6** requested for sidewalks, curbs and street lights as listed in Mr. Hawkins' report dated June 16, 2022 and a waiver for the scale of the subdivision plan. The motion was seconded by Ms. Hespelt and approved unanimously 6-0-0.

Ms. Bromage moved to approve **File# 2022-6** with the conditions listed in Mr. Hawkins' report of June 16, 2022 and Ms. Isherwood's report of June 17, 2022. The motion was seconded by Ms. Hespelt and approved unanimously 6-0-0.

V. NEW BUSINESS -None

VI. REPORTS

Chairman - None

Director of Planning & Development -

Mr. Hawkins updated the Commission on the progress of the Plan of Conservation and Development (POCD) and distributed a proposed completion schedule with a goal of having the plan adopted by December 2022. It was suggested that in meeting with the various boards and commissions, Mr. Hawkins ask for their endorsement for the POCD.

Mr. Hawkins will check with commission attorney, Carl Landolina to see if he is available to do general training for the Commission at the July meeting that was postponed from April.

VII. MINUTES

Ms. Bromage moved to approve the minutes of the May 16, 2022 regular meeting. The motion was seconded by Ms. Hespelt approved 5-0-1, with Mr. Winne abstaining as he was not present at the meeting.

VIII. CORRESPONDENCE – None**IX. ADJOURNMENT**

With nothing further to come before the commission, Ms. Bromage made a motion to adjourn at 9:00 PM. The motion was seconded by Ms. Hespelt and approved unanimously 6-0-0.

Submitted,

Ginny Bromage, Secretary

cc: Assessor, Building Official, Conservation Commission, Selectmen, Town Clerk, Town Engineer, Zoning Enforcement Officer, Commission Counsel