PLANNING AND ZONING COMMISSION
REGULAR MEETING AGENDA
MONDAY, JULY 25, 2022, 7:00 PM

IN-PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT
REMOTE ATTENDANCE: VIA ZOOM MEETING, INSTRUCTIONS PROVIDED BELOW

I. CALL TO ORDER:

II. PUBLIC COMMENTS (On non-agenda items):

III. PUBLIC HEARING(S):
1. Z202203 - Juliano Family One, LLC, owner/Brian Juliano, applicant, request to modify Special Permit and Site Plan Approval to move retention pond approved in phase I, expand pavement for parking and outdoor storage, and associated site improvements at 100 Windermere Avenue, APN 018-021-0000, in the IP (Industrial Park) Zone. (Continue public hearing from June 27, 2022.)
2. Z202209 – Derek and Darla Reutter, owner/applicant, request for Special Permit pursuant to Section 3.1.3 for garages for more than 3 cars per family unit associated with the construction of a detached accessory structure (24’x36’) at 297 Jobs Hill Road, APN 159-019-0000, in a RAR (Rural Agricultural Residential) Zone. (Notice requirements met, hearing may be opened.)

IV. OLD BUSINESS: None

V. NEW BUSINESS:

VI. ADMINISTRATIVE BUSINESS:
1. Approval of the June 27, 2022 Regular Meeting Minutes.
2. Correspondence/Discussion:
   a. Discussion: Existing moratorium for adult-use cannabis facilities and legislative amendments removing population thresholds as a measure for limiting adult-use cannabis retail and cultivator facilities.
   c. Letter to Buddhist Association of Connecticut, Inc., dated July 14, 2022, expiration of approval and potential extension for S200801 – Four (4) lot subdivision, 124-130 (formerly 120) Stafford Road, Ellington, CT.

VII. ADJOURNMENT:

Next Regular Meeting is scheduled for August 22, 2022.

Instructions to attend remotely via Zoom Meeting listed below. The agenda is posted on the Town of Ellington webpage (www.ellington-ct.gov) under Agenda & Minutes, Planning & Zoning Commission.

Join Zoom Meeting via link:
https://us06web.zoom.us/j/89564892797
Meeting ID: 895 6489 2797
Passcode: 123322

Join Zoom Meeting by phone:
1-646-558-8656 US (New York)
Meeting ID: 895 6489 2797
Passcode: 123322

COMMISSIONERS: TO ASSIST IN ESTABLISHING QUORUMS REQUIRED TO CONDUCT MEETINGS, PLEASE CONTACT THE PLANNING DEPARTMENT IF YOU ARE UNABLE TO ATTEND A SCHEDULED MEETING.
2022_07-25 Ellington Planning & Zoning Commission Agenda
Subject: FW: Hello from 84 Windermere Ave

From: Champeau, Christina [mailto:C_Champeau@connecticare.com]
Sent: Friday, July 15, 2022 10:41 AM
To: Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>
Cc: Chiarenza, John <ChiarenzaJ@aetna.com>; John Colonese <jcolonese@ELLINGTON-CT.GOV>
Subject: RE: Hello from 84 Windermere Ave

Thank you! You too 😊

From: Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>
Sent: Friday, July 15, 2022 10:30 AM
To: Champeau, Christina <C_Champeau@connecticare.com>
Cc: Chiarenza, John <ChiarenzaJ@aetna.com>; John Colonese <jcolonese@ELLINGTON-CT.GOV>
Subject: [EXTERNAL] RE: Hello from 84 Windermere Ave

Hi Christina,

Thank you for inquiring about the meeting. The Inland Wetland Agency is meeting Monday night and the public hearing is open to the public. You are welcome to attend in person or Zoom in. The Zoom information is at the bottom of the agenda.

Have a good weekend,
Barbra

Barbra Galovich, CZET
Land Use Assistant
Town of Ellington
55 Main Street
Ellington, CT 06029
(860) 870-3120

From: Champeau, Christina [mailto:C_Champeau@connecticare.com]
Sent: Friday, July 15, 2022 10:20 AM
To: Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>
Cc: Chiarenza, John <ChiarenzaJ@aetna.com>
Subject: Hello from 84 Windermere Ave

Hi Barbara,
It’s Christina Champeau from 84 Windermere Ave in Ellington. John and I missed the hearing on 6/27 and are concerned about the noise and work at Juliano’s next door to us. Is it too late for us to have a voice? We attended the May meeting, but it was postponed to June and due to travel and multiple family issues going on, we missed the 6/27 meeting. Is it too late for us to voice our concerns?
Thank you in advance for your time 😊
Christina Champeau
TOWN OF ELLINGTON
55 MAIN STREET – PO BOX 187
ELLINGTON, CONNECTICUT 06029-0187
www.ellington-ct.gov

TEL. (860) 870-3120 TOWN PLANNER’S OFFICE FAX (860) 870-3122

INLAND WETLANDS AGENCY
REGULAR MEETING MOTIONS & DECISIONS
MONDAY, JULY 18, 2022, 7:00 P.M.

IN PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT
REMOTE ATTENDANCE: ZOOM MEETING
(ATTENDEES BELOW WERE IN PERSON UNLESS OTHERWISE NOTED)

PRESENT: Chairman Jean Burns, Vice Chairman Katherine Heminway, Regular members
Ken Braga, Ron Brown, Art Aube, Steve Hoffman and Hocine Baouche

ABSENT: Alternate Jon Kaczmarek

STAFF
PRESENT: John Colonese, Assistant Town Planner/Wetland Enforcement Officer and Barbra
Galovich, Land Use Assistant/Recording Clerk

I. CALL TO ORDER: Chairman Jean Burns called the Ellington Inland Wetlands Agency
meeting to order at 7:04 pm.

II. PUBLIC COMMENTS (on non-agenda items): None

III. PUBLIC HEARINGS:

1. IW202110 - Juliano Family One LLC, owner/ Brian Juliano, applicant, request for modification
to Wetlands Permit IW202110 to construct a detention basin and outside storage area at 100
Windermere Ave., APN 018-021-0000.

   Time: 7:04 pm
   Seated: Burns, Heminway, Braga, Brown, Aube, Hoffman and Baouche

   MOVED (BRAGA) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO CONTINUE
   THE PUBLIC HEARING TO THE AUGUST 8, 2022 REGULAR MEETING FOR IW202110
   - Juliano Family One LLC, owner/Brian Juliano, applicant, request for modification to
   Wetlands Permit IW202110 to construct a detention basin and outside storage area at 100
   Windermere Ave., APN 018-021-0000.

IV. OLD BUSINESS: None

V. NEW BUSINESS: None
VI. ADMINISTRATIVE BUSINESS:

1. Approval of the June 13 2022 Regular Meeting Minutes.

MOVED (BRAGA) SECONDED (HEMINWAY), (HOFFMAN ABSTAINED) AND PASSED TO APPROVE THE JUNE 13, 2022 REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:

   a. Connecticut Water Company (CWC) June 29, 2022 CT DEEP Application Under the General Permit for Diversion of Water for Consumptive Use related to approving the interconnection between the CWC Western System and the CWC Stafford System.

VII. ADJOURNMENT:

MOVED (BRAGA) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO ADJOURN THE JULY 18, 2022 REGULAR MEETING OF THE INLAND WETLANDS AGENCY AT 7:23 PM.

Respectfully submitted,

__________________________
Barbra Galovich, Recording Clerk
Town of Ellington
Planning & Zoning Commission Application

Type of Application:  □ Zone Change  □ Amendment to Regulation
□ Site Plan Approval  □ Special Permit  □ Modification  □ CGS 8-24

Application # 2202409
Date Received 6/17/2022

Owner's Information

Name: Derek & Darla Reutter
Mailing Address: 297 Jobs Hill Road
Ellington, CT 06029

Email: derek@reuttermechanical.com

When not required by law to mail notice by USPS, May notices be emailed to you? □ Yes: □ No

Primary Contact Phone #: 860-787-2002

Secondary Contact Phone #: ____________________________

Signature: ____________________________ Date: 4/17/23

By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Commission have been submitted. Moreover, by signing above I/we expressly provide written consent to the filing of the application and access to the site by the Commission or its staff.

Applicant's Information (if different than owner)

Name: ____________________________
Mailing Address: ____________________________

Email: ____________________________

When not required by law to mail notice by USPS, May notices be emailed to you? □ Yes: □ No

Primary Contact Phone #: ____________________________

Secondary Contact Phone #: ____________________________

Signature: ____________________________ Date: ____________________________

By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Commission have been submitted.

Street Address: 297 Jobs Hill Road

Assessor's Parcel Number (APN): 159 - 019 - 0000
Existing Zone: HR
Proposed Zone: N/A

Public Water: □ Yes □ No  Public Sewer: □ Yes □ No  If not served by public water and sewer, applicant/owner shall make application to North Central District Health Department (Enfield Office).

Is parcel within 500' to any municipal boundary? □ Yes □ No

Are there any wetlands/watercourses within 100' of construction activity or within 250' of wetlands/watercourses when located in the Shenipsit Lake Drainage Basin? □ Yes □ No  If yes, pursuant to state law application must be made to the Inland Wetlands Agency prior to or simultaneously with application to the Planning and Zoning Commission.

Is the project in a public water supply watershed area? □ Yes □ No  If yes, applicant shall notify Connecticut Water Company and Commissioner of Public Health about the proposed project by certified mail return receipt within 7 days of application (58-3(b). Copy of application, plans, and supporting documents must accompany notice. Proof of notice and copies of return receipts must be provided to the Planning Department.

Description of Request (if more space is needed, please attach additional sheets)

Looking to erect a Kloster Farms' garage (24' x 86')

Per Section 3.1.3 (3) this garage would make a total of 4 or more detached garages.
FRONT ELEVATION

SCALE: 3/16" = 1'-0"
LEFT ELEVATION

SCALE: 3/16" = 1'-0"
I. CALL TO ORDER: Chairman Hoffman called the meeting to order at 7:00 pm.

Chairman Hoffman recognized Commissioner William Hogan for 15 years of service on the Planning and Zoning Commission and mentioned the recent recognition ceremony held by the Board of Selectmen. Commissioner Hogan explained a previous ten year stint he served on the commission.

II. PUBLIC COMMENTS (On non-agenda items):

Dustin Huguenin, Recreation Director, and Sherryl Kraus, 10 Cedarwood Drive, Park & Recreation Commissioner, were present to discuss potential new passive recreation activity at the Stein Road open space. Mr. Huguenin has been in discussion with the Park and Recreation Commission, First Selectman and others exploring the idea of a disc golf course on the parcel. Ms. Houlihan explained the property is within a residential zone and the use requires a Special Permit.

Ms. Kraus explained how disc golf is played and normally set along wooded trails. Mr. Huguenin handed out a color rendering of another course and what the disc baskets look like. They are considering a 9-hole course and it will not interfere with individuals walking established trails or neighboring properties. No lighting is proposed and the activity will only occur during the day. Tournaments will not be allowed and typically are played at 18-hole courses.

Mr. Ken Radziwon, Director of Public Works Water Pollution Control Administrator, stated one concern is parking accessibility. He suggests modifying current parking to angle spaces at 60° to accommodate about 10 to 12 spaces along Stein Road and add curb stops with guiderails. Mr. Huguenin noted there will be routine maintenance and clean up after a storm. The baskets can be easily installed and removed. The commission suggested they apply for permit with a map outlining the proposed course and how it relates to existing trails and will be buffered from abutting properties.
III. PUBLIC HEARING(S):

The owner for Public Hearing #1 was not present so the Commission went out of agenda order and heard Public Hearing #2 first.

2. S202201 – Ellington McIntire, LLC, owner/applicant, request for a three lot subdivision (two new lots) for 153 Webster Road, APN 185-001-0000, in a RAR (Rural Agricultural Residential) Zone.

**Time:** 7:14 pm  
**Seated:** Hoffman, Kelly, Hogan, Swanson and Moser

Mark Peterson, Gardener & Peterson Associates, LLC, 178 Hartford Turnpike, Tolland, CT was present to represent the application.

Mr. Peterson stated the owner of 153 Webster Road is looking to subdivide his 56.95 acre lot into three lots. Lot 1 will consist of 3.54 acres, Lot 2 will consist of 3.05 acres and the remainder 49.18 acres will remain with the existing home. Chairman Hoffman asked about a master development plan for the land. Mr. Peterson said a master plan is on file with the Planning Department from the original first free cut. The land was previously proposed to be subdivided, but the original subdivision mylar was not filed with the Town Clerk’s office. He reviewed the topography and proposed site plan. The application was approved by the Inland Wetland Agency (IWA) on June 13, 2022, and the owner received approval from North Central District Health Department for septic systems and wells on each proposed new lot.

Chairman Hoffman asked about sidewalks. Ms. Houlihan said sidewalks cannot be required along existing town roads. She noted the open space requirement was previously met. Ms. Houlihan reviewed the possible conditions of approval from Dan Steele, Town Engineer’s email dated June 10, 2022, 6 thru 12, with the exception of comment #9. Mr. Peterson explained the construction of the two additional lots will not increase the rate of runoff onto Webster Road.

Commissioner Hogan confirmed with Mr. Peterson that the detention basin is for both new lots. He also asked what the future schematic is for the remaining 49.18 acres. Mr. Peterson stated the owner does not currently have any future plans for the remaining acreage. Commissioner Hogan stated he would not like to see future applications requesting rear lots on the remaining land.

Daniel Thibault, 152 Webster Road, explained stormwater runoff is an issue along the street and explained he has repaired the end of his driveway many times. He does not want to see any additional homes built. When he first moved in (2015) it was nice and quiet, but now there are 12 more homes. He lives on the portion of Webster Road that is dirt and since he has moved in there’s twice as much traffic. Mr. Thibault feels his property value continues to decline as more houses are built on the street.

Chairman Hoffman explained the commission’s role in balancing development rights and managing growth in town. Ms. Houlihan explained a comprehensive regulation amendment passed by the commission in 2011 to manage residential development. The regulation removes sensitive natural resources (e.g. wetlands, floodplain and land with steep slopes) from being counted toward lot yield and adds a density factor to manage residential development.

**MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR S202201 – Ellington McIntire, LLC, owner/applicant, request for a three lot subdivision (two new lots) for 153 Webster Road, APN 185-001-0000, in a RAR (Rural Agricultural Residential) Zone.**
MOVED (KELLY) SECONDED (HOGAN) AND PASSED UNANIMOUSLY TO APPROVE W/CONDITIONS FOR S202201 – Ellington McIntire, LLC, owner/applicant, request for a three lot subdivision (two new lots) for 153 Webster Road, APN 185-001-0000, in a RAR (Rural Agricultural Residential) Zone.

CONDITION(S):
- Subject to complying with the Town Engineer’s comments dated June 10, 2022, 6 thru 12, with the exception of comment #9.

The Commission returned to Public Hearing item #1.

1. Z202203 - Juliano Family One, LLC, owner/Brian Juliano, applicant, request to modify Special Permit and Site Plan Approval to move retention pond approved in phase I, expand pavement for parking and outdoor storage, and associated site improvements at 100 Windermere Avenue, APN 018-021-0000, in the IP (Industrial Park) Zone.

Time: 7:30 pm
Seated: Hoffman, Kelly, Hogan, Swanson and Moser

Brian Juliano and Bryan Cormier, Juliano Pools, 321 Talcottville Road, Vernon, CT, were present to represent the application.

Ms. Houlihan stated the opening of this application was tabled from last month and will need to be continued tonight because the IWA decision remains pending.

Mr. Juliano said George Logan, Soil Scientist, has been out to the site to reset the wetlands flags and they are waiting for Chris Juliano, Juliano Associates, to update the plans. Mr. Juliano explained they are looking to relocate the retention basin to the south side of the property off of Windermere Avenue and create a storage area. Mr. Juliano said they originally were working with James DiMeo, PE, who recently left Juliano Associates, and now are working with Chris Juliano of the same firm. He noted difficulty in getting plan details together. He thinks the site improvements are close to what is drawn on the site plan.

Vice Chairman Kelly inquired about moving the retention basin. Mr. Juliano noted they installed 12-14 arborvitae along Windermere Avenue to screen the proposed storage area and move the detention basin further from the building to expand storage and parking. Brian Cormier mentioned additional abutting land purchased for parking of vehicles and not to exceed the required lot coverage. Commissioner Hogan stated the plans are hard to read and differentiate what was approved in phase 1 and what improvements are proposed in phase 2. He would like the plans to show phase 1 with an overlay of the proposed phase 2. Commissioner Hogan reviewed the proposed retention basin and stated this should be re-evaluated by Juliano’s engineer.

Commissioners encouraged Mr. Juliano to work with the IWA. Chairman Hoffman asked Mr. Juliano to have his engineer attend to the next meeting to present the application in person.

Ms. Houlihan mentioned John Colonese, Zoning Enforcement Officer, contacted Mr. Juliano about excessive lighting associated with installed attached lighting in violation of phase 1 approvals and the zoning regulations. She encouraged the applicant to work with their lighting engineer to update the photometric plan and look for solutions to remedy the zoning violation. They discussed the possibility of installing hoods on the existing attached fixtures to direct light downward.

No one from the public spoke regarding the application.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CONTINUE PUBLIC HEARING TO THE NEXT MEETING ON MONDAY, JULY 25, 2022, 7:00 PM, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202203 - Juliano
Family One, LLC, owner/Brian Juliano, applicant, request to modify Special Permit and Site Plan Approval to move retention pond approved in phase I, expand pavement for parking and outdoor storage, and associated site improvements at 100 Windermere Avenue, APN 018-021-0000, in the IP (Industrial Park) Zone.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. Z202209 – Derek and Darla Reutter, owner/applicant, request for Special Permit pursuant to Section 3.1.3 for garages for more than 3 cars per family unit associated with the construction of a detached accessory structure (24’x36”) at 297 Jobs Hill Road, APN 159-019-0000, in a RAR (Rural Agricultural Residential) Zone.

BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED PUBLIC HEARING FOR JULY 25, 2022, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202209 – Derek and Darla Reutter, owner/applicant, request for Special Permit pursuant to Section 3.1.3 for garages for more than 3 cars per family unit associated with the construction of a detached accessory structure (24’x36”) at 297 Jobs Hill Road, APN 159-019-0000, in a RAR (Rural Agricultural Residential) Zone.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of Planning and Zoning Commission May 23, 2022 Regular Meeting Minutes.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE THE MAY 23, 2022 REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:
   a. Discussion: Potential discontinuation of use of the Community United Methodist Church parking lot as a town-shared parking lot at 280 Sandy Beach Road, APN 128-019-0000.

   Ms. Houlihan referred to a GIS print showing the general location of the church’s parking lot and its proximity to parking at Crystal Lake School (CLS). The church’s lot has been used for parking for CLS for many years without formal agreement. Before the school was renovated there was 2-way traffic at the east end of the school’s lot, but the State required the access to convert to one-way entrance only. The church has since received approval from the Department of Transportation to construct two-way access on the westerly side of their parking lot. The commission discussed the long-term relationship between the town and church, the changes to ingress/egress to the school/church lots prior to and after improvements to CLS and the potential to discontinue use.

   Mr. Radziwon said the Public Works Department maintains the parking lot and questioned if tax dollars should be used for public works services on church owned property. Ms. Houlihan confirmed there is adequate parking on the school’s property to comply with regulations. The commission round tabled the presence of similar collaborative relationships between the Town and other churches such as Ellington Middle School with the Apostolic Christian Church and the Town Green with Ellington Congregational Church. The Commission would like Ellington to work towards continued use and partnership with the church.

BY CONSENSUS, THE COMMISSION ENCOURAGED THE TOWN TO WORK TOWARDS A PARTNERING RELATIONSHIP WITH THE COMMUNITY UNITED METHODIST CHURCH FOR CONTINUED USE OF THE PARKING LOT AT 280 SANDY BEACH ROAD.
b. Discussion: Existing moratorium for adult-use cannabis facilities and recent legislative amendments removing population thresholds as a measure for limiting adult-use cannabis retail and cultvator facilities.

Ms. Houlihan recently learned about new legislation removing per capita limits for permitting adult-use cannabis retailers and cultivators for Connecticut towns. She asked the commission to review the provided information and what regulations they want to adopt before the moratorium expires. The commission agreed to continue discussion to the next meeting on July 25, 2022.

c. Notice of Virtual Public Information Meeting (June 28, 2022) from the Department of Transportation for proposed improvements to the intersection of Route 140 and Burbank Road (Project No. 0047-0121).

Mr. Radziwon gave a brief explanation of the proposal and what improvements the State Department of Transportation intends to complete at the intersection.


By consensus, the commission agreed to discuss Section 6.3.7.B at the July 25, 2022 meeting.

VII. ADJOURNMENT:

MOVED (KELLY) SECONDED (HOGAN) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 8:27 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk
Town of Ellington
Planning Department
55 Main Street, PO Box 187, Ellington, CT, 06029/Phone: 860-870-3120/lhoulihan@ellington-ct.gov

DATE: June 22, 2022

TO: Planning and Zoning Commission

FROM: Lisa M. Houlihan, AICP, Town Planner

RE: Existing moratorium for adult-use cannabis facilities and recent legislative amendments removing population thresholds as a measure for limiting adult-use cannabis retail and cultivator facilities.

During the recent legislative session, portions of adult-use cannabis statutes were amended eliminating the number of cannabis retailers and cultivators allowed per municipality based on population (e.g. one cultivator and one retailer per 25,000). The legislative changes became effective April 27, 2022, and the existing moratorium disallowing adult-use cannabis facilities in Ellington ends October 31, 2022. If a regulation amendment is not approved and effective prior to the expiration of the existing moratorium, the commission will be required to consider applications for adult-use cannabis cultivators and retail facilities in accordance with similar uses in existing regulations. Article 4 - Commercial & Industrial Zones of the Ellington Zoning Regulations, contemplates allowing licensed medical marijuana production facilities by special permit in industrial zones or licensed medical marijuana dispensaries by special permit in commercial zones. Article 4, as currently effective, will be applicable to applications for adult-use cannabis facilities in Ellington received on or after November 1, 2022, if not amended.

Enclosed is a copy of the text amendment establishing the existing moratorium for adult-use cannabis establishments in Ellington, and a copy of pertinent sections of the amended statute removing per capita limits for controlling the number of adult-use cannabis facilities.
Section 7.16 Cannabis Establishment Moratorium - Pursuant to Public Act 21-1 An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis, the Planning and Zoning Commission hereby extends the moratorium effective October 1, 2021, set to expire March 31, 2022, through October 31, 2022, for cannabis establishments and shall not permit them in any zone until the Planning and Zoning Commission has had time to carefully consider such facilities and what regulations should govern them.
AN ACT CONCERNING CANNABIS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21a-420 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

As used in RERACA, unless the context otherwise requires:

(1) "Responsible and Equitable Regulation of Adult-Use Cannabis
Act" or "RERACA" means this section, sections 2-56j, 7-294kk, 7-294ll,
12-330ll to 12-330nn, inclusive, 14-227p, 21a-278b, 21a-278c, 21a-279c,
21a-279d, 21a-420a to 21a-420i, inclusive, 21a-420l to 21a-421r, inclusive,
21a-421aa to 21a-421ff, inclusive, 21a-421aaa to 21a-421ggg, inclusive,
21a-422 to 21a-422c, inclusive, 21a-422e to 21a-422g, inclusive, 21a-422j
to 21a-422s, inclusive, 22-61n, 23-4b, 47a-9a, 53-247a, 53a-213a, 53a-213b,
54-33p, 54-56q, 54-56r, 54-125k and 54-142u, sections 23, 60, 63 to 65,
inclusive, 124, 144 and 165 of public act 21-1 of the June special session
the cannabis plant or any part of the cannabis plant, including, but not
limited to, the leaf of the cannabis plant;

(3) Is comprised of not more than three colors; and

(4) Is located:

(A) On the cannabis establishment's premises, regardless of whether
such cannabis establishment leases or owns such premises; or

(B) On any commercial property occupied by multiple tenants
including such cannabis establishment.

[(c)] (e) The department shall not register, and may require revision
of, any submitted or registered cannabis brand name that:

(1) Is identical to, or confusingly similar to, the name of an existing
non-cannabis product;

(2) Is identical to, or confusingly similar to, the name of an unlawful
product or substance;

(3) Is confusingly similar to the name of a previously approved
cannabis brand name;

(4) Is obscene or indecent; and

(5) Is customarily associated with persons under the age of twenty-
one.

[(d)] (f) A violation of the provisions of [subsection (a) or (b)]
subsections (a) to (c), inclusive, of this section shall be deemed to be an
unfair or deceptive trade practice under subsection (a) of section 42-
110b.

Sec. 9. Section 21a-422f of the 2022 supplement to the general statutes
is repealed and the following is substituted in lieu thereof (Effective from
passage): Approved April 21, 2022.
(a) As used in this section, "municipality" means any town, city or borough, consolidated town and city or consolidated town and borough, and a district establishing a zoning commission under section 7-326.

(b) Any municipality may, by amendment to such municipality's zoning regulations or by local ordinance, (1) prohibit the establishment of a cannabis establishment, (2) establish reasonable restrictions regarding the hours and signage within the limits of such municipality, or (3) establish restrictions on the proximity of cannabis establishments to any of the establishments listed in subdivision (1) of subsection (a) of section 30-46. The chief zoning official of a municipality shall report, in writing, any zoning changes adopted by the municipality regarding cannabis establishments pursuant to this subsection to the Secretary of the Office of Policy and Management and to the department not later than fourteen days after the adoption of such changes.

(c) Unless otherwise provided for by a municipality through its zoning regulations or ordinances, a cannabis establishment shall be zoned as if for any other similar use, other than a cannabis establishment, would be zoned.

(d) Any restriction regarding hours, zoning and signage of a cannabis establishment adopted by a municipality shall not apply to an existing cannabis establishment located in such municipality if such cannabis establishment does not convert to a different license type, for a period of five years after the adoption of such prohibition or restriction.

[(e) Until June 30, 2024, no municipality shall grant zoning approval for more retailers or micro-cultivators than a number that would allow for one retailer and one micro-cultivator for every twenty-five thousand residents of such municipality, as determined by the most recent decennial census.]

(f) On and after July 1, 2024, the Commissioner of Consumer Protection may, in the discretion of the commissioner, post on the Department of Consumer Protection's Internet web site a specific
number of residents such that no municipality shall grant zoning approval for more retailers or micro-cultivators than would result in one retailer and one micro-cultivator for every such specific number of residents, as determined by the commissioner. Any such determination shall be made to ensure reasonable access to cannabis by consumers.]

[(g) (e) For purposes of ensuring compliance with this section, a special permit or other affirmative approval shall be required for any retailer or micro-cultivator seeking to be located within a municipality. [A municipality shall not grant such special permit or approval for any retailer or micro-cultivator applying for such special permit or approval if that would result in an amount that (1) until June 30, 2024, exceeds the density cap of one retailer and one micro-cultivator for every twenty-five thousand residents, and (2) on and after July 1, 2024, exceeds any density cap determined by the commissioner under subsection (f) of this section.] When awarding final licenses for a retailer or micro-cultivator, the Department of Consumer Protection may assume that, if an applicant for such final license has obtained zoning approval, the approval of a final license for such applicant shall not result in a violation of this section or any [other] municipal restrictions on the number or density of cannabis establishments.

Sec. 10. (Effective from passage) (a) The chairpersons of the joint standing committee of the General Assembly having cognizance of matters pertaining to general law shall convene a working group to study hemp, hemp products and hemp producers. Such study shall include, but need not be limited to, an examination of (1) the regulation of hemp, hemp products and hemp producers licensed in this state and neighboring states, (2) the manner in which neighboring states have integrated hemp, hemp products and hemp producers into their recreational cannabis programs, statutes and regulations, and (3) possible legislation that would integrate hemp, hemp products and hemp producers licensed in this state into this state's recreational cannabis statutes by, among other things, allowing (A) such licensees to convert their licenses to licenses issued under this state's recreational cannabis statutes, and (B) hemp products, including, but not limited to,
ELLINGTON ZONING REGULATION - SECTION 6.3.7(B)
CURRENT MORATORIUM EXPIRES SEPTEMBER 3, 2022

PROPOSED SIX MONTH MORATORIUM EXTENSION
(DRAFT DATE: JULY 18, 2022)

The Planning and Zoning Commission hereby adopts a six month moratorium for Section 6.3.7(B) detached electronic fuel price signs in C, PC, I, and IP zones of the Ellington Zoning Regulations. During this time, the commission shall not accept, review and/or decide on any application seeking to establish detached electronic fuel price signs for six (6) months following the effective date of this regulation.

TENTATIVE APPROVAL DATE: AUGUST 22, 2022
EFFECTIVE DATE: AUGUST 30, 2022
EXPIRATION DATE: FEBRUARY 30, 2023
July 14, 2022

Buddhist Association of Connecticut, Inc.
c/o Van Bangs (sent via email: vanhamhome@gmail.com)
255 Cherry Street
New Britain, CT 06051

RE: S200801 - Four (4) Lot Subdivision, 124-130 (formerly 120) Stafford Road, Ellington, CT

Dear Van,

I write regarding the expiration of approval and status of conditional approval for the four (4) lot subdivision referenced above. The subdivision was initially approved September 22, 2008, and good through September 22, 2017. As permitted by statute, a five (5) year extension was applied for and granted extending the approval to September 22, 2022. Additional statutory provisions allow you to seek extension for up to 5 more years. If you would like to request extension, please submit written request no later than August 18, 2022, by 4:30 p.m.

If approval is not extended, it will automatically expire and notice recorded on the Ellington Land Records reverting the land to its former one-lot configuration. If the subdivision expires, the Ellington Board of Selectmen will release easements required as part of approval, and any other action recommended by the Ellington Town Attorney.

The subdivision was only granted “conditional approval” and statute prohibits land from being conveyed until “final approval” is granted. Below is an excerpt from state statute, please consult with your attorney.

**Connecticut General Statutes §8-25. Subdivision of land**

"...Such regulations may provide that in lieu of either the completion of the work or the furnishing of a financial guarantee as provided in this section, the commission may authorize the filing of a plan with a conditional approval endorsed thereon. Such approval shall be conditioned on (1) the actual construction, maintenance and installation of any improvements or utilities prescribed by the commission, or (2) the provision of a financial guarantee as provided in this section. Upon the occurrence of either of such events, the commission shall cause a final approval to be endorsed thereon in the manner provided by this section. ... Any person, firm or corporation who, prior to such final approval, transfers title to any lot subdivided pursuant to a conditional approval shall be fined not more than one thousand dollars for each lot transferred. Nothing in this subsection shall be construed to authorize the marketing of any lot prior to the granting of conditional approval or renewal of such conditional approval..."

Thank you in advance for your attention to this matter. Please do not hesitate to contact me with questions or to discuss further.

Very best regards,

Lisa M. Houlihan, AICP
Ellington Town Planner

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**Equal Opportunity Employer**