



BEACON FALLS PLANNING AND ZONING COMMISSION
Public Hearing
PZC Initiated Text Amendment
Temporary & Limited Moratorium on Cannabis Establishments
August 19, 2021
MINUTES
(Subject to Revision)

1. Call to Order / Pledge of Allegiance

Chairman Donald Molleur called the meeting to order at 7:00 P.M. The call was read into the meeting minutes. Public Hearing legal notice was published in the Republican-American on August 5, 2021, and August 12, 2021.

Members Present: Donald Molleur (DM), Harry Roscoe (HR), Jack Burns (JB), Robert Starkey (RS), Marc Bronn (MB), Howie Leeper (HL), Michael Rupsis (MR), Michael Pratt (MP)

Members Absent: Cody Brennan (CB)

Others Present: Keith Rosenfeld (KR), Mike Mormile (MM), Savannah-Nicole Villalba (SN)

2. Public Hearing – Presentation from Town Planner Keith Rosenfeld

KR: I am going to read my memo into the record.

PURPOSE OF MEMORANDUM (1) Provide the Beacon Falls Planning and Zoning (BFPZC) Commission with a summary of the Responsible and Equitable Regulation of Adult-Use Cannabis Act and, (2) Help the BFPZC understand and respond to the impacts of the Cannabis Act and inform future municipal legislative actions concerning cannabis sale and consumption, and (3) Facilitate amendments to the Beacon Falls Zoning Regulations to establish a six (6) month temporary and limited moratorium on Cannabis Establishments

KEY POINTS It is important to understand that municipalities retain the ability to control cannabis production, retail sale and consumption in certain areas via a combination of zoning regulations and specific municipal ordinances. (1) Zoning regulation can restrict or regulate the growing of cannabis, its manufacturing processes, its packaging, processing, delivery, and retail sale. (2) Local ordinance changes can be used to regulate the recreational consumption of cannabis on public property. (The Board of Selectmen will be required to review and amend as needed those ordinances relating to public consumption of cannabis and public smoking.)

BACKGROUND Beginning this past July 1, 2021, individuals aged 21 or older (consumers) may possess, use, or otherwise consume cannabis, up to a specified possession limit. Smoking marijuana is generally not be allowed in places where cigarette smoking is already prohibited; is banned on state lands or waters managed by the CT DEEP (§ 92); and is still illegal in motor vehicles by both drivers and passengers. The bill does allow consumers (i.e., people aged 21 or older) now to give cannabis to other consumers for free (i.e., without compensation or consideration).

ZONING REGULATIONS although May 2022 has been identified as the first date when retail marijuana businesses would be allowed to open, it is imperative that Beacon Falls reviews its current zoning regulations beforehand to determine what regulations are currently in place regarding cannabis and potential amendments that may be needed to regulate the location of cannabis production and retail sale. Under the law, a

"Cannabis Establishment" is a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer (i.e., licensed to sell both recreational cannabis and medical marijuana), food and beverage manufacturer, product manufacturer, product packager, delivery service, or transporter.

WHAT COMMUNITIES CANNOT DO **Prohibiting the delivery of cannabis** to (1) consumers or (2) qualifying medical marijuana patients or their caregivers, if the delivery is made by someone authorized to do so under the bill (e.g., retailers, dispensary facilities, or delivery services). **Prohibiting the transport of cannabis** to, from, or through the municipality by anyone licensed or registered to do so. **Prohibiting the delivery of cannabis** when the delivery is made by a retailer, hybrid retailer, dispensary facility, delivery service, micro-cultivator or other person authorized to make such delivery pursuant to Cannabis Act. **Conditioning** any official action on, or accepting any donations from, any cannabis establishment or applicants for cannabis establishment licenses in the municipality. **Negotiating or entering into a local host agreement** with a cannabis establishment or license applicant.

WHAT COMMUNITIES CAN DO Given fact that the legalization of cannabis is in full effect in the State of Connecticut, it is imperative that the BFPZC has enough time to review and update its Zoning Regulations before the licensing of Cannabis Establishments begins. To that, the Commission is proposing a temporary and limited six (6) month moratorium on cannabis establishments. This moratorium will provide time for the Commission to consult with other Town elected and appointed bodies, Town Staff, and the public on the development of new regulations for cannabis establishments in Beacon Falls.

KR: It is up to the committee to regulate. This gives us time to slow down.

- a. Comments & Questions from Commissioners - RS: We keep pushing all of our businesses away. We need to bring in income MR: Moratorium isn't to stop it. MP: We don't need to use whole six months. DM: Would like to set up research committee to work with Keith and SN.
- b. Comments & Questions from Public- Mike Krenesky, 22 Maple Avenue – Cannabis is illegal at Federal Level -revenue we received. How is that money collected? KR: Collection of taxes at local level, redistributed to municipalities. Everything has to stay within the state. Newly formed excise tax in the state. SN: State is directly involved. KR: Going towards a state banking system. DM: Collected per activity or sale? KR: Sale.

KR: This goes into effect today.

Motion made by MR to close public hearing. RS Second. All Ayes

3. Adjournment

Motion by MR to adjourn at 7:24 PM. MP seconded. All ayes.

Respectfully submitted,

Lisa Daigle

Clerk, Planning & Zoning Commission