



# *Town of Colchester, Connecticut*

127 Norwich Avenue, Colchester, Connecticut 06415

Mary Bylone, First Selectman

## PLANNING AND ZONING COMMISSION

Wednesday, January 20, 2021

7:00 p.m.

Virtual Meeting

## SPECIAL MEETING MINUTES

**Members Present:** Chair Joe Mathieu, Mark Noniewicz, Bruce Hayn, Meaghan Kehoegreen, Jason Tinelle, Ian Lilly, Stephanie Smith

**Members Absent:** John Novak

**Others Present:** Town Planner Matthew Bordeaux, Taras Rudko (Board of Selectmen Liaison), Attorney Harry Heller

1. **Call To Order** – Chairman Mathieu called the meeting to order at 7:04 p.m.
2. **Changes or Additions to Agenda** – Mr. Bordeaux suggested rearranging the order of the agenda to couple Item #11 Planning Issues and Discussion, with Item #8 Preliminary Reviews since they were directly related topics. Mr. Noniewicz moved to revise the agenda accordingly. Mr. Hayn seconded the motion and the motion carried unanimously.
3. **Minutes of Previous Meeting**
  - a. **January 6, 2021** – Mr. Hayn moved to approve the minutes. Mr. Tinelle seconded the motion. The motion carried unanimously. Mr. Noniewicz abstained.
4. **Public Hearing** – There were no public hearings.
5. **Five Minute Session for the Public** – There were no public comments.
6. **Pending Application** – None
7. **New Applications** – None
8. **Preliminary Reviews**
  - a. CMMD LLC – Old Amston Road
9. **Planning Issues and Discussions**
  - a. **Medical Marijuana** – The Commission continued the discussion of the regulation of medical marijuana production facilities and specifically the proposal to accommodate the use on Old Amston Rd as introduced by Attorney Harry Heller and his clients from CMMD LLC. Mr.

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Bordeaux summarized his memo distributed to the Commission in the meeting packet. Chairman Mathieu stated that the adoption of the Floating Zone, as proposed by Attorney Heller, could be a solution to the Commission's ongoing debate about where and how to regulate production facilities and could complement the town's existing agricultural activities. He also noted that other areas of the Land Development Regulations would need to be reviewed to ensure the successful implementation of a potential floating zone regulation amendment.

Attorney Heller referred the Commission to other Connecticut municipalities where floating zones have been adopted, most notably in Stonington. In response to a concern expressed by a Commissioner that the zone change would become permanent, Attorney Heller suggested amending the proposed regulation to include a reversion provision so that if a zone change was approved but a project were not to move forward, the zone would revert back to its underlying district.

Chairman Mathieu asked staff to provide a basic summary of the floating zone proposal as it is written and consider what potential impacts it could have on the rest of town and the goals and objectives as outlined in the Plan of Conservation and Development.

Mr. Lilly expressed a concern regarding the impacts of the proposed development on wetland resources.

#### **10. Old Business – None**

#### **11. New Business**

##### **a. Election of Officers**

Mr. Noniewicz moved to open the nominations. Mr. Hayn seconded the motion and all members voted in favor.

Mr. Hayn moved to nominate Joe Mathieu as Chairman. Mr. Noniewicz seconded. Motion carried unanimously.

Mr. Hayn moved to close the nominations for Chairman. Mr. Noniewicz seconded. Motion carried unanimously.

Mr. Noniewicz moved to nominate John Novak as Vice Chairman. Mr. Hayn seconded. Motion carried unanimously.

Mr. Noniewicz moved to close the nominations for Vice Chairman. Mr. Hayn seconded. Motion carried unanimously.

Mr. Hayn moved to nominate Mark Noniewicz as Secretary. Mr. Tinelle seconded. Motion carried unanimously.

Mr. Noniewicz moved to close the nominations. Mr. Hayn seconded. Motion carried unanimously.

Mr. Noniewicz moved to elect all three nominees as proposed. Mr. Hayn seconded the motion and all members voted in favor.

- 12. Correspondence** – Mr. Mathieu asked Ms. Schaub to summarize the CT Land Use Law Seminar. Mr. Mathieu asked staff about the Ad Hoc Committee proposed to address the ability for the Town to acquire agricultural easements. Mr. Bordeaux replied that he was attempting to avoid another Committee and would be preparing a report in an attempt to satisfy the concerns of the Board of Selectman.

- 13. Adjournment** – Mr. Hayn moved to adjourn. Mr. Tinelle seconded the motion and all members voted in favor. The meeting adjourned at 8:30 p.m.