

Subject to Approval

**MADISON PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
July 1, 2021**

The Planning Meeting of the Madison Planning and Zoning Commission was conducted Thursday, July 1, 2021, at 7 p.m., remotely, using Zoom Videoconferencing. The public was invited to participate remotely by joining the meeting through a Zoom webinar link password, telephone call-in number, and a webinar identification number. Log-in and call-in details were posted to the Town of Madison website (<https://www.madisonct.org/>), prior to the meeting.

MEMBERS PRESENT

Chairman Ronald Clark, Vice Chairman James Matteson, Secretary Elliott Hitchcock, John Mathers, Seonaid Hay, Giselle Mcdowall, and Thomas Burland.

MEMBER ABSENT

Joseph Bunovsky, Jr., Joel Miller, Peter Roos

ALTERNATES PRESENT

Ron Bodinson and Carol Snow.

OTHERS PRESENT

Director of Planning and Economic Development David Anderson. The meeting was recorded via Zoom Videoconferencing software for You Tube viewing.

The Planning Meeting of the Madison Planning and Zoning Commission was called to order at 7:03 p.m. by Chairman Ronald Clark.

PLANNING MEETING

Chairman Clark began the meeting by stating there would be only two items on the agenda

Discussion regarding recreational marijuana as it relates to zoning.

Chairman Clark noted that recently possession of marijuana has recently become legal in small amounts in the State but there are some Zoning aspects to it. The Board of Selectman will be forming a committee to look into various aspects of how it will impact the Town and assuming Planning & Zoning will have to deal with it, Mr. Anderson and Chairman Clark thought it would be worth discussing what they might be looking into. Chairman Clark then opened the discussion up to the Commissioners.

Commissioner Mathers wanted to confirm his understanding that possession of up to 1.5 ounces was legal but that dispensaries are not authorized until spring of 2022. Chairman Clark said he believed

that was correct but they will also get advice from counsel of what they should be looking at. Chairman Clark further stated that he believes planning and zoning in towns have the right to ban it completely in the community if they want to but at some point in time they will have to develop a response to it. He has been thinking about it himself in the extremes and although he is not going to assume that he would know what the community wants, the extremes could be that some will not want it allowed and the far extreme some will say its legal and should be considered because it will be a driver of traffic for other retail business but he feels the reality will be somewhere in between. There are also issues where the town could identify the areas where marijuana can and can not be assumed. There are a lot of questions and suggest keeping their eyes and open and abreast of the what develops and act according after the Selectman committee have their say and other departments that may be involved like the Health Department, etc.. Chairman Clark then asked Town Planner David Anderson if he had any input.

Mr. Anderson stated that he was at the Board of Selectman meeting and they did identify that they were probably going to put together a task force and that he recommends a representative from Planning and Zoning be on the task force to keep apprised of what the dialogue is and to keep informed. He recommends doing some investigation and not making any premature decisions but to get engaged. Mr. Anderson further stated that the Commission might want to authorize Chairman Clark to talk to Peggy to express some interest in having someone from the Commission serve on the task force. It's his understanding that not until spring 2022 would a retailer be allowed to sell and that not more than one retailer for a population of 25,000 or under until July 2024. He further stated that youth and family have a lot of concerns about what the impact may be on the youth in the community. Mr. Anderson said that related to the second item that will be discussed at the meeting, the town of Clinton has a proposal to amend their zoning regulations to specify where retail marijuana might be allowed. And the idea is that, at some point, much like with medical marijuana the commission is going to need to specifically identify it as a use in our regulations, and it can determine where it may or may not be appropriate to be located. And if that is not done, it is his understanding it is considered a general retail use and it would be allowed for all other retailers allowed. He feels that the Commission will probably will be doing something with the regulations, no matter what It's just a matter of trying to understand a little bit better about the community's willingness to allow location, and where that might be.

Chairman Clark said he would discuss with Peggy Lyons having someone from Planning and Zoning appointed to the task force and the Commission will choose someone.

Chairman Clark asked Commissioner Hay if she had any thoughts medically speaking. Commissioner Hay stated medicinally there is some evidence for it in certain conditions, although the health benefits have been probably overblown and most of it that the evidence that does exist is not particularly strong evidence. Alcohol is actually a major cause of mortality and morbidity, but of course alcohol has been widely available in a way that marijuana has not been so dangers will remain to be seen as it becomes more available. Since it's becoming more legalized in more states there will be more information about its safety and use.

Chairman Clark again stated that from the Commissions perspective at this point, other than

asking to be included on the task force, just keeping their eyes and ears open as this morphs into a more clearer image of what what's going to be going on in the state.

Commissioner Burland stated that they should do something proactively in early spring or late winter on the regulations to either not allow it or to limit it to certain areas, just like with medical marijuana, and liquor stores.

Chairman Clark stated that the timeline the need to be concerned with is to have something in place before its announced that licenses can be issued for retailers and that may be something the task force discusses in an ordinance.

Commissioner Snow ask if they need to be concerned with growers or just retailers and Mr. Anderson responded that with medical marijuana they considered both and they would probably do the same thing in this situation. Commissioner Matteson asked if the regulations had not allowed or limited production of it in the past and Mr. Anderson stated that they limited to certain areas, not allowing it near schools, churches, etc.

Chairman Clark finalized by stating that stay abreast of this topic and do their job when the time comes when they have enough information to take it up as a serious topic, or an actionable topic.

Discussion regarding professional planning support services for the Commission until a new Town Planner is hired.

Chairman Clark asked Mr. Anderson to speak. Mr. Anderson stated that he gave his resignation 6 weeks ago and the Town has about 15 applicants for his position and will begin interviewing in about two weeks and there may be a month or two gap before someone is hired. In the meantime, the Town has hired John Guskowski of Tyche Planning and Zoning Group as a planning consultant.

Both the Human Resource Director and the First Selectwoman have met with him and hired him on a month to month basis during the transition. Mr. Anderson met with Mr. Guskowski and the land use staff and Mr. Guskowski will be meeting with Chairman Clark on July 8th. Mr. Guskowski will have a presence at town hall every Thursday and at the Planning and Zoning meeting for the next few months. He will be available also by phone, email and will be available to meet with anyone to review applications to the Planning and Zoning Commission to answer questions. Basically triage and try to keep everything moving forward.

Mr. Anderson further went on to say that Mr. Guskowski will not be doing economic development or many other things that Mr. Anderson has done but he will be a resource for the department and the Planning and Zoning Commission.

Chairman Clark mentioned that although he doesn't know Mr. Guskowki personally he was exposed to him as was the Commission as an expert witness in the Ledges project and was impressed with his knowledge of the regulations and the subject matter and had a favorable first impression. Chairman Clark recommended that maybe the Commission can log on to the next Zoom meeting at 6:30 to introduce themselves and get to know a little more about Mr. Guskowski before the meeting is called to order.

Mr. Anderson stated in regards to Chairman Clark mentioning the Ledges project,

both the Human Resource Director and the First Selectwoman we're aware of that and they consider that carefully when making a decision to bring them on so that was part of the discussion and decision making process.

Commissioner Bodinson brought up that the Plan of Conservation and Development will be due in 2023 and how will this play out with a new planner.

Mr. Anderson as of November, 2023 there will have to be a new plan in place. There is funding available as of July 1 for this fiscal year of \$85,000 to hire a consultant to assist with that process which is anywhere from 18 months to two years if you hire a professional consultant to have the support. There is time for a new planner to come on board to really begin that process with you. It would be a good conversations to have with the interim planner as to how to start the process when the new planner gets in place.

Commissioner Snow asked if Chairman Clark or anyone on the Commission had a part in the hiring process of the new Town Planner.

Chairman Clark said he was on the fringe of it, since the position will cover other departments it's a Human Resource matter he will be brought in to some par of it.

Mr. Anderson explained that they'll be a first interview with the Director of Human Resources and then, Chairman Clark may participate. They may ask some planners from neighboring towns to participate in those first round interviews just as a technical perspective. Then if there is a top three, Peggy Lyons and members of the opposite party of the Board of Selectmen would then interview them and ultimately, the Board of Selectman is making this decision, with certainly some input from the Planning and Zoning Commission. The Commission does not have hiring authority but they should have input.

Mr. Anderson further stated when he came on board with the Commission it was under different circumstances. The previous Planner had been terminated but felt immediately, supported by that whole Commission treated him very well, right from the beginning. The Commission plays a really important role in making sure that Planner feels welcomed but also feels that they have the support they need to make sometimes difficult decisions and navigate very difficult political processes. The Commission is really a kind of a lifeline. The Commission made a difference in Mr. Anderson's transition and feels they will to the same with the next. There are some barriers to qualification for this job so you're not getting someone just off the street that's never done this before you'll get someone that has some experience and will do really well. Mr. Anderson added that his involvement has been really a good experience from the very beginning.

Several members of the Commission thanked Mr. Anderson for his service and wished him well.

REMARKS: Commission Chair

Chairman Clark informed the Commission that an appeal was brought by the Interveners of the Ledges Project against the Commission and that ultimately, it appears that the courts may decide what happens on that property.

ADJOURNMENT

At 7:43 Chairman Clark asked for a motion to adjourn, Secretary Hitchcock mad a motion, it was seconded by Vice Chairman Matteson and unanimously approved.

Vote to adjourn at 7:45 p.m. passed 9-0-0.

IN FAVOR: Chairman Clark, Vice Chairman Matteson, Secretary Elliott Hitchcock and Commissioners Mathers, Burland, McDowell, Hay, Bodinson and Snow.

OPPOSED: None.

ABSTAINED: None.

Respectfully submitted,
Maria Pettola, pro tem