



**TOWN OF NEWTOWN**  
PLANNING & ZONING COMMISSION

MINUTES  
REGULAR MEETING  
Thursday, July 1, 2021 at 7:00 p.m.

Council Chambers, Newtown Municipal Center  
3 Primrose Street, Newtown, CT 06470

**Present:** Don Mitchell, Barbara Manville, Roy Meadows, Corinne Cox, Dennis Bloom, Andrew Marone, David Rosen, Gregory Rich

**Staff:** George Benson, Director of Planning, and Helen Fahey, Clerk

Mr. Mitchell called the meeting to order at 7:01 p.m.

**Public Hearings**

**Application 21.18 by the Town of Newtown, for a Text Amendment to the Zoning Regulations of the Town of Newtown, to rescind Zoning Regulations §5.06.475 and §5.06.476 Medical Dispensary Facility, to rescind the definitions “Medical marijuana dispensary facility” and “Medical marijuana production facility” and to add the Definition of Cannabis Establishment to Article 1, Section 2 Interpretations and Definitions, and to add Cannabis Establishment to Article 1, Section 6, 1.06.1400 Prohibited Uses as described in documents submitted to the Land Use Agency 6/17/21.**

Mr. Benson, stated that we are looking to prohibit cannabis establishments and the selling of marijuana, not the legal possession. Legislature passed the bill only two weeks ago which is not enough time to consider the implications. He is concerned about people filling out applications to create establishments before we have time to look at the regulations. Mr. Benson stated that if later on we feel the bill is suitable for the town, the prohibition can be reviewed and possibly lifted.

Mr. Benson read the First Selectman, Dan Rosenthal’s letter into the record. (See attached)

Mr. Marone looked to confirm that the bill offered municipal tax of 3% that would go directly to town municipalities that have establishments.

Mr. Benson stated there is a 3% tax however, it does not go to general fund but a special fund for substance abuse education.

Mr. Marone stated that retail sales won’t be until 2022, so he questioned the prohibition given the amount of time between now and when establishments can open.

Mr. Benson stated this is a preemptive move. He is concerned with people filling out applications or purchasing buildings, giving them vested rights before regulations can be put in place.

Mr. Marone felt this prohibition could run the risk of potential establishment owners not feeling welcome here in the future and losing out on the opportunity.

Mr. Benson reiterated his position on the ban with the idea of possibly lifting it at a later time.

Ms. Manville asked how much time we would need to decide on lifting the prohibition.

Mr. Benson couldn't put an exact date on the reconsideration.

Ms. Manville read letter from Newtown Parent Connection into record. (See attached)

Mr. Mitchell stated the new bill would make it illegal for minors to buy. Mr. Mitchell stated tobacco is more of a gateway drug than marijuana.

Mr. Mitchell read Senator Tony Hwang's letter into record. (See attached)

Mr. Bloom agrees that there is not enough time to consider the legal implications. His main concern is with making sure the laws protect children.

Mr. Rosen stated we need more time to consider the law, at least 3 -4 months. He does not have an issue with the legalization of marijuana but the hastiness of the bill.

The Commissioners discussed the date at which home growing of marijuana goes into effect. There is confusion amongst all on the date.

Mr. Mitchell stated that this proves we don't know all the details of the bill and we need a moratorium for more time.

Mr. Meadows stated the bill is very long and complicated and requires several months to review and understand.

Mr. Mitchell invited public comment.

Emily Sabo, Union Representative of UFCW 919 located at 6 Hyde Road, Farmington, CT stated a vote for the prohibition of cannabis establishments would be a vote against working people. She urged listeners to consider the implication of a merit based application system so as to make the industry fit Newtown.

Mr. Rosen stated we haven't had enough time to create merit based processes, he questioned how other towns felt about this concept.

Ms. Sabo said this is the first CT town she has visited but helped Jersey City, NJ and other New Jersey towns in passing local ordinances.

Donna Culbert, Director of Health for Newtown at 3 Primrose Street is in favor of the prohibition of Cannabis establishments with her main concern being for the youth of the town. Ms. Culbert stated we need more time to better understand how this bill will impact our state.

Mr. Mitchell suggested continuing the hearing and making a moratorium for December 1.

Mr. Benson stated we should act to prohibit tonight and it can be revisited later. He stated that with Danbury and Waterbury possibly banning the legislature, choosing a moratorium would put us in a risky situation.

Mr. Rosen questioned if we could put a restriction of 6 months to revisit.

Mr. Benson wants to be clear on all of the legalities to opening a dispensary in town before making a decision.

With no further questions Mr. Bloom moved to close the public hearing on Application 21.18.  
Mr. Meadows and Ms. Manville seconded.

The Commission voted as follows:

Don Mitchell - NAY

Roy Meadows - AYE

Corinne Cox - AYE

Dennis Bloom – AYE

Barbara Manville- AYE

Motion passed, and the public hearing was closed.

Mr. Mitchell read the following into the record:

***BE IT RESOLVED that Application 21.18 by the Town of Newtown, for a Text Amendment to the Zoning Regulations of the Town of Newtown, to rescind Zoning Regulations §5.06.475 and §5.06.476 Medical Dispensary Facility, to rescind the definitions “Medical marijuana dispensary facility” and “Medical marijuana production facility” and to add the Definition of Cannabis Establishment to Article 1, Section 2 Interpretations and Definitions, and to add Cannabis Establishment to Article 1, Section 6, 1.06.1400 Prohibited Uses as described in documents submitted to the Land Use Agency 6/17/21. IS HEREBY FOUND CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THE COMPREHENSIVE PLAN, AND SHALL BE APPROVED.***

***BE IT FURTHER RESOLVED that the approval shall become effective July 24, 2021.***

Ms. Manville wanted to amend with a formal plan to revisit at a later date.

Mr. Benson stated that any commission members at any time can decide to review this prohibition and doesn't need a set date.

Mr. Meadows so moved. Mr. Bloom seconded.

The Commission voted as follows:

Don Mitchell - NAY

Roy Meadows - AYE

Corinne Cox - AYE

Dennis Bloom – AYE  
Barbara Manville- AYE

The motion to approve Application 21.18 passed.

### **Minutes**

Ms. Cox moved to approve, the minutes of June 17, 2021 and Mr. Bloom seconded. All in favor. The minutes from June 17, 2021 were approved.

### **Adjournment**

Mr. Rosen moved to adjourn, Ms. Cox seconded. All members were in favor and the meeting was adjourned at 7:54 p.m.

*Respectfully submitted,  
Helen Fahey, Clerk*

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Daniel C. Rosenthal  
First Selectman  
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## TOWN OF NEWTOWN

July 1, 2021

### OFFICE OF THE FIRST SELECTMAN

Newtown Planning and Zoning Commission  
Newtown Municipal Center  
3 Primrose Street  
Newtown, CT 06470

Dear Commissioners:

I am sorry that I could not be present at tonight's public hearing related to disallowing cannabis establishments in the Town of Newtown, however I would like to take the opportunity to share some brief thoughts on the matter.

Senate Bill 1201 which legalized the possession and retail sale of cannabis in Connecticut was passed in a special two-day session of the State Legislature, only two weeks ago on June 16th, after failing to come to a vote in the five-month regular session that ended on June 9th. The Bill was signed into law by Governor Lamont on June 22nd and went into effect today. So towns and cities across our state have had two weeks to digest an extensive and groundbreaking new law. Two weeks.

On a regular basis I interact with my counterparts in other communities to compare notes on how we are managing matters of importance facing our respective towns and cities. In this case, there has been very little time for that and so we are witnessing what I feared, a fragmented approach. As examples, Prospect has banned the retail sale of cannabis, Ridgefield is considering it as is Danbury and yesterday, perhaps most significantly, Waterbury, our 5th most populous city, banned retail sales. Things are moving quickly and they are all over the place.

While I have no issue with the legalization of the possession of cannabis, there is more at stake here as we consider the retail sale. We get one chance to get this right and trying to do so in the span of two weeks does not make for good public policy. I believe the prudent approach is to prohibit cannabis establishments in Newtown until we better understand the dynamics of the new law and how towns and cities across our state are navigating it. Should you all agree, I respectfully ask that we consider this similar to a moratorium rather than a permanent ban and regularly review and consider opting in at a later date.

Thank you for your time, consideration and service to our community.

Sincerely,

Daniel Rosenthal  
First Selectman



July 1, 2021

Donald Mitchell, Chairman  
Planning & Zoning  
3 Primrose Street  
Newtown, CT 06470

Dear Mr. Mitchell,

My name is Dorrie Carolan and I am the founder and Executive Director of Newtown Parent Connection. We have been working in the town of Newtown since 1993 and have added weekly support groups in the Waterbury and Milford areas due to the increase in drug use.

I cannot believe that the State of Connecticut has approved the legal use of Cannabis with the increase that we have seen in drug use. I fully support our selectman not to allow a dispensary facility in our town. It is a proven fact that marijuana is a gateway drug and we just keep making it easier for people to obtain these drugs. We also know that we have had many young people be admitted to the hospital because of psychosis due to the smoking of too much marijuana. At some point we need to protect our youth and put aside the monetary benefits of legalizing marijuana.

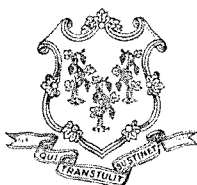
Respectfully,

Dorrie Carolan  
Newtown Parent Connection

**SENATOR TONY HWANG**  
TWENTY-EIGHTH SENATE DISTRICT

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**State of Connecticut**  
**SENATE**

**DEPUTY SENATE REPUBLICAN LEADER**

**RANKING MEMBER – INSURANCE & REAL ESTATE COMMITTEE**

**RANKING MEMBER – PLANNING &  
DEVELOPMENT COMMITTEE**

**RANKING MEMBER – PUBLIC HEALTH COMMITTEE**

**MEMBER – FINANCE, REVENUE & BONDING COMMITTEE**

July 1, 2021

## **Sen. Tony Hwang Testimony on Legalized Marijuana Citing Societal Addiction Costs and Public Safety Concerns**

***RE: Application 21.18 by the Town of Newtown, for a Text Amendment to the Zoning Regulations of the Town of Newtown, to delete Zoning Regulations §5.06.475 and §5.06.476 Medical Dispensary Facility, and to add the Definition of Cannabis Establishment to Article 1, Section 2 Interpretations and Definitions, and to add Cannabis Establishment to Article 1, Section 6, 1.06.1400 Prohibited Uses as described in documents submitted to the Land Use Agency 6/17/21.***

Dear Newtown Planning and Zoning Commissioners,

I respectfully offer my testimony which outlines my concerns about the newly-legalized recreational marijuana policy. I have had substantial time to research and deliberate on this subject while the Senate handled the issue three separate times in the past month. I have been a consistent and longtime opponent to the legalization of a still federally controlled level one narcotic.

I am disappointed that this sweeping legislation which the Governor signed never came before the CT General Assembly's Public Health Committee. The committee with cognizance over matters relating to public health was not able to hold a public hearing, hear and learn from the public OR 'experts' with experience on the public health implications of marijuana.

This year the legislature addressed criminal justice and civil rights concerns by rectifying the past unfair and disproportionate incarceration of people of color in policies that erased certain cannabis-related criminal convictions. I support social justice reforms and second chance society so those whose lives have been irrevocably altered by being arrested for possession can have a pathway to reclaim their lives.

However, the effort to legalize recreational marijuana is full of irony here in Connecticut.

On one hand we are enabling the use of a federal class one narcotic, technically a banned controlled substance, while on the other hand we congratulate ourselves on banning flavored vaping and tobacco because it causes widespread harm to our children and residents.

The legislature justifiably passed a public health committee measure to increase opioid and substance addiction counseling which is critical to saving lives impacted by addiction. We also voted to approve marijuana, a drug that is medically proven to adversely impact the cognitive development of young people and can serve as a gateway to addiction.

Officials implore and preach against drunk and distracted driving to keep our roads safe, but we did not listen to law enforcement's perspective and strong opposition to legalizing marijuana from a public safety standpoint. The public will be able to readily access this federally illegal substance with no way to test for how 'under the influence' they are when driving or at work. The potency of this drug can vary greatly within a particular lot or product. Also, the problems that this legislation will cause far outpace the investment in this bill's language to addiction services.

This is a fundamental public health policy change that is being done under the pretense of additional revenue and social equity. Legalizing cannabis will produce a limited amount of money for Connecticut without fully understanding the societal addiction costs and public safety concerns.

I asked on the floor of the Senate and I will ask again now: Is that additional tax revenue worth the societal cost and burden?

Remarks were offered on the floor of the Senate that asked why Connecticut wouldn't feel empowered to exist as a place that people - and their children - could live and visit without having to be worried if the people next to them at the state park, beach or highway were under the influence of cannabis. While the state government refused to fully consider the changes this create to the quality of life we enjoy in Connecticut, I want to implore Newtown to stand up and be a place where residents and visitors of all ages can experience all this town has to offer unscathed by the tangible and intangible impacts of marijuana legalization.