

**WETHERSFIELD PLANNING AND ZONING COMMISSION  
PUBLIC HEARING AND MEETING**

**April 1, 2014**

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, April 1, 2014 at 7:00 p.m. in the Wethersfield Town Council Chambers located at Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut 06109.

**1. CALL TO ORDER:**

Chairman Roberts called the meeting to order at 7:02 p.m.

**1.1 ROLL CALL & SEATING OF ALTERNATES (5 members required for a quorum):**

Clerk Margiotta called the roll as follows:

Member Name	Present	Absent	Excused
Richard Roberts, Chairman	✓		
Thomas Harley, Vice Chairman	✓		
Antonio Margiotta, Clerk	✓		
James Hughes			✓
George Oickle	✓		
Joseph Hammer	✓		
Anthony Homicki			✓
Dave Edwards	✓		
Angelo Robert Fazzina	✓		
Thomas Dean (alternate)	✓		
Alex Vasel (alternate)	✓		
Leigh Standish (alternate)	✓		

Also present were: Jeff Bridges, Town Manager;  
Peter Gillespie, Town Planner/Economic Development Manager

Chairman Roberts noted at the time of roll call there were seven (7) full members and three (3) alternate members in attendance. All members present to participate.

Members of the Public were present.

**2. OLD BUSINESS:**

There was no old business discussed during this meeting.

**3. NEW BUSINESS:**

**3.1 PUBLIC HEARING APPLICATION NO. 1817-14-Z:** Jessica Pelletier seeking a Zoning Text Amendment in accordance with Section 10.1.F of the Wethersfield Zoning Regulations for Medical Marijuana Dispensary and Production Facilities.---CONTINUED FROM 03-18-14.

Chairman Roberts asked the Applicant to reiterate the points of the Application, what has been changed, or information that is desired to be included since the March 18, 2014 public hearing session. The

Applicant may be asked to provide answers/clarification to comments made by the public or Commission. If the Commission believes that no additional information/testimony is required in order to act on the Application, the Commission may look to close the public hearing and enter into deliberations/discussion among them and Staff with no further opportunity for the public to comment (as the public had the opportunity to comment when the public hearing was open). Chairman Roberts clarified that the subject Application is seeking to amend the regulations to create a special permit process by which medical marijuana dispensaries can be applied for by way of a special permit process. This is not a hearing for an Application for a special permit nor is this Application for a dispensary at any particular location. He noted that correspondence received by the Commission is site specific (speaking to a particular location) and recognized that while the public can comment as they wish, the site specific issue is not necessarily what is before the Commission in the subject Application.

Applicant, Jessica Pelletier of 97 Fox Hill Drive, Rocky Hill, CT, appeared before the Commission regarding her Application to Amend, in accordance with Section 10.1.F of the Wethersfield Zoning Regulations for Medical Marijuana Dispensary and Production Facilities. She noted that in response to the concerns made at the March 18, 2014, public hearing meeting, *Biorelief Pharmaceuticals, LLC* has reviewed the changes as follows:

- 1) Remove the definition of production facilities;
- 2) Remove production facilities from the table of permitted uses;
- 3) Remove dispensaries from the TC Zone;
- 4) Add in language that unless permitted, dispensary facilities are otherwise prohibited;
- 5) Add in language for the ability for terms to attach other reasonable conditions;
- 6) A provision limiting the term of the special permit, as well as limitations on services and products, the submission of an annual report, and additional submission requirements.

Jessica Pelletier, CEO of *Biorelief Pharmaceuticals, LLC*, then made a presentation. She mentioned that *Biorelief Pharmaceuticals, LLC*, is currently in the running to receive a Medical Marijuana Dispensary Facility License from the State of Connecticut Department of Consumer Protection. Ms. Pelletier indicated the sole purpose of tonight's Application is to amend the Zoning Regulations, in accordance with Section 10.1.F of the Wethersfield Zoning Regulations, to create a zoning amendment that would enable a medical marijuana dispensary in the RC and GB commercial zones subject to a special permit in the Town of Wethersfield. Site specific issues would be addressed in a subsequent application.

Ms. Pelletier indicated the program is designed to allow seriously ill patients to engage in the palliative use of marijuana while preventing marijuana from being misused or diverted from its medical purpose. The program provides immunity from criminal and civil state penalties for patients, caregivers, and physicians. The immunity described herein extends to dispensaries and producers who act responsibly and according to law.

Ms. Pelletier mentioned the Program is "Designed to Prevent Misuse and Diversion." She read the following list of the "limited group of debilitating medical conditions qualify [for the Program] as recognized by the Law": Cancer, Glaucoma, HIV/AIDS, Parkinson's Disease, Multiple Sclerosis, Epilepsy, Cachexia, Wasting Syndrome, Crohn's Disease, Post Traumatic Stress Disorder, and Damage to the nervous tissue of the spinal cord.

Ms. Pelletier indicated that patients could receive medical marijuana from State licensed facilities. These facilities would obtain products from State licensed producers (growers). Connecticut dispensary facilities will be geographically dispersed and will be managed by a Connecticut licensed pharmacist.

Ms. Pelletier noted that Connecticut's strict regulations for the medical marijuana business ensure that our communities are protected by inefficiencies many other communities have fallen victim to.

Ms. Pelletier indicated that RFAs require that 1) dispensary and production facilities are located in areas that will not negatively impact the local community, 2) security controls and their systems are strong and in place with limited access control areas, 3) advertising of the facilities with the mindset as to not encourage recreational use or use by those under 18 years of age, and 4) all employees be licensed or registered with the Department of Consumer Protection's conducting of background checks. Ms. Pelletier noted dispensaries must work with government agencies to ensure transparency and compliance with State Regulations. Advertising of the dispensary would be subdued and would have limitations.

Ms. Pelletier indicated that the proposed text amendment includes language limiting the location of dispensary facilities in the RC and GB commercial zones subject to the approval of a special permit. The use would be restricted to sites located in excess of one thousand (1,000) feet from a church or school and would limit the number of dispensary facilities to one (1). The regulations also contain requirement for the submittal of plans and documents in support of Applications.

The following fifteen (15) municipalities in Connecticut have enacted a moratorium to further research the matter and/regulation amendments: Ansonia, Berlin, Brookfield, Darien, Madison, Monroe, New Canaan, Ridgefield, Rocky Hill, Shelton, Stratford, Trumbull, West Hartford, Westport, and Wilton. A hearing is being scheduled in Greenwich.

The following eleven (11) municipalities in Connecticut consider medical Marijuana facilities as permitted use: East Hartford, Haddam, Middletown, New Britain, Portland, Simsbury, Torrington, Waterbury, Watertown, West Haven, and Winsted.

The following six (6) municipalities in Connecticut have adopted a zoning text amendment: Canton, East Hartford, Haddam, Plainville, Southington, and Torrington.

The following two (2) municipalities in Connecticut have adopted definitions only for dispensaries and/or production facilities: Portland and Winsted.

The following two (2) municipalities have granted location approval for a dispensary: Branford and Canton.

The following five (5) municipalities in Connecticut have granted location approval for a production location: Bridgeport, Portland, Simsbury, Watertown, and West Haven.

The City of Fairfield denied two (2) dispensary applications.

Ms. Pelletier mentioned research, including but not limited to police reports, indicates, contrary to popular opinion, that dispensary facilities are not magnets for crime and that dispensaries are no more likely to attract crime and criminal activity than any other businesses. She noted that in some cases, dispensaries actually decrease the level of crime due to sophisticated security systems and measures.

Ms. Pelletier indicated a wellness center would be a component to the Applicant's dispensary business in order to bring a whole mind and body focus to the patient.

*Biorelief Pharmaceuticals, LLC*, will create union backed jobs in an economy that desperately needs new employment opportunities. A portion of *Biorelief Pharmaceuticals, LLC*, will provide a portion of

their income to Wethersfield to support critical programs and services that promote community and patient education as well as social welfare.

Ms. Pelletier addressed concerns from the last meeting pertaining to: 1) reasons to locate in Wethersfield; 2) demographics; 3) property values; and 4) signage.

Wethersfield is well situated geographically (near interstate) and Ms. Pelletier's family has strong ties to Wethersfield. There is a large concentration of patients in Hartford County with the diseases deemed by the Connecticut legislature to be eligible for palliative use of medical marijuana. She noted that a medical marijuana facility will not impact the housing market collapse and the poor economic climate in the country during the past few years. She also noted that a medical marijuana facility would be located in a commercial zone and thus not adversely affect property values. The sign would be approximately sixteen by eighteen (16" x 18") inches and will have no symbols indicative of marijuana.

The Applicant noted the demand for safe and accessible medicine will continue to exist. Connecticut and twenty five (25) other states have deemed medical marijuana as legitimate and necessary. She noted medical marijuana facilities will exist throughout Connecticut years from now and that *Biorelief Pharmaceuticals, LLC* will serve a demand that is unfulfilled. She indicated that an adoption of the proposed amendment would allow Wethersfield the discretion to regulate at a local level the best operator to serve sick and suffering patients in the community.

Jason Sucoll, Esq. thanked the Commission for the opportunity to speak regarding this Application and noted he would entertain any questions from the Commission or public.

Todd Berch, 1646 Country Club Road, Middletown, CT, spoke on behalf of the UFCW in support of this Application. He is a former council member of the City of Middletown. He spoke with constituents suffering from Crohn's Disease and dementia and mentioned he openly supported the production facility approval in Middletown. He applauded the Commission on their planning process and discussions to date regarding the establishment of boundaries and limiting the number of dispensary locations in Wethersfield. He noted there has been due diligence by the Applicant regarding this matter.

Commissioner Edwards inquired if the State of CT tells a dispensary what it can sell, as Connecticut's regulations for producers indicate producers can manufacture raw materials, cigarettes, extracts, oils, sprays, toxic application, lotion, transmittal patches, capsules, pills, and baked goods. Ms. Pelletier indicated that as long as the State of CT lists what a producer can manufacture, a dispensary can sell what's on that list. She also indicated the dispensary would sell prepackaged products. She noted that no paraphernalia would be sold at a *Biorelief* dispensary in Wethersfield.

Chairman Roberts asked Ms. Pelletier to describe what a dispensary facility would look like and how it would operate from a patient perspective. Ms. Pelletier indicated the dispensary would portray an image of a wellness facility focusing on the whole mind and body experience. A buzz and lock system would allow a patient to enter the facility. Bulletproof glass is part of the construction of the facility. A State database check of the patient and doctor is conducted after the patient provides an identification card through a slot at the counter. Once database checking is confirmed, the patient is buzzed into a patient counseling area. Staff members are on hand to address patient concerns.

Kevin Awugah, 175 Berlin Avenue, Southington, CT, [Pharmacist (Dispensary Facility Technician)], mentioned that the products are pre-packaged from the producer's facility and will remain as such in the

dispensary. He noted that the dispensary would not have the ability to compound producer products and the producer must provide the products in childproof packaging to dispensaries. He also noted written approval from the patient would be required if the patient desired re-packaging of product to an opaque and non-childproof packaging. Drug control does not allow dispensaries to compound products. A 3% variation per brand must be met by the producer in terms of the THC & CBD (97-103) or the producer cannot sell the item to a dispensary.

Vice Chairman Harley inquired and Mr. Awugah indicated the products the producer can provide are unknown at this time, as nothing has been produced at this time. Ms. Pelletier indicated that although a dispensary can sell paraphernalia according to State law, she would consider opting out of selling paraphernalia because her vision for the dispensary is of a wellness facility and not a retail store.

Clerk Margiotta inquired and Ms. Pelletier indicated the dispensary would be approximately twenty four hundred (2,400) square feet and it is unknown as to whether the state has a limit on the number of customers a dispensary can serve patients regularly and/or on a daily basis.

Mr. Gillespie noted the March 31, 2014 Letter to him from Attorney John W. Bradley, Jr., of Rome McGuigan, P.C., regarding 5.11.C 4 (limiting the term of the special permit to a certain period of time) and 5.11.3 E [limiting the number of dispensaries to one (1)] of the proposed zoning text amendment regarding medical marijuana dispensaries. Attorney Bradley indicated that limiting the special permit to a certain period of time is of questionable legal validity and noted that the Section 5.11.C.6 requirement of submitting an annual report may be sufficient. Attorney Bradley also indicated that a one thousand (1,000) foot separation requirement limits the area where dispensaries can be located.

Commissioner Oickle suggested the elimination of 5.11.C 4 and 5.11.3 E in the proposed text amendment.

Chairman Roberts suggested that the security plan be redacted in an Application, as it should not be a public document. He further suggested the plan be disclosed to the Wethersfield Police Department, as required, with the State of Connecticut.

Commissioner Hammer inquired if language pertaining to undue concentration of uses exists in Town regulations and Chairman Roberts indicated undue concentration criteria is utilized when permitting liquor stores.

Mr. Gillespie indicated the special permit process includes reviewing a proposed use with issues such as neighborhood harmony, adequate parking and landscaping, etc.

Commissioner Edwards noted to Mr. Gillespie that sections 48-1 through 48-70 have at least 27 pages of information/requirements that do not apply to dispensary facilities. Commission Edwards also noted that language should be included in the proposed text amendment addressing how Wethersfield would treat future sanctions imposed by the state on dispensary facilities.

Commissioner Dean indicated the addition of the phrase "as applicable to dispensary facilities" can be added where appropriate.

Clerk Margiotta inquired and Ms. Pelletier indicated clients are served both on a walk in basis (buzzed in by controlled access) or by appointment. This flexibility would exist due to the client's name and information found on the State's regulated database.

Commissioner Oickle inquired and Mr. Gillespie indicated that Wethersfield cannot collect a City Tax for a dispensary facility, as State laws do not permit that practice.

Commissioner Fazzina inquired and Ms. Pelletier indicated she does not envision the need for security escort for clients as they exit to their vehicles from the facility. Ms. Pelletier also indicated that there would be video surveillance cameras at the facility.

Commissioner Standish inquired and Commissioner Hammer indicated that inventory is exempt from tax. Machinery and equipment are taxed.

Chairman Roberts noted that in addition to the letter receive from the Town Attorney, the following correspondence for the record: 1) Letter dated March 29, 2014 from Corey Jaquez, M.D., Associate Physician, West Hartford Medical Center, 74 Park Road, Suite 4, West Hartford, CT to Wethersfield Planning & Zoning Committee in support of this Application; 2) Letter dated March 29, 2014, from Karl Runcie, M.D., 40 Joan Court, Elmont, NY, to Wethersfield Planning & Zoning Committee in support of this Application; 3) E-Mail dated March 30, 2014, from Sheila Wells, 336 Hartford Avenue, Wethersfield, to Mr. Gillespie and to Wethersfield Planning & Zoning Committee in opposition to this Application; 4) E-Mail from Hannah Granfield opposing this Application; 5) Letter from Karlo Ruiz, 5 Buckland Road, in opposition to this Application; and 6) Letter from MaryAnn Simkewicz, 5 Buckland Road, in opposition to this Application.

**PUBLIC COMMENTS:**

Joe Hickey, 28 Meadowview Drive, spoke in opposition to this text amendment Application. He mentioned his experience as a former Planning and Zoning Commission member and Chairman, as well as his 50+ years of experience as a professional land planner. He is present for concern of the Town's long-term well being. He previously stated that Wethersfield's location as a first ring suburb has the challenge, as do other first ring suburbs, of maintaining its civic character and quality while confronting the gravitational impact of the center social city where many social and economic issues exist. He noted it is the Commissioners responsibility to enforce their statutory authority to protect Wethersfield's health, safety, and welfare. He thanked the Commissioners for the opportunity to speak.

Felipe Mulero, 746 Prospect Street, appeared before the Commission in support of this Application. He has resided in Town for the past ten (10) years. He noted the dispensary will produce a lot of revenue for the Town. He likes the idea of the dispensary adding to the tax base in Town and that the proposed location is in very close proximity to the Wethersfield Police Department. He noted that Connecticut's Governor supports palliative use and that said use helps patients. He noted that dispensaries should be given the same latitude in terms of regulation as liquor stores.

George A. Ruhe, 956 Cloverdale Circle, appeared before the Commission in opposition to this Application. He is a fifty five (55) year resident of Wethersfield. He noted years ago, there was a proposal for a race track to be constructed in Wethersfield and he was glad citizens were involved in defeating that proposal. He indicated that the presentation made this evening did not convince him to avoid caution and thus support an adoption of the proposed amendment. Despite his knowledge from reading materials on medicinal benefits in palliative medical marijuana use, he noted there should be an awareness of the unintended consequences that could develop if the proposed amendment is adopted.

He inquired as to the qualifications (professional staff verses lay people) of the wellness counselors mentioned in the presentation and if there is any expensive medical equipment at a dispensary that could be deemed taxable. He suggested the one thousand (1,000) foot separation requirement be established from residences where children are present. He referred to the article found in the March 25, 2014 edition of the *Hartford Courant* regarding this Application and asked why the Applicant didn't pursue her home town of Rocky Hill for the dispensary location and why was there an emphasis to having the proposed facility in proximity to the Wethersfield Police Department. He doesn't understand why other pharmacies cannot sell the palliative medical marijuana State approved products, as they currently carry much more addictive prescription medications. He indicated there are officials who work but do not reside in Wethersfield and cautioned the Commissioners that while the officials provide expertise, they do not have to live with the consequences. He noted the object to this business is to make money. He asked the Commissioners to think of what is going on in this Town currently, and how many people would be utilizing a dispensary in Town.

Douglas Buck, 411 Hartford Avenue, appeared before the Commission in opposition to this Application. He operates Wethersfield Academy for the Arts, an art school wherein people of all ages attend. The school is in close proximity to a location anticipated/identified for occupancy by the Applicant. He noted his appreciation for the presentation and the thought of taxes decreasing a bit from the proposal. He would rather see medical marijuana offered in a pill and dispensed through a traditional pharmacy. He noted that the wellness component of the dispensary described could be attained by a patient through yoga and nutrition facilities already in existence. He also noted Vitamin D, Magnesium, etc. are currently utilized as alternative therapies, and he suggested that more facts are needed regarding palliative medical marijuana use in patients.

Commissioner Oickle inquired and Mr. Gillespie indicated (with Douglas Buck concurring) that according to Wethersfield Zoning Regulations, the Wethersfield Academy of the Arts is not considered a school.

Roy Bombaci, Rocky Hill, CT, appeared before the Commission in support of this Application. He questioned where we would be if the first package store was never approved. He suggested the Commission adopt the amendment in order that the first dispensary in Wethersfield is granted. He noted there are more opportunities to assault people walking in an out of banks, yet there are no escorts for those customers to their vehicles. He noted that the amount of marijuana a criminal would receive if they robbed a patient would likely not be enough to put them in jail. He indicated the separation requirement in footage is necessary for illegal activity, and palliative medical marijuana is legal. He noted he is standing up for the people who are sick, suffering and cannot attend this meeting in order to support the proposed text amendment.

Phyllis Winters, 147 Main Street, East Berlin, CT, appeared before the Commission in support of this Application. She noted the Applicant's facility would serve the Hartford region, and it is needed. She had replacement surgery to both of her hips last October and purchased heavy duty prescription pain medication from a local CVS. She noted no one assaulted her in the parking lot for her legal prescription and she doubts assaults will occur in parking areas of a dispensary. The State of Connecticut does not allow CVS to sell medical marijuana but she believes that one day, CVS will be allowed to do so. She noted the opportunity in having this thriving business will bring growth to Wethersfield. She indicated that mention of the police department's proximity to a dispensary was the result of negative public impression of marijuana as an illegal substance. She noted that patients need to be enrolled in the program and therefore the number of people using the facility will not be in the

thousands. She noted *Biorelief Pharmaceuticals, LLC* is a group of professionals running a professional business that helps people with debilitating illnesses.

Jovanni Valentini, 169 Dudley Road, appeared before the Commission in support of this Application. He read the following letter dated March 29, 2014 from Corey Jaquez, MD, Associate Physician, West Hartford Medical Center, 74 Park Road, Suite 4, West Hartford, CT. "This letter is to address the town council of Wethersfield in regard to the topic of approving a cannabis dispensary. I am a board certified family physician and I qualify patients for medical cannabis in West Hartford. In my professional opinion, medical cannabis is a viable, safe and excellent option for patients that qualify and are in need of additional treatment. The state of Connecticut is rightfully developing this program conservatively and the time has arrived to open dispensaries. There are only eleven qualifying diagnoses, of which I have seen patients with each individual diagnosis. It is my intention in this letter to offer my medical opinion, but also address some of the patient concerns regarding this medicine. As a physician, a large portion of my time is spent weighing risks and benefits. All medicines carry some risk of one versus another versus no intervention. I mention this because the side effect profile of cannabis is proving itself to be very safe compared to other medicines. If one were to look at the side effect/risk profile of analgesic medicine as a "for instance" and compare it to cannabis, there really is no comparison. On a weekly basis I remind my patients to be responsible with their cannabis use. I warn them about the dangers of driving impaired or operating heavy machinery impaired. I warn them to be responsible with this medicine, but at no time do I have to warn them about overdose. Compare this with the ubiquitous prescribing of drugs that are available for analgesic relief. When I prescribe Percocet, Vicodin, or even Tramadol, I must always warn my patients of the potential lethal combinations these drugs have. When narcotics are taken alone, in excess, or in combination with alcohol or benzodiazepines, there always exists a potential for life threatening overdose/synergism. Unfortunately, many of my patients have never been told this. Many are surprised by what I tell them. In terms of the benefit of this program has offered, I cannot say enough. Over the course of the past eighteen months, several patients have returned for recertification. Anecdotally, the majority of these patients have experienced measurable improvement in their symptoms and more importantly, in their quality of life. A smaller number of my patients did not experience the relief they were seeking, but none of these patients described any adverse effect from medical cannabis use. In addition, all of my patients describe a sincere gratitude for the opportunity to try an alternative medicine. As a thoughtful and compassionate group of citizens, it is my hope the town council of Wethersfield agrees to open a dispensary. The most difficult portion of my interview with patients is when I arrive at the topic of procuring cannabis. This portion of the interview is met with universal frustration when I am forced to tell patients there are no dispensaries. A fair portion of patients have an illegal source, and while it is not ideal, they are thankful for it. The patients that do not have a reliable source, however, tend to be the sickest patients. Their frustration boils over, almost to the point of anger. I cannot blame them, but I know the situation will get better. I know the anger will be assuaged when I can tell them to drive to Wethersfield because there is a dispensary open. I know the anger will dissipate when I can tell my Stage 4 breast cancer patient who is tired of vomiting up her breakfast to find relief in Wethersfield. I know the anger will melt away when the wife of the severely contracted stroke patient knows her spouse has relief coming to him via a dispensary in Wethersfield. I hope this letter offers some clarity into what I do and what I hope to be able to do for my patients. I hope this letter demonstrates the need that many sick patients have that. Sincerely, Corey A. Jaquez, MD."

Steve Schuberth, 33 Ciderbrook Drive, Wethersfield, appeared before the Commission in support of this Application. He noted that too many people suffer with illness that this alternative medicine will relieve. He indicated this Town is optimal for the facility due to its rich heritage and caring for others.

He has run a community outreach program for twenty-five (25) years and has visited over eight hundred (800) homes where dramatic life changes are taking place. He has visited cancer wards and visited cancer patients recuperating at home. His son David Schuberth, COO, of *Biorelieve Pharmaceuticals, LLC*, has been by his side since he was ten (10) years old. He indicated the principals of the company are very well educated and professional. He noted the dispensary is a good business with progressive thinkers who care about the community. These thinkers can in turn attract progressive thinkers to this Town. He witnessed his brother suffer with non-Hodgkin's lymphoma and suffer a painful death. He noted that alternative medicine is much needed to help those who are suffering.

Shane Allen, 24 Oakwood Avenue, West Hartford, [spoke at the 03-18-14 meeting on behalf of United Food and Commercial Workers Union Local 919 (U.F.C.W. Local 919) as Union Organizer and Representative] appeared before the Commission regarding this Application. He noted the Union supports the Stop & Shop workers at the Jordan Lane location and would look forward in supporting the workers with attainment of good wages and benefits of those hired at *Biorelieve Pharmaceuticals LLC*. He supports and urges the adoption of the proposed text amendment and supports a dispensary facility location in Wethersfield.

Harriett Unger, 803 Gray Fox Lane, Rocky Hill, CT, appeared before the Commission in support of this Application. She mentioned she would have sought relief from undergoing radiation treatments in her survival of cancer if there had been a dispensary facility in Town. She spoke of the risks of attaining illegal marijuana (i.e. legal punishment, unknown additives, safety). She hopes the Commission sees soundness of the business plan presented and what this business can do for Wethersfield. She indicated medical marijuana is much safer than liquor yet there are no concerns with the presence of liquor stores in the community. She noted that when a patient is extremely ill, they are not in a position to engage in physical activities such as yoga and exercise. She mentioned reading an article about a family who moved from the Bronx, NY to Colorado, and another family who moved from Minnesota to Colorado, for palliative medical marijuana treatment of their child's seizures. She encouraged the Commission to see the soundness of the proposed text amendment.

Gary Pelletier, formerly of Rocky Hill, CT, appeared before the Commission in support of this Application. He is Ms. Pelletier's father and is proud of what she believes in. He grew up through his college years in Wethersfield and is a business owner and investor in Rocky Hill, CT. He noted that opposition to the proposed text amendment was based in fear (known and unknown) and that the State of Connecticut and medical professionals have a handle on managing the program. He noted his respect of the legislators and in the State of Connecticut for approving the program and creating the provisions of production and distribution of palliative medical marijuana. He indicated that all Towns in the State of Connecticut had their opportunities to speak to the issue. He noted that the professionals involved with *Biorelieve Pharmaceuticals LLC* are willing to take the risk, financial burden, etc. that pharmacies such as CVS will not take. He mentioned that CVS stopped selling cigarettes because it isn't cool. He noted that the burden lies on the investors and the State. He thinks Wethersfield should put itself on the map and adopt the proposed amendment, as the Town has the tools, regulations and resources to address and confront the fears associated with a dispensary facility location.

Karlo Ruiz, 5 Buckland Road, appeared before the Commission in opposition to this Application. He indicated his residence is in close proximity to a location expressed by the Applicant. He justified his fear due to his experience in residing in a Philadelphia, PA neighborhood where businesses with bulletproof glass were customary business establishments. He noted his choice in moving to Wethersfield as a location where the aforesaid climate does not exist. He is concerned with the public

well being of the many children who attend a nearby elementary school in the same neighborhood as the proposed dispensary. He also questioned what types of businesses would wish to locate in an area between a dollar store and a dispensary. He asked the Commission to vote against adopting the proposed text amendment.

Ms. Pelletier further explained that the dispensary is not about profiting and is about promoting the cause – palliative medical marijuana access to very sick and suffering people who want alternative medicine. She noted that someone else will care about profiting and that she chose Wethersfield because she believed it is the best location. She did not pursue an Application with any other Towns. She also noted that the professional staff at *Biorelief* will consist of certified therapists, and a pharmacist.

The Commissioners and Mr. Gillespie discussed footage separation requirement variables and special permit regulations. The Commissioners also communicated that an adoption of a zoning text amendment may have far reaching consequences that are not limited to one (1) single applicant. As such, a careful and thoughtful review process by this Commission is warranted.

Mr. Gillespie will revise the regulation one more time and will study the distance requirements utilizing GIS resources.

Mr. Joel Nelson, 219 Patterson Avenue, member of the UFCW, thanked Staff and the Commissioners for their time and attention to this matter. He encouraged a vote on the Application this evening. He wants to see the Applicant and her associates have a fair shot at consideration for licensure from the State. Licensure would require a regulation to be in place.

**Motion:** Vice Chairman Harley made a motion to continue and keep the Public Hearing open until April 15, 2014, 7:30 p.m. of **PUBLIC HEARING APPLICATION NO. 1817-14-Z: Jessica Pelletier** seeking a Zoning Text Amendment in accordance with Section 10.1.F of the Wethersfield Zoning Regulations for Medical Marijuana Dispensary and Production Facilities.

**Second:** Commissioner Oickle seconded the motion.

Aye: Roberts, Harley, Margiotta, Oickle, Hammer, Edwards, Fazzina, Dean, Vasel, Standish;

Nay: None;

Vote: 10 – 0;

**Hearing Continued to April 15, 2014.**

#### **4. OTHER BUSINESS:**

##### **4.1 Pre-Application Review – 708 Silas Deane Highway**

Mark Smith, Project Manager at Alfred Benesch and Company, appeared before the Commission regarding proposed gas station improvements – conceptual site plan for a conversion of the existing use to a retail convenience store use. The site owner is proposing to eliminate the lube bay and convert the rear concrete parking area to green space. The existing canopy with the four gas dispenser islands would remain. The façade would be improved. A new parking space alignment (nose-in parking) with a twenty-four (24') foot drive isle is proposed. A screened enclosure for consolidation of a propane

filling station and dumpster area is also proposed, as the current location of the propane filling station is considered by the Site owner as impractical. The two (2) existing curb cuts on the corner of Silas Deane Highway and Wells Road will remain, and a third curb cut (on Wells Road) towards the rear of the building is planned. The site would accommodate fourteen (14) parking spaces with the reduction of the square footage for the proposed redevelopment of this property, and Mr. Gillespie indicated Town regulations require seventeen (17) parking spaces. Mr. Smith noted other jurisdictions allow fueling positions to count as parking spaces and asked if the fueling positions currently located on the site can be included in meeting the parking requirement for the redevelopment proposed.

The Commissioners spoke of the need to know hours of operation, traffic and noise impacts at the site. There was also concern expressed regarding traffic intensity at the curb cuts in relation to the heavy traffic flow on the Silas Deane Highway (i.e. exiting from site and turning left onto Silas Deane Highway southbound) and concerns pertaining to security should there be a second method of egress from the proposed store.

Mr. Smith indicated that environmental checks on the property would occur when the site conversion occurs. There was discussion of the inclusion of fueling bay area [eight (8) additional parking spaces] to the proposed redevelopment plan for this site, due to the additional green space proposed (conversion of rear concrete parking area to green space). The Site owner may look at adding a few spaces in the current concrete parking area at the rear of the site.

Mr. Smith will return to the site owner with information learned during tonight's meeting.

#### **4.2 Discussion Regarding MapGeo – Town GIS System**

Mr. Gillespie encouraged the Commissioners to access GIS mapping through the Town's website and indicated a discussion regarding the use of the system will occur at a meeting in the near future.

### **5. MINUTES – February 19, 2014 Planning & Zoning Commission Meeting Minutes**

**Motion:** Commissioner Oickle motioned to approve the minutes, as submitted.

**Second:** Vice Chairman Harley seconded the motion.

Aye: Roberts, Harley, Oickle, Fazzina, Standish;

Nay: None;

Vote: 5 – 0;

Clerk Margiotta, Commissioners Hammer, Edwards, Dean, and Vasel did not participate in the vote, as they were not present for the Planning & Zoning Commission Meeting of February 19, 2014.

**February 19, 2014 Planning & Zoning Commission Meeting Minutes approved as submitted.**

### **MINUTES – March 18, 2014 Planning & Zoning Commission Meeting Minutes**

Chairman Roberts noted the parentheses around Commissioner Standish's name are to be deleted, where they appear, in the entire document. These deletions shall be made on Pages 1, 3, 5, 6, 16, and 17.

**Motion:** Commissioner Oickle motioned to approve the minutes, as corrected.

**Second:** Vice Chairman Harley seconded the motion.

Aye: Roberts, Harley, Margiotta, Oickle, Hammer, Edwards, Dean, Vasel, Standish;

Nay: None;

Vote: 8 – 0;

Commissioner Fazzina did not participate in the vote, as he was not present for the Planning & Zoning Commission Meeting of March 18, 2014.

**March 18, 2014 Planning & Zoning Commission Meeting Minutes approved as corrected.**

**6. STAFF REPORTS:**

There were no reports made by Staff during this meeting.

**7. PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING:**

There were no public comments made at this meeting regarding general matters of planning and zoning.

**8. CORRESPONDENCE:**

There were no items of correspondence discussed at this meeting.

**9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS:**

At the time of this meeting, there were no pending Applications to be heard at future meetings.

**10. ADJOURNMENT:**

**Motion:** Vice Chairman Harley motioned to adjourn the meeting at 10:40 p.m.

**Second:** Commissioner Hammer seconded the motion.

Aye: Roberts, Harley, Margiotta, Oickle, Hammer, Edwards, Fazzina, Dean, Vasel, Standish;

Nay: None;

Vote: 10 – 0;

Meeting adjourned.

Respectfully submitted,  
Ellen Goslicki, Recording Secretary