

**MIDDLEFIELD PLANNING & ZONING COMMISSION**  
**405 Main Street**  
**Middlefield, Connecticut 06455**

Minutes of the September 29, 2021, Special Meeting

Jan Wojas, called the meeting to order at 6:30 PM.

**Attendance:**

Members		Alternates	
X	Brown, Jay	X	Warner, Bill
X	Ekblade, Eric	A	Wheeler, Scott
X	Hinsch, Ken		
X	Pizzo, Paul	Others	
X	Wojas, Jan	X	Newton, Robin, Town Planner
		A	Curtis, Brian, Engineer
		A	Russ, Jerry, ZEO
		A	Bailey, Ed, <i>ex officio member</i>

A=Absent

X=Present

**Seating of Alternates**

Bill Warner was seated as a regular member.

**Public Comment**

Mary Johnson commented that the minutes for the Planning and Zoning Commission Meetings had not been updated on the website since April 2021. She also indicated that she felt MS. Newton should add more detail to the minutes as they were lacking in detail. Finally, Ms. Johnson stated that the agenda was late being posted online.

Commission member Warner responded to Ms. Johnson that the minutes were more than sufficient and met the requirements for Freedom of Information.

Ms. Newton advised Ms. Johnson that the posting of the minutes and the agendas were the responsibility of the Town Clerks Office and that she should inquire with them as to the delays.

Maryann Corona asked if the meeting recordings were in the Town Clerk's Office.

Ms. Newton replied they were.

**Receipt of Applications:**

- a) The Lyman Farm- Application for a Site Plan Modification for the Construction of a 40' x 65' heated storage building for equipment and general storage on property located at 27 Lyman Road, Assessor Map 7, Lot 20, Zone PC. (65-day Decision period ends 11/19/2021)

Attorney John Corona was present for the applicant. Attorney Corona gave a brief overview of the proposal to the Commission and Staff.

Town planner Newton indicated that this had been referred to the Town Engineer for review and comment. Additionally, Ms. Newton indicated she would like the Commission to vote to allow her to review and act on this site plan modification.

Attorney Corona asked if the Commission had any questions. With none, Bill Warner made a motion to allow the Town Planner to review and sign off on the site plan modification request. Jay Brown seconded the motion. Motion carried 4-0-1 with Jan Wojas recusing himself.

- b) Joseph Mineri, Timberwood Construction, LLC- Applicant, Robert W. Treat & Jeanette A. Treat, Owners, for a 4 lot Subdivision at 31 High Street & Baileyville Road, Assessor Map 10, Block 10.5, Lot 82, Zone MD. (65 Day decision period ends 11/19/2021)

Town Planner Newton gave a brief overview of the subdivision application. Ms. Newton advised this application has been referred to wetlands and the Town Engineer for review. Ms. Newton also indicated to the Commission the timeframes associated with reviewing the subdivision and asked if they would like to hold a public hearing on the matter. Ms. Newton advised the Board the holding a hearing does not automatically extend their timeframes for decision.

The Commission indicated they would like to hold a public hearing at their October Meeting.

**Public Hearing-**

- a) Adoption of a Regulation Prohibiting all Cannabis Related Uses, Section 3.7

The Chairman opened the public hearing for the adoption of a regulation prohibiting all Cannabis related uses.

Maryann Corona indicated she agrees with this prohibition and supported the comments made by Commissioner Warner at the previous meeting.

Mary Johnson felt that prohibiting cannabis related uses would be a loss for Middlefield and allowing retail sales would help boost the economy. Ms. Johnson indicated that the State allows a percentage tax on the sales and felt that could be a benefit to the Town. She also indicated that she didn't think we should be out right prohibiting the use and felt the decision was premature.

Commissioner Warner indicated that he doesn't see someone wanting to open a retail establishment in a community with just over 4,000 people. Mr. Warner indicated the 3% tax is very limited on what it can be spent on and he felt that Middlefield would have a hard time spending the money on the restrictions in the statute. Additionally, he felt it sends the wrong message to the youth of the community and that it has been shown that the cannabis of today is not the same as years ago, with today's cannabis being much more potent. Commissioner Warner also indicated that if someone were to approach the Town and want to establish the use, the commission could always reconsider.

Paul Pizzo arrived at 6:51 p.m.

Eric Ekblade made a motion to close the public hearing. Bill Warner seconded the motion. Motion was carried unanimously.

b) Adoption of Projections Regulations, Section 4.5.9, and Section 4.5.1

Chairman Wojas opened the public hearing.

Mary Johnson indicated she is in favor of this regulation and wished it happened sooner.

Maryann Corona wanted to advise the Commission that a new public act 21-29 has become effective and would require substantial changes. She indicated she would like to see someone like Mark Branse do a training session with the Commission.

Attorney Corona agreed that this regulation is overdue.

Commissioner Warner also indicated that this regulation was long overdue.

Bill Warner made a motion to close the public hearing. Jay Brown second the motion. Motion was carried unanimously.

c) Adoption of Adult Oriented Business Regulations, Section 6.7

Chairman Wojas opened the public hearing.

There was no comment from the public.

Commissioner Warner indicated that this regulation was also long overdue, and this regulation is the Town being proactive.

Erik Ekblade made a motion to close the public hearing. Bill Warner seconded the motion. Motion carried unanimously.

d) Adoption of New Definitions- Section 2

Chairman Wojas opened the public hearing.

Mary Johnson asked if these were revised definitions or new definitions. Town Planner Newton replied they are all new.

Maryann Corona indicated about the new Public Act for the record again.

Eric Ekblade made a motion to close the public hearing. Bill Warner seconded the motion. Motion carried unanimously.

**Old Business-** NONE

**New Business**

- a) Adoption of a Regulation Prohibiting all Cannabis Related Uses, Section 3.7

Eric Ekblade made a motion to adopt the Regulation Prohibiting all Cannabis Related Uses with an effective date of October 12, 2021. Bill Warner seconded the motion. Motion was carried unanimously.

- b) Adoption of Projections Regulations, Section 4.5.9, and Section 4.5.1

Eric Ekblade made a motion to adopt the Projections Regulations with an effective date of October 12, 2021. Bill Warner seconded the motion. Motion carried unanimously.

- c) Adoption of Adult Oriented Business Regulations, Section 6.7

Eric Ekblade made a motion to adopt the Adult Oriented Business Regulations with an effective date of October 12, 2021. Bill Warner seconded the motion. Motion was carried unanimously.

- d) Adoption of New Definitions- Section 2

Eric Ekblade made a motion to adopt the new definitions with an effective date of October 12, 2021. Bill Warner seconded the motion. Motion was carried unanimously.

**Report of the ZEO**

The ZEO was not present for the meeting but did provide the Commission a written report.

**Report of the Town Planner**

Town Planner Newton handed out an email from the Powder Ridge Veterinary Clinic requesting a change to their fence requirement. The Commission reviewed the request and asked the planner to reach out to the neighbor's and see if they had any issues with the request. If the neighbors were fine with the request the Town Planner can authorize the change.

Town Planner Newton reported she would have a draft report from the Affordable Housing Plan consultants for the October meeting.

Commission member Pizzo asked why the Town didn't join in for the RiverCog plan. Ms. Newton indicated she did not feel for this item a regional plan was appropriate. She felt that because of the differences between all the towns having a housing plan unique to Middlefield was the most appropriate course of action.

Commissioner Warner agreed with Ms. Newton's opinion.

**Chairman's Report**

NONE

**Approval of Minutes- July 28, 2021**

Bill Warner made a motion to approve the minute as written. Erik Ekblade seconded the motion. Motion carried unanimously.

### **Scheduling of Hearings**

### **Adjournment**

Erik Ekblade made a motion to adjourn the meeting. Jay Brown seconded the motion. The motion carried unanimously. The meeting was adjourned at 7:15 PM.

Respectfully submitted,

*Robin Newton*

Robin Newton, AICP, CZEO  
Town Planner