

**TOWN OF BARKHAMSTED
COMBINED
PLANNING AND ZONING COMMISSION
AND BOARD OF SELECTMEN
MINUTES OF SPECIAL MEETING
WEDNESDAY, OCTOBER 13, 2021
BARKHAMSTED TOWN GARAGE COMMUNITY ROOM**

Acting Chairman Donald S. Stein called the meeting to order at 7:06 p.m. Members present for the Planning and Zoning Commission were James Hart, Frank Kaczinski and Tom Andersen and alternates, Robert Pulford and Rejean Labrie. Pulford was seated for John Polderman and Rejean Labrie was seated for Christina Lavieri. Members present for the Board of Selectmen were Donald S. Stein and Ray Pech. Also present was Zoning Enforcement Officer, Debbie Brydon, and guest, Linda Stein and Guest Speaker, Attorney Andrew Glassman.

DISCUSSION WITH TOWN ATTORNEY, ANDREW GLASSMAN REGARDING MARIJUANA REGULATIONS.

Attorney Andrew Glassman gave a brief history of the legalization of medical marijuana in 2012 and the selection of the grower's licenses (cultivators) and distribution licenses. Presently there are 4 cultivator licenses and 18 dispensary licenses for medical marijuana in the State. These approved licenses can now apply for expanded licenses for growing and selling.

The new law effective July 1, 2021 legalizes the possession of marijuana for adult recreational use for adults 21 years of age and older. These new laws also establish the Social Equity Council (SEC) to encourage and promote participation in the marijuana industry by people from communities disproportionately harmed by marijuana prohibition in the past. The SEC certifies the geographic areas within the State of Connecticut that qualify as Disproportionately Impacted Areas (DIA). You can download the map of Connecticut which shows the blue shaded areas that are certified as DIA's by going to <https://data.ct.gov/stories/s/Disproportionately-Impacted-Areas-Identified-for-P/8nin-pkqb/>.

This new law further establishes 9 new license types, i.e. cultivator; micro cultivator; product manufacturer; food and beverage manufacturer; product packager; retailer; hybrid retailer; delivery service; and transporter.

The State will be having two lotteries for all of these licenses.

Attorney Glassman explained that the Town can 1) take no action; 2) zone for marijuana sales and growing; or 3) zone against both or implement a moratorium. The Town can also enact through ordinances, rules for consumption in public spaces and ban on e-cigarettes and vaping.

The final say on marijuana distribution and growing in the Town falls on a Town referendum that is called for by a petition signed by ten (10%) percent of the electorate. The vote must be held on a scheduled Town election, i.e. November. For example if the Planning and Zoning Commission enacted zoning regulations that allowed the growing of marijuana in Town and enough residents petitioned to vote against this at the Town election and the majority of the voters voted no, then it would negate the zoning regulations. The opposite is also true; i.e., a petition and referendum can overrule a negative vote by the PZC.

Attorney Glassman advised the Boards to start thinking about amending the regulations to have specific rules and areas zoned for the sale and growing of marijuana. These would be acted on like any other regulation change, and if approved, a proposed facility would follow the same process as any other business.

The PZC Commission agreed to begin discussions at the next meeting scheduled for November 16, 2021

See attached Power Point presentation on the new State regulations.

Meeting was adjourned at 8:45 pm.

James Hart
Secretary