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**TOWN OF EAST HAVEN  
PLANNING AND ZONING COMMISSION**

**Minutes of Special Meeting**

**Held Tuesday, March 21, 2023 at 7:00 PM**

**At East Haven Senior Center, 91 Taylor Avenue  
and Via Zoom Videoconference and Conference Call**

Chair Marlene Asid called the meeting to order at 7:23 PM.

**I. Roll Call and Pledge of Allegiance**

All Commission members were present in person, including:

Marlene Asid, Chair  
John Tarducci, Vice Chair  
Robert Cubellotti  
Louis Fusco  
Allen Shaul

Others Present:

Joseph Budrow, Planning and Zoning Administrator/ZEO  
Jennifer N. Coppola, Esquire, Counsel to the Commission

**II. Public Hearings**

1. **Application No. 22-18 - on behalf of the East Haven Planning and Zoning Commission.** A Petition for a Text Amendment to the East Haven Zoning Regulations on behalf of the Planning and Zoning Commission, to adopt a new zoning district, "Adult Use Cannabis Retail District," as Section 11.9 of the Regulations for retail and hybrid retail cannabis establishments.

The public hearing continued.

It was discussed whether to take liquor outlets out of the draft text amendment. The included separation distances were also discussed, with Mr. Budrow and Attorney Coppola sharing separation distance language from other municipal cannabis regulations.

Public comment was called for and heard, including a presentation by Attorneys Kenneth Votre and John Acampora, who were accompanied by engineer Kevin Hixson from BL Companies. A proposed cannabis establishment use at 976 Foxon Road was discussed. Exhibits were submitted and marked and viewed by the Commission. Proposed amendments prepared by Attorneys Votre and Acampora were discussed.

The Commission discussed the text amendment further.

Mr. Tarducci made a motion to close the public hearing and Mr. Shaul seconded the motion. All were in favor (5-0) and the public hearing was closed.

### **III. New Applications**

1. **Application No. 23-08** – on behalf of the East Haven Planning and Zoning Commission. A Petition for a Text Amendment to the East Haven Zoning Regulations to extend an existing Moratorium that prohibits the issuance of any zoning permits that would permit the use of a Cannabis Establishment in any zoning district in the Town of East Haven for an additional period of three (3) months to June 30, 2023.

It was announced, as indicated on the agenda, that this matter was scheduled for a public hearing at a special meeting to be held on Wednesday, March 29, 2023, if needed.

### **IV. Deliberation Session**

1. Discussion and possible decision on **Application No. 22-18** - on behalf of the East Haven Planning and Zoning Commission.

Ms. Asid made a motion to approve the text amendment with revisions and Mr. Fusco seconded the motion. Three (3) members of the Commission voted against the motion (Messrs. Tarducci, Cubellotti, and Shaul) and two (2) members voted in favor of the motion (Ms. Asid and Mr. Fusco). Thus, the motion to approve failed carry and the application was denied.

### **V. Executive Session**

1. Discuss the status of the pending litigation and proposed Stipulation for Judgment in Autumn View, LLC, et al. v. Town of East Haven Planning and Zoning Commission (Docket No. NNH-CV16-6061972-S), concerning the real property located at 92, 100, 110, 118, 126, 180, and 242 Strong Street, East Haven, Connecticut, and possible action by the Commission related to same.

2. Consider whether to convene in executive session to discuss the status of the pending litigation and proposed Stipulation for Judgment in Autumn View, LLC et al. v. Town of East Haven Planning and Zoning Commission (Docket No. NNH-CV16-6061972-S).

A motion was made and seconded to enter into executive session and invite Mr. Budrow and Attorney Coppola. All were in favor and the motion carried (5-0).

A motion was made and seconded to come out of executive session. All were in favor and the motion carried (5-0).

## **VI. Adjournment**

A motion was made and seconded to adjourn. All were in favor (5-0) and the meeting adjourned at 9:27 PM.