

**REGULAR MEETING
WATERBURY ZONING COMMISSION
JULY 28, 2021 @ 7:00 PM
VIRTUAL MEETING – VIA ZOOM**

SUMMARY MINUTES

CALLED TO ORDER @ 7:00 PM

ROLL CALL

**EGAN, John (Chairman)
MANNETTI, Stephen
BRUNELLI, Ernest (7:07)**

**PALLADINO, Carlo
GUERRERA, Francis**

ABSENT:

HAYDEN, Michael

ALSO PRESENT:

**Robert J. Nerney, City Planner, City Planning
Konrad Michniewicz, Recording Clerk, City Planning
Linda Wihbey, Corporation Counsel
Dan Foster, Assistant Corporation Counsel**

Chairman Egan called the Zoning Commission Regular Meeting to order at 7:00 PM., followed by a Roll Call.

PUBLIC SPEAKING: *None*

PUBLIC HEARINGS:

- 1. PL 2021-0140 Special Permit for “Multi-Family Residence”. Location: 133 West Main Street; Applicant: Michael Batista. CLOSE HEARING DEADLINE: July 28, 2021.**

Speaker(s): 1. Michael Batista –the applicant – 54 Hillside Avenue, Waterbury

Robert Nerney presented the details of the request and provided updates to the Commission.

On the Motion of Cmsr. Palladino Seconded by Cmsr. Mannetti, the Zoning Commission Voted Unanimously to CLOSE the Public Hearing Item #1.

2. **PL 2021-0179 Proposed Moratorium;** Temporary and Limited Moratorium on Cannabis Establishments. Applicant: City of Waterbury Zoning Commission. **OPEN HEARING DEADLINE: October 1, 2021. Public Hearing is scheduled for July 28, 2021.**

Speaker(s):

1. **Emily Sabo – 6 Hyde Road Farmington, CT**
2. **Demetre Coles – 239 Lincolndale Dr. Waterbury**
3. **Liz Bullard – 405 Chipman St. Ext. Waterbury**

Robert Nerney presented the details of the proposed Moratorium to the Commission.

On the Motion of Cmsr. Mannetti Seconded by Cmsr. Palladino, the Zoning Commission Voted Unanimously to CLOSE the Public Hearing Item #2.

OLD BUSINESS:

1. **PL 2021-0140 Special Permit for “Multi-Family Residence”.** Location: 133 West Main Street; Applicant: Michael Batista. **CLOSE HEARING DEADLINE: July 28, 2021.**

On the Motion of Cmsr. Mannetti Seconded by Cmsr. Palladino, the Zoning Commission Voted Unanimously to APPROVE the Old Business Item #1 per staff suggested resolution.

Whereas, the Special Permit application calls for the establishment of 32 units of Multi-Family Housing in conjunction with a limited mix of ground floor retail business uses;

Whereas, the accompanying site plan does not call for a physical expansion or change to the height of the existing building nor the construction of additional parking or other alterations to the property;

Whereas, uses within the Central Business District are exempt from all parking requirements on the condition that no existing on-site parking will be removed and, based on a review of the application, a determination has been made that the applicant complies with this requirement;

RESOLVED, that the Zoning Commission approves the application of Farrington Apartments, LLC for a Special Permit to permit a Multi-Family Residence use consisting of 32 residential apartments in conjunction with 2,571square feet of first floor retail space for property located at 133 West Main Street, also known as M/B/L 0274-0008-0067, as shown on plan entitled Zoning Location Survey, prepared for Farrington Apartments, LLC, prepared by Meyers Associates, P.C., dated May 24, 2021 and drawn to a scale of 1” = 20’ and as shown on plans entitled Exterior & Interior Renovations for Farrington Apartments, Waterbury, CT, consisting of eight (8) sheets, prepared by PES Structural Engineers, Long Consulting and Q Studio

Architecture, drawn at a scale of 1/8" = 1' and dated April 30, 2021. Said approval is subject to the following conditions:

- 1. The text of this resolution shall be noted on the Zoning Location Survey plan and said plan shall be recorded in the City of Waterbury Land Records of the Town Clerk.*
 - 2. The proposed dumpster shall be fully screened with an opaque fence.*
 - 3. The applicant shall maintain a legal right of access to the dumpster at all times.*
- 2. PL 2021-0163 Zoning Map Amendment;** To change the zoning of a .27 acre vacant lot on Beth Lane more specifically described as Assessor's Map/Block/Lot # 0283-0394-0331 from the RS (Single-Family Residential District) to the CN (Neighborhood Shopping District). Said property is bounded by lots known as 30 Beth Lane, 38 Beth Lane, 757 Meriden Road, 811 Meriden Road and a vacant land known as Meriden Road M/B/L# 0283-0394-0033. **Applicant:** Jacqueline Hogan. **OPEN HEARING DEADLINE: August 27, 2021. Public Hearing is scheduled for August 25, 2021.**

NEW BUSINESS:

- 1. PL 2021-0179 Proposed Moratorium;** Temporary and Limited Moratorium on Cannabis Establishments. Applicant: City of Waterbury Zoning Commission. **OPEN HEARING DEADLINE: October 1, 2021. Public Hearing is scheduled for July 28, 2021.**

On the Motion of Cmsr. Mannetti Seconded by Cmsr. Palladino, the Zoning Commission Voted Unanimously to APPROVE the New Business Item #1 per staff suggested resolution.

Whereas, Senate Bill 1201 authorizing the sale and consumption of cannabis was signed into law on June 22, 2021 and became effective on July 1, 2021; and

Whereas the law is lengthy and complex and requires additional time to fully assess the impact it may have on the City of Waterbury; and

Whereas a moratorium will allow the Zoning Commission sufficient time to evaluate the potential land use impacts of Cannabis Establishments in a thoughtful, deliberate and responsible manner; and

Whereas the City Plan Commission has reviewed the zoning amendment application and finds the proposed moratorium to be consistent with objectives contained within the Plan of Conservation and Development.

Whereas a moratorium will afford the Zoning Commission adequate time to undertake necessary land use studies, consult with other municipal departments and seek further guidance from the State of Connecticut; including the Department of Consumer Protection. NOW THEREFORE BE IT

RESOLVED that the Zoning Commission of the City of Waterbury votes to approve a limited and temporary moratorium on Cannabis Establishments for a

period of twelve months. This limited and temporary moratorium becomes effective on August 9, 2021, and unless otherwise repealed by the Zoning Commission, shall expire on August 9, 2022.

Zoning Text Amendment Reads as Follows:

Section 11.13 Moratoriums

11.13.01 Cannabis Establishments

For a period of twelve (12) months commencing from the effective date of August 9, 2021, no applications will be accepted, considered or approved and no zoning permits will be issued to permit the establishment of any Cannabis Establishment in any zoning district within the City of Waterbury. For the purposes of this section Cannabis Establishments are defined in Public Act #21-1 of the June 2021 Special Session. Unless otherwise repealed by the Zoning Commission, the expiration date of this Moratorium shall be August 9, 2022.

2. Approval of Summary Minutes from June 23, 2021.

Considered together with the New Business Item #3.

3. Approval of Summary Minutes from June 30, 2021.

On the Motion of Cmsr. Palladino Seconded by Cmsr. Guerrera, the Zoning Commission Voted Unanimously to APPROVE the New Business Item #2 and the New Business Item #3.

COMMUNICATIONS: *None*

SUPPLEMENTAL ITEMS: (5 votes required to add to agenda) *None*

ADJOURNMENT:

On the Motion of Cmsr. Brunelli Seconded by Cmsr. Mannetti, the Zoning Commission Voted Unanimously to ADJOURN @ 7:48 P.M.