

Town of Plymouth
80 Main Street
Terryville, CT 06786
www.plymouthct.us

Plymouth Town Council
Tel: (860) 585-4001
Fax: (860) 585-4015

Minutes

March 14, 2022

Call to Order: Mayor Joe Kilduff called the scheduled March 14, 2022, Plymouth Public Hearing to order at 6:30 p.m., in the Community Room, Plymouth Town Hall.

Roll Call: Present for the meeting were Town Councilman Nate Brown, Town Councilman Dan Gentile, Town Councilman Joe Green, Mayor Joe Kilduff, Town Councilwoman Roxanne McCann, and Town Councilman Ron Tiscia. Also in attendance were Police Captain Ed Benecchi, Town Attorney William Hamzy and Police Chief Karen Krasicky.

Pledge of Allegiance

Mayor Joe Kilduff led the Plymouth Town Council and the Public Audience in the Pledge of Allegiance.

Reading of Legal Notice:

Town Councilwoman Roxanne McCann read the Legal Notice into the record as follows: *LEGAL NOTICE PUBLIC HEARING, Notice is hereby given to the legal voters and qualified taxpayers of the Town of Plymouth pursuant to CGS sec. 7-163e that the Plymouth Town Council will hold a Public Hearing at 6:30 p.m. on March 14, 2022, in the Community Room, Plymouth Town Hall, 80 Main Street, Terryville, CT, to give citizens an opportunity to hear and or/make oral or written recommendations concerning a proposed Cannabis Ordinance entitled "Possession and Consumption of Alcoholic Liquor Prohibited on Town-Owned or Town-Leased Property; Smoking and Vaping Prohibited on Town-Owned or Town-Leased Property; Consumption of Cannabis Prohibited on Town-Owned or Town-Leased Property" Repealing Ordinance Sec. 1-2(a) Entitled "Rules of Construction and Definitions" and Ordinance Sec. 12-28(12) Entitled "Prohibited Actions" and to discuss whether the sale of recreational marijuana shall be allowed in Plymouth. Joseph T. Kilduff, Mayor, dated this 3rd day of March 2022, Plymouth, CT*

To consider and take Public Comment regarding a proposed Cannabis Ordinance entitled "Possession and Consumption of Alcoholic Liquor Prohibited on Town-Owned or Town-Leased Property; Smoking and Vaping Prohibited on Town-Owned or Town-Leased Property; Consumption of Cannabis Prohibited on Town-Owned or Town -Leased Property" Repealing Ordinance Sec. 1-2(a) Entitled "Rules of Construction and Definitions" and Ordinance Sec. 12-28(12) Entitled "Prohibited Actions"

Martin Sandshaw, 7 Richmond Drive, Plymouth, stated he was in favor of the proposed Cannabis Ordinance as presented, noting it covers smoking and vaping and what we need to with Cannabis.

Superior
2022 MAR 22 10 57 AM
TOWN OF PLYMOUTH
COMMUNITY ROOM

Plymouth Town Council Public Hearing Meeting
March 14, 2022
Page Two of Six Pages

To consider and take Public Comment regarding a proposed Cannabis Ordinance Cont'd.

Vinnie Klimas, Chairman of the Housing Authority of the Town of Plymouth, stated the Housing Authority is in a dilemma, noting Federal regulations say they cannot have marijuana on the premises and State regulations say marijuana is allowed for medical purposes. He further stated the Housing Authority is speaking to their Attorney to get an appropriate balance.

James Coscina, New Hope CBD, 5 Container Drive, stated the Town Council should probably change the definition of cannabis and marijuana to include hemp because if you don't want it smoked in a public area that would be hemp which is considered not to be cannabis or marijuana and should include hemp which cannot be smoked in public areas as well.

Melanie Church 328 Main Street, Terryville, stated there are laws to enforce it because Park and Recreation already has one for alcohol in all parks and people drink up there. She further stated the Town needs to look at the fines and what would happen if people were caught.

To consider and take Public Comment regarding whether the sale of recreational marijuana shall be allowed in Plymouth

Bill Ogonowski, 160 Main Street, Terryville, spoke in favor of a cannabis growing facility and a store in Plymouth, noting it would be a great economic benefit to the Town. He further stated a retail establishment would ensure a safe supply of cannabis that has not been tainted with fentanyl or any other harmful substance. Bill Ogonowski stated that he felt he speaks for taxpayers and hard workers who are responsible and briefly elaborated.

Kirk Willbanks, 7 Woodland Road, Terryville, stated he felt the Town should not allow the sale of recreational marijuana in Town and has serious concerns of legalizing retail sales of marijuana which poses a threat to the moral fiber of the community. He further stated it does not promote a healthy lifestyle for adults, teenagers and children and briefly elaborated on the addicting aspect of marijuana.

Jessica Scholl, 123 Harwinton Avenue, Terryville, stated she was in favor of selling marijuana in Town because it would bring in revenue to the Town and it provides a safe place for people to obtain it. She further stated she has a teenager herself, noting it would be safer for teenagers because it won't be laced.

Melanie Church, 328 Main Street stated she is against recreational marijuana, noting Colorado and California have it and they are sorry because the prices are so high they go to the black market and briefly elaborated. She further stated neighboring towns to Plymouth have voted no and Council needs to look at that because we are dependent on taxpayers paying bills.

Plymouth Town Council Public Hearing Meeting
March 14, 2022
Page Three of Six Pages

Public Comment regarding the sale of recreational marijuana in Plymouth Cont'd.

Melanie Church stated the sale of marijuana is not business oriented and will not bring in more money and will cause more problems for the Police. She further stated the Town already has a medical marijuana facility in it and that's enough.

James Coscina, New Hope, 5 Container Drive, stated they are functioning as a successful business, noting if medical marijuana is approved, they will apply for a license for micro grow and service the community and other retail locations with marijuana. He further stated they currently serve over 79 local stores and 20 stores nationwide and briefly elaborated. James Coscina stated children will not get hold of it from his facility, noting everyone has to have an ID and would have to show it every time they make a purchase. He further stated he would like a medical license, but Connecticut will not allow him to have one. James Coscina stated market and black-market sales drop where there is more competition, noting the Town needs a facility they can trust and depend on to do the right thing for the community and that's what they will do.

Martin Sandshaw, 7 Richmond Drive, Plymouth, stated he is opposed to the sale of recreational marijuana, noting what he has seen happening in Town says we don't need to sell it.

Vinnie Klimas 5 Coral Drive, Terryville, stated he is opposed to mind altering recreational marijuana, noting if someone drinks too much alcohol, gets drunk and then smokes a breathalyzer test won't tell you how much that person is in control. He further stated you are endangering that person and everyone around them. Vinnie Klimas stated he approved medical marijuana only.

Plymouth Police Captain Ed Benecchi stated currently there is no known actual test to determine THC levels in the blood, but you can still do a DUI based on field sobriety tests and urinalysis. He further stated the tests will not give the exact amount in the system solely based on urine/blood test but based on everything stated he has had success using this type of testing.

Kirk Willbanks 7 Woodland Road, Terryville, quoted Waterbury Mayor O'Leary's article, noting the money coming in from the sale of recreational marijuana was not a lot of money and shouldn't be the reason for selling it. He further stated he would not approve the sale of marijuana and hopes the voters would do likewise and briefly elaborated.

Melanie Church, 328 Main Street, Terryville stated she understands medical marijuana, noting Torrington has it but they are voting no for the sale of recreational marijuana. She further stated we have to stop doing things that are not making our community safer and should not be encouraging the sale of marijuana.

James Coscina, 15 Container Drive, Terryville, stated he agrees with the speaker's concerns and can't stress enough how much he wants to keep anything that has to do with recreational marijuana away from kids because of brain development.

Public Comment regarding the sale of recreational marijuana in Plymouth Cont'd

James Coscina stated both locations, mentioned by speakers tonight, that voted no for recreational marijuana does not include the medical facilities which automatically get to purchase a \$3 million dollar ticket to become recreational facilities if the town says no, which is half the reason they voted no. James Coscina stated they will have a monopoly on recreational marijuana in their towns. He further stated New Hope currently serves all of Connecticut and other states as far as hemp is concerned and briefly elaborated.

When questioned by Town Councilman Dan Gentile, James Coscina stated any medical facility can pay \$3 million to the State of Connecticut and will automatically get a recreational marijuana license (even if the Town disapproves) and outlined the process. He further stated they would like to have a delivery service. James Coscina stated they would also like to make THC coffee pods inside their facility and briefly elaborated.

When questioned by Town Councilman Nate Brown, James Coscina stated New Hope is not looking to open a store front on Main Street; they are growing hemp and cbd and looking to have a micro grow facility where they would be a wholesaler to other venues in Connecticut and the northeast. He further stated there will not be a store front at their current facility. James Coscina stated in some instances they will deliver to hospice through a nurse, and the person would apply to be a driver of cannabis and briefly elaborated, noting there was checks and balances in place.

Mayor Joe Kilduff stated marijuana is still not a legal substance federally speaking and there have not been any repercussions to states that allow it and questioned Town Attorney Bill Hamzy what type of liability could there potentially be.

Town Attorney Bill Hamzy stated it has been allowed in Colorado, California and Maine, so it's been allowed on a state-wide basis in other states and to his knowledge there has not been any federal enforcement in those states on the sale of cannabis.

Mayor Joe Kilduff stated the proposed Ordinance would ban all smoking in all forms on public property.

Town Attorney Bill Hamzy stated that was a correct statement, including vapes and e-cigarettes, noting he would look into it further.

When questioned by Town Councilman Nate Brown, Town Attorney Bill Hamzy stated we are talking about retail store front right now; a brief discussion followed.

When questioned by Mayor Joe Kilduff, Town Attorney Bill Hamzy stated if you have a wholesale facility, which is what is being proposed, he was unsure if this would meet the standard for a town that was forced to allow the facility, noting he would have to research it.

Plymouth Town Council Public Hearing Meeting
March 14, 2022
Page Five of Six Pages

Public Comment regarding the sale of recreational marijuana in Plymouth Cont'd.

Mayor Joe Kilduff stated the Town Council needed to decide if they would allow the recreational sale of cannabis in Town and if so, what type of restrictions would they want in place.

When questioned by Town Councilman Dan Gentile, James Coscina stated Watertown was growing wholesale medical marijuana at a town facility and briefly elaborated.

Town Councilman Nate Brown stated Theraplant, in Waterbury, was one of the largest suppliers of medical marijuana in the State of Connecticut.

Town Councilwoman Roxanne McCann stated the Town has restrictions on what can happen in the Business Park based on the original agreement and we cannot open a store front so the retail aspect would have to be worked out and questioned at what point does delivery fall into the retail and impact the rules that come into play in the Business Park.

Mayor Joe Kilduff stated Chairman of Planning and Zoning Carl Johnson had sent a letter to his office and read the following into the record: *I spent some time going through the zoning regulations as they would pertain to cannabis growing. It is my belief, by definition, this is not an agricultural activity for consumption, but a manufacturing use in an industrial setting. This would allow a commercial grow operation, possibly, allowed in industrial zones (I-1, and I-2), but they would not be allowed to provide retail sales out of that location by park covenants and regulation. I read there is a 3% local tax included in the law to be collected by the municipality in addition to the 6.35% state tax. I attached something East Hartford P&Z did. They also outlined where sales and manufacturing can take place. They also have a residency and income requirement which says 65% of control and ownership must be a resident.*

When questioned by Town Councilman Dan Gentile, Town Attorney Bill Hamzy stated Connecticut residents can grow six plants in their home for personal use only.

Mayor Joe Kilduff read the following into the record: *CANNABIS ACT - GENERAL PROVISIONS - STARTING JULY 1, 2021 • Beginning July 1, 2021, individuals aged 21 or older (consumers) may possess, use, or otherwise consume cannabis, up to a specified possession limit. Specifically, the amount of cannabis must not exceed (1) 1.5 ounces of cannabis plant material and five ounces of such material in a locked container in the person's residence or locked glove box or trunk in the person's motor vehicle, (2) an equivalent amount of cannabis products, or (3) an equivalent combined amount of cannabis and cannabis products. (§§ 2-3, 115, 153 & 159-160) • Smoking marijuana will generally not be allowed in places where cigarette smoking is already prohibited; will be banned on state lands or waters managed by the CT DEEP (§ 14), DDC facilities (§ 92); and will still be illegal in motor vehicles by both drivers and passengers (§ 112 and 113). • The bill allows consumers (i.e., people aged 21 or older) to give cannabis to other consumers for free (i.e., without compensation or consideration). § 14 STARTING JULY 1, 2023*

Plymouth Town Council Public Hearing Meeting
March 14, 2022
Page Six of Six Pages

Public Comment regarding the sale of recreational marijuana in Plymouth Cont'd.

• *Beginning July 1, 2023, the bill allows any individual age 21 or older to cultivate up to three mature and three immature cannabis plants in his or her primary residence, if the plants are kept secure from anyone else. § 16.*

James Coscina stated three plants can harvest up to two pounds per plant.

When questioned by Town Councilman Nate Brown, Mayor Joe Kilduff stated there is a timeline to get this done, noting first the Town Council needs to decide if they will allow it and if so, then Planning and Zoning would have to get involved to set the specific rules and guidelines.

When questioned by Town Resident Kirk Willbanks, Mayor Joe Kilduff stated this issue would not go out for a vote; it would be up to the Town Council to decide whether to pursue it or not.

Vinnie Klimas, 5 Coral Drive, Terryville, stated he's comfortable with the Town Council deciding, noting that it was a democratic way to make decisions and that he has total confidence with the Council. He further stated as far as testing went, he would hope there was a concrete way of evaluating and testing for someone who overdoes and creates a dangerous situation.

Plymouth Police Captain Ed Benecchi stated current marijuana testing in Connecticut only detects if there is marijuana in a person's system; it does not break down how many parts there are in a person's blood; it's either positive or negative. He further stated that it can stay in your system up to 30 days; a brief discussion followed.

Mayor Joe Kilduff thanked the Public for attending tonight and encouraged them to reach out to the Council members with any other questions they might have concerning the Ordinance and sale of marijuana or any other issues they might have.

Adjournment

There being no further business, Town Councilman Nate Brown made a motion, seconded by Town Councilman Ron Tiscia, to adjourn the Plymouth Public Hearing at 7:31 p.m. This motion was approved unanimously.

Respectfully Submitted,



Patricia A. Hale
Recording Secretary