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**TOWN OF EAST HADDAM**
**PLANNING AND ZONING COMMISSION**
**APPLICATION FOR SITE PLAN/SPECIAL EXCEPTION REVIEW**
(Section 14A and Section 14 B)

Applicant's Name Robert Casner Phone 860-873-1156

Address: P.O. Box 283, East Haddam, CT 06423 Zone/District IG-2

Record Owner: Clark Gates LLC

Property Location: 382 Town Street, East Haddam, CT 06423

Assessor's Map # M27 Lot # L088

Deed Reference: Volume 1045 Page # 209

Description of proposed uses and structures: Retail Cannabis Sales

Section under which application is made: 9.7.3.2

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APPLICATION, FEE AND SUPPORTING DOCUMENTATION, INCLUDING LETTER(S) FROM THE SANITARIAN, BUILDING OFFICIAL, ZONING OFFICIAL, AND OTHER NESSECARY DOCUMENTS MUST BE IN THE PLANNING AND ZONING OFFICE THE WEDNESDAY PRIOR TO THE MEETING TO BE PLACED ON THE AGENDA.

N/A Attached checklist is completed

X Site Plan (Section 14A) and supporting documentation

____ Letter from the Building Official

____ Letter from the Chatham Health District

____ Letter from the Zoning Board of Appeals

____ Letter from the Zoning Enforcement Officer

X Narrative submitted

**Section under which application is made:**

Section 14A Site Plan Review ____

Fee: $260 minimum. See fee schedule Site Plan Review includes $60.00 fee for DEP Fund - PA-235

Section 14B Special Exception Review X

Fee: $360 minimum. See fee schedule Special Exception includes $60.00 fee for DEP Fund - PA-235

Chatham Health District Review - Variable fee

Section 14B.1 Special Exception Review - Waiver Request _____

**14B.1 Special Exception Requirement:** In any instance involving a use or uses requiring a Special Exception as set forth in these Regulations, no land or water areas shall be used, nor uses altered or expanded in space, time, or intensity, nor buildings or structures erected, altered, enlarged, the use substantially changed, or used until the Commission grants a Special Exception as defined in this Section 14B, or amend a previously granted Special Exception.

The Commission may waive the requirement for a Special Exception public hearing and other application requirements where it finds that:

a) One Special Exception use is being substituted for another similar use on the same lot.

b) The new use will require no greater parking or loading requirements than the original, as set forth in Section 11 of these Regulations.

c) The new use shall entail no exterior change to the building or site, and

d) The new use shall have no impact on the site, the neighborhood, or the Town which is different from the original, such impact to be measured by the standards set forth in Section 14B.4 of these Regulations.

Substantial changes are considered changes that involve (a) alterations in use from that set forth in an approved statement of use and site plan; or (b) alteration in an existing use, including such alterations that would:

1. Increased the parking demand of the use; or
2. Increase or change the hours of operation of the use; or
3. Increase the noise generation of the use or change the octave band frequency of such noise; or
4. Increase or change the emission of smoke, dust or other contaminants into the air, including both point sources and fugitive emissions; or
5. Increase or change the demand for outdoor storage, truck or equipment traffic (type or volume), water consumption, or effluent disposals; or
6. Involve the use of different equipment, processes, chemicals, or materials; or
7. Increase the amount of lighting.

The owner and the applicant hereby grant the East Haddam Planning and Zoning Commission and/or its agents permission to enter upon the property for which Site Plan or Special Exception Review is requested for the purpose of inspection and enforcement of the Zoning Regulations of the Town of East Haddam.

Date:_____ _____
Applicant's/Owner's Signature(s)

_____ _____ Date received _____
PLAN PREPARER PE/LSSignature DATE

# Jezek & Barbi
## Attorneys at Law

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**NARRATIVE IN SUPPORT OF SPECIAL EXCEPTION APPLICATION**

**FOR RETAIL SALE OF CANNABIS PRODUCTS**

The subject premise, 328 Town Street, is already an approved retail site by virtue of a special exception granted by this Commission August 14, 2018. The premise is located in the IG-2 District.

The site currently supports professional office use (architect) and is the site of a state licensed package store. The cannabis store will occupy undesignated space currently utilized to temporarily store return deposit bottle and can returns .

Notwithstanding the prior approval, Connecticut General Statute Section 148, with an effective date of July 1, 2021, (June Special Session Public Act 21-1 Section 148) requires affirmative approval by special permit (exception) from the municipality in which it is located. Hence, although this site is already approved for retail use, this application is required in order to obtain the license to sell cannabis products.

The site otherwise is appropriate for this use as it is two miles from the nearest schools; already occupied by a licensed liquor store; in an industrial zone; and served by a state highway.

The Applicant requests approval of his application for special exception.

Stephanie P. Antone
Attorney for the Applicant
October 22, 2021