

**TOWN OF MANCHESTER  
PLANNING AND ZONING COMMISSION**

February 5, 2024  
7:00 P.M.

Lincoln Center Hearing Room, 494 Main Street  
Or virtually, via Zoom

**AGENDA**

This meeting will be held both in person and virtually, via Zoom. The meeting will be shown live on Cox Channel 16 and streamed live at <http://www.channel16.org/CablecastPublicSite/watch/1?channel=1>. Individuals who wish to speak at or attend the virtual meeting must complete a Request to Attend Virtually form, available at <https://manct.us/meeting> by 4:00 p.m. on the day of the meeting. These individuals will need to join the Zoom meeting and will be allowed to speak when directed by the Chairman. Zoom meeting information will be sent to individuals who complete a Request to Attend Virtually form. Only individuals who complete a Request to Attend Virtually form will be allowed to join the Zoom meeting. A physical location and electronic equipment will be provided for the public to use if a written request is received at least 24 hours in advance, via email to [pzccomments@manchesterct.gov](mailto:pzccomments@manchesterct.gov), or by mail to the Planning Department, 494 Main Street, P.O. Box 191, Manchester, CT 06045-0191.

*PUBLIC HEARING:*

1. **AYR WELLNESS** – Special exception under Art. II, Sec. 24.02.01(n) for a cannabis retail use at 185 Spencer Street.
  - Special Exception (PSE-0057-2023)

*BUSINESS:*

1. **AYR WELLNESS** – Special exception under Art. II, Sec. 24.02.01(n) for a cannabis retail use at 185 Spencer Street.
  - Special Exception (PSE-0057-2023)
2. **HILLIARD MILLS LLC** – Changes to previously approved PZC plans at 640 & 642 Hilliard Street and 370 Adams Street, for renovation of buildings 5 & 6 and various site improvements.
  - Special Exception Modification (PSE-0055-2023) – ***Request for 65-day Extension***
  - Flood Plain Permit (FLDP-0005-2023) – ***Request for 65-day Extension***
3. **ADMINISTRATIVE REPORTS**
  - Upcoming Training Opportunities
4. **APPROVAL OF MINUTES**
  - [January 17, 2024](#) –Public Hearing/Business Meeting
5. **RECEIPT OF NEW APPLICATIONS**

**TOWN OF MANCHESTER  
LEGAL NOTICE**

The Planning and Zoning Commission will hold a public hearing on February 5, 2024 at 7:00 P.M., both virtually and in person in the Lincoln Center Hearing Room, 494 Main Street, Manchester, Connecticut, to hear and consider the following petitions:

**HILLIARD MILLS LLC – Inland Wetland Permit (IWP-0054-2023)** – Changes to previously approved PZC plans at 640 & 642 Hilliard Street and 370 Adams Street, Industrial and Rural Residential zones, for renovation of buildings 5 & 6 and various site improvements.

**AYR WELLNESS – Special Exception (PSE-0057-2023)** – Special exception under Art. II, Sec. 24.02.01(n) for a cannabis retail use at 185 Spencer Street, General Business zone.

At this hearing interested persons may be heard, either in person or virtually via Zoom, and written communications received. This meeting will be shown live on Cox Channel 16 and streamed live at <http://www.channel16.org/CablecastPublicSite/watch/1?channel=1>. Individuals who wish to speak at or attend the virtual meeting must complete a Request to Attend Virtually form, available at <https://manct.us/meeting>, by 4:00 p.m. on the day of the meeting. These individuals will need to join the Zoom meeting and will be allowed to speak when directed by the Chairman. Zoom meeting information will be sent to individuals who complete a Request to Attend Virtually form. Only individuals who complete a Request to Attend Virtually form will be allowed to join the Zoom meeting. A physical location and electronic equipment will be provided for the public to use if a written request is received at least 24 hours in advance, via email to [pzccomments@manchesterct.gov](mailto:pzccomments@manchesterct.gov), or by mail to the Planning Department, 494 Main Street, P.O. Box 191, Manchester, CT 06045-0191.


Individuals may also submit comments in writing to the Planning and Economic Development Department via email to [pzccomments@manchesterct.gov](mailto:pzccomments@manchesterct.gov), or by mail to the Planning Department, 494 Main Street, P.O. Box 191, Manchester, CT 06045-0191. All written comments received by 4:00 p.m. on the day of the meeting will be presented and recorded as part of the hearing.

A copy of this petition is in the Planning and Economic Development Department, Lincoln Center Building, 494 Main Street, and may be inspected during regular business hours (8:30 a.m. – 4:30 p.m., Monday through Friday). Information about this application will be available online at <https://Manchesterct.gov/pzc> by the Friday before the hearing.

Planning and Zoning Commission  
Eric Prause, Chair

**TOWN OF MANCHESTER  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**

**TO:** Planning & Zoning Commission

**FROM:** Megan Pilla, Principal Development Planner 

**DATE:** February 1, 2024

**RE:** Ayr Wellness – 185 Spencer Street  
Special Exception (PSE-0057-2023)

***Introduction***

The applicant is requesting a special exception under Article II, Section 24.02.01(n) to allow a cannabis retail use at 185 Spencer Street. The parcel is located in the General Business zone (GB).

***Project Description***

The approximately 0.4-acre parcel and existing 1,585 sq. ft. building were formerly occupied by a Starbucks coffee shop and are currently vacant. Adjacent uses include commercial establishments (retail, food service, and a gas station) as well as residential – the former motel to the rear of the subject site (191 Spencer Street) was converted to multi-unit housing last year. A Manchester Housing Authority multi-unit complex is also located to the northeast off of Pascal Lane.

The applicant is proposing reusing the existing building for cannabis retail sales. Interior renovations would be necessary to accommodate the use, but no changes to the building exterior or to the site are proposed. As shown on the attached floor plan, the facility will include an entry vestibule with security check-in leading to the retail space. The secure vault and processing areas would be accessible by authorized employees only.

The proposed facility would be open seven (7) days a week, with about 8-10 employees on site per day. The existing drive-through window is proposed to be used for pre-arranged pickup of customer orders by scheduled appointment only.

**Traffic & Parking**

Vehicular access to the site, which will remain unchanged, consists of a single driveway at the signalized intersection of Spencer Street and Hillstown Road, which serves the subject parcel as well as the residential complex to the rear and the adjacent commercial parcel at 199 Spencer Street (currently occupied by a Popeye's restaurant and a Subway restaurant). Upon entering the driveway, vehicles can turn left into the parking area for 199 Spencer Street, turn right into the

parking area or drive-through lane for the subject parcel, or continue straight toward the residential complex.

The subject parcel contains 17 parking spaces, including two (2) ADA accessible spaces, all of which would remain. The number of spaces exceeds the minimum parking requirement.

The attached traffic study prepared by Vliet & O'Neill indicates the anticipated traffic generated by the proposed establishment will not disrupt peak hour traffic flow in the area, nor will it require any changes to the existing driveway intersection. Because pickup via the drive-through will be by scheduled appointment only, disruptive queuing is not expected.

### Utilities

The site is served by Town water and sanitary sewer, and there is no anticipated increase in utility demand.

### Stormwater

The parcel is relatively flat. Stormwater from the southern portion of the site is collected by existing drainage structures on the south end of the property, and stormwater from the northern portion is collected by an existing catch basin in the northeast corner. No changes are proposed to the stormwater system, and there is no proposed change to impervious coverage.

### Security

The applicant has provided the attached security plan describing the alarm, camera, and access systems for the proposed establishment. The plan includes cameras at the drive-through area to capture vehicle license plates and drivers' images. The Police Department has reviewed this plan and requested one minor change in accordance with Town policies (an ordinance prohibits the use of automatic dialing systems to contact the police).

### ***For the Commission's Consideration***

The Commission should consider whether the proposal meets the special exception criteria outlined in Art. IV, Sec. 20 as well as the specific criteria for cannabis establishments outlined in Art. II, Sec. 24.02.01(n).

### ***Staff Review***

Town staff has reviewed the plans and documents submitted with the application and the status of any outstanding comments will be provided at the February 5, 2024 meeting.

mp

R:\Planning\PZC\2024\02 - February 05\Packet\PSE-0057-2023 (185 Spencer) - Memo.docx

Attach.



# Town of Manchester, CT



## Geographic Information Systems

### 185 SPENCER ST

#### Legend

##### Zoning

- EHD - Elderly Housing
- GB - General Business
- IND - Industrial
- RC - Residence C
- RR - Rural Residence

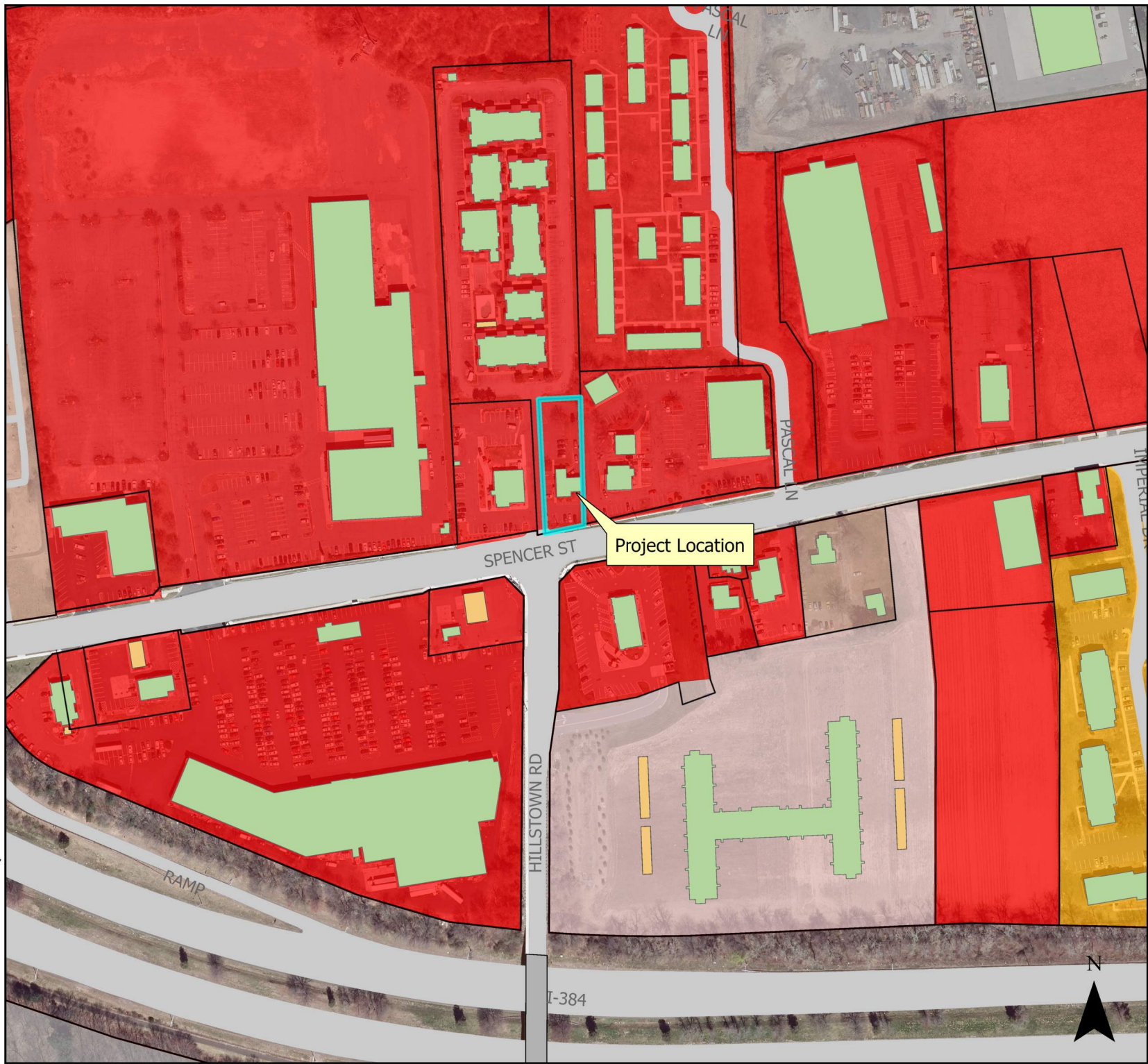
**DISCLAIMER:**  
The Town of Manchester, CT assumes no legal responsibility for the information contained in this map. This map is provided 'AS IS' without warranty of any kind.

**NOTES:**  
Planimetric and topographic information were compiled by stereo photogrammetric methods from photography dated April 24, 1999 in accordance with ASPR accuracy standards for 1"=40' large scale Class I maps. Real property compiled from recorded deeds, subdivision plans and other public records. Utility networks compiled from record plans, as-builts and/or field survey data. Aerial photography dated April 24, 1999.

0 40 80 160 240 320  
Feet

1 inch = 250 ft

Date: 2/1/2024



**MANCHESTER PLANNING & ZONING COMMISSION**

Applicant: **Ayr Wellness**

Date: **December 27, 2023**

Application: **Special Exception Use Approval under Article II, Section 24.02.01(n) to permit a cannabis retailer to be located at 185 Spencer Street in a General Business zone**

Item: **Application Narrative**

This use can be located on the site without any exterior physical changes being made either to the property or the building located thereon (the obvious exception being the principal sign). Prior uses have included a branch bank and more recently a Starbucks. The property is just over one-half acre in size. The entry and exit locations to/from the site will remain the same, connecting to a two-way private drive that serves three abutting sites and connects to Spencer Street at the signalized intersection opposite Hillstown Road.

No change to the building size (1,585 square feet), height, or location on the property (setbacks) are proposed. No changes to the building exterior materials or colors will be made. Changes to the interior floor plan are provided in the application package.

The percentage of lot coverage will not change, nor will the parking configuration and number of on-site spaces (15 standard; 2 handicap). A traffic study is provided and concludes that there will be no adverse impact on the functioning of the current driveway or the public roads/site drive intersection, and that peak hour traffic flow on the adjacent roadway system will not be disrupted. In fact, traffic will be substantially improved in peak hours due to the smaller traffic volume and pre-arranged pick-ups (no more than 12 autos per hour) generated by the proposed use as compared to the former Starbucks operation. The impact on the municipal utilities (water and sewer) will also be less.

Ayr Wellness is a prominent multi-state cannabis operator, with 88 retail locations strategically located in seven states across the United States that provide accessible, high-quality cannabis products. Ayr Wellness adheres rigorously to state regulations, ensuring that each of its locations not only operates with integrity but also contributes positively to the local community's well-being. Its approach to cannabis retail and distribution is deeply rooted in scientific research and a patient-centric philosophy. It invests heavily in the development and innovation of its products and therapies, aiming to redefine the efficacy and safety in cannabis use.





# Bushnell Associates, LLC

*Civil Engineering • Land Surveying*



December 27, 2023

Manchester Planning and Zoning Commission  
41 Center Street P.O. Box 191  
Manchester, CT. 06045-0191

RE: Proposed Cannabis Retail Store  
185 Spencer Street  
Utility Impact Statement

The site located at 185 Spencer Street is currently vacant but has been historically been utilized as a consumer banking facility and most recently a Star Bucks Coffee Restaurant. Both uses offered inside and a single lane drive-thru customer service areas. Neighboring properties located in this area of Spencer Street are currently utilized for a mixture of Multi Family Residential, Gas Station/Convenience Store, Mixed Retail, Office, Restaurant, and Automotive Service uses. The proposed development plan is the reuse of the existing building with only interior modifications for consumer cannabis sales.

The stormwater generated from the front portion of the site will be collected into a system of existing drainage structures in the front portion of the site which as specified by the original site plan for the site were to discharge into 2 drywells located between the existing parking area and the property line along Spencer Street (the location and condition of these drywells could not be determined). The stormwater generated from the rear portion of the site will be collected by an existing catch basin located in the northeast corner of the rear parking area which as specified by the original site plan for the site were to discharge into 2 drywells located between the existing drive-thru lane and the rear property line (the location and condition of these drywells could not be determined). No additional impervious area will be added to the site.

The site will continue to be serviced by existing underground electrical and telephone lines, natural gas, sanitary sewer and water laterals from mains located in Spencer Street. It is anticipated that the proposed use of 185 Spencer Street will not create a significant increase in demand on the existing public utility services.

Based on the above, it is anticipated that the development activities proposed by this application will not have an adverse impact on public or on-site utilities. If you have any questions or require additional information, please feel free to contact me.

Andrew F. Bushnell PE.LS.  
Bushnell Associates LLC.

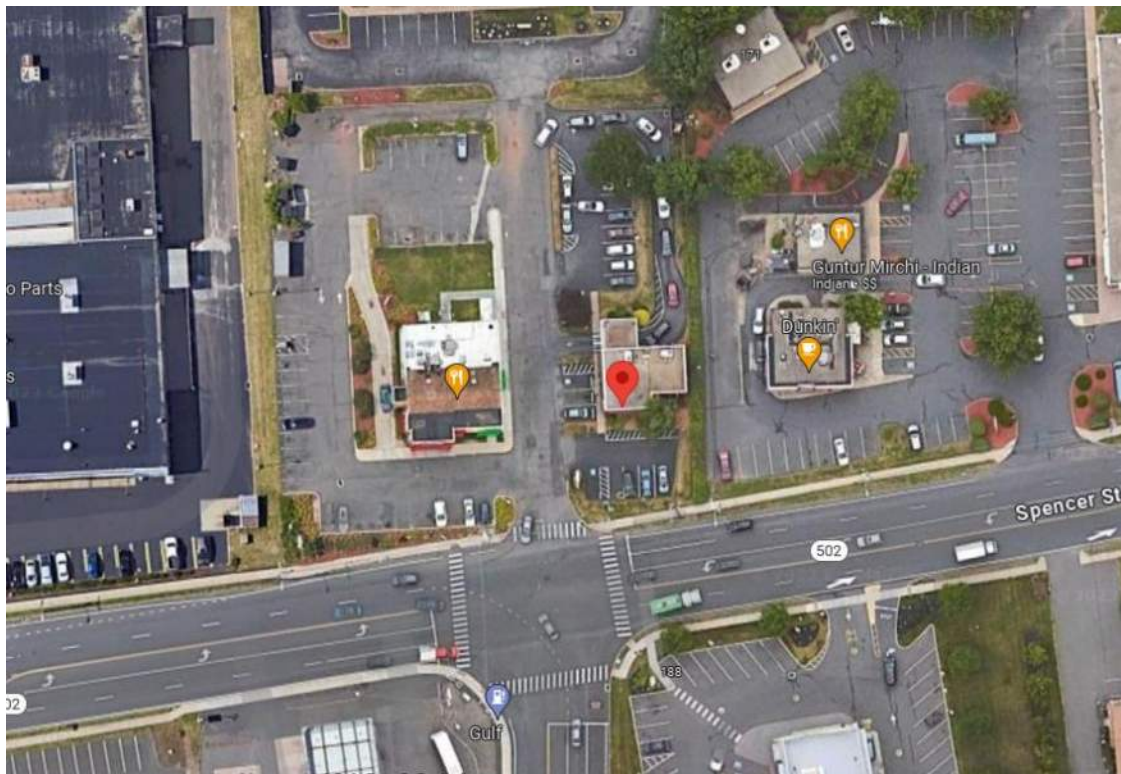
December 27, 2023

Mr. Gary Anderson, AICP  
Director of Planning and Economic Development  
41 Center Street  
Manchester, CT 06109

Re: Traffic Impact Statement – Special Exception Use  
AYR Wellness, Inc. Development - 185 Spencer Street

Dear Mr. Anderson:

I am pleased to provide my Traffic Engineering assessment of the proposed subject project. This project will redevelop the existing Starbucks building site (closed) at 185 Spencer Street (SR 502). The proposed AYR Wellness, Inc. retail cannabis products dispensary will re-purpose the existing building on the site, maintain the same number of parking spaces/layout, drive-thru and utilize the existing site access driveway signalized intersection with Spencer Street and Hillstown Road as well as maintain the internal site connections to the adjacent Popeye's restaurant to the west and the residential development to the north. The aerial image below depicts the current site development and roadway geometry:





Spencer Street in the vicinity of the site access driveway is a bi-directional roadway consisting of two travel lanes in both directions with additional turn lanes provided at nearby intersections. The posted speed limit in both directions is 35 MPH.

The proposed development business hours are Monday through Sunday 9 AM to 8 PM. The expected number of employees will be between 8 to 10 per day.

### **TRIP GENERATION**

The existing building on the development site is 1,622 SF with 17 parking spaces provided including 2 accessible spaces. Using data from existing AYR Wellness operating dispensary's of various sizes, it has been determined that the proposed Spencer Street dispensary will experience a maximum of 35 transactions/hour during peak hours. If each transaction results from a single vehicle entering/exiting the site (worst case), then the expected customer trip generation for the peak hour will be 35 vehicles entering and 35 vehicles exiting the site. As a worst case trip generation scenario, I have assumed that 5 employees enter and exit the site (shift change) during the peak transactional hour. Therefore, for analysis purposes, an expected maximum peak hour generation for the development will result in 40 entering and 40 exiting vehicles. No credit has been taken for probable pass-by trips (vehicles that were on the road already and diverted their trip into the site and then continued on to their original destination.) Deliveries to the site are minimal and are estimated from existing developments to be approximately three (3) sporadic deliveries per week.

Although no credit is being taken for the previous Starbucks development traffic on the site, the amount of traffic generated by the previous Starbucks was documented (per a request from the Town of Manchester) via traffic counts in 2022. Queue lengths were documented for the drive through lane as well. Specifically, as part of the Transportation Impact Assessment (TIA) prepared by Vanasse Hangen Brustlin, Inc. (VHB) for the new Starbucks facility in the Shop Rite Plaza on Spencer Street, both actual counted Starbucks traffic and ITE Trip Generation data for Land Use Code (LUC) 937 (Coffee/Donut Shop with Drive Through Window) was used in determining the amount of traffic expected for the new Starbucks facility. Table 3 from the VHB TIA prepared for the proposed Starbucks in the Shop Rite Plaza detailed the expected trip generation. A copy of Table 3 is attached to this report.

For an order of magnitude comparison between the proposed dispensary development and the previous Starbucks use, the trip generation comparison revealed that the previous Starbucks use generated similar traffic volumes during the PM peak hour of generation. During the Saturday Midday peak hour, the previous Starbucks generated traffic was approximately twice the amount anticipated for the proposed dispensary development. It is important to note that the proposed dispensary development will have no impact during the weekday AM peak hour as the dispensary will open at 9 AM. The previous Starbucks generated its highest site traffic and vehicle queuing during the AM peak hour.

In speaking recently with the Town of Manchester Traffic Engineer (James Mayer) about the proposed development, he noted that when the existing Starbucks was in operation, both on-site and off-site circulation and queuing difficulties resulted from drive through window operation. The proposed dispensary use will be utilizing the existing drive through. However, it is important to note that the drive through operations will operate vastly different from the previous Starbucks operation. The proposed use of the drive through will be restricted to pickup of pre-ordered items by **scheduled appointment only**. The scheduled pickup appointment window will be a 5 minute allotted time frame, thereby limiting the drive through to 12 vehicles/hour. This is a significant reduction in the use of the drive through window and will result in no queuing congestion on-site or off-site.

### **SPENCER STREET ROADWAY CAPACITY**

When assessing roadway capacity, typically it is studied during the weekday AM & PM rush hour periods which occur between 6 AM to 9 AM and 4 PM to 6 PM, respectively. Additionally, when a development is retail oriented and is located in a predominantly retail development area, weekend peak periods are also assessed.

The Spencer Street traffic corridor, in the vicinity of the site parcel, is zoned primarily as General Business. Existing historical and recent traffic count data was reviewed from various sources including ConnDOT and the TIA prepared by VHB. The Spencer Street traffic corridor area currently has sufficient reserve capacity to accommodate the existing Annual Average Daily Traffic (AADT). The signalized intersections in the area are part of a coordinated signal system which provides for efficient processing of traffic movements through the intersections.

The existing geometry of the site driveway signalized intersection with Spencer Street and Hillstown Road will remain unchanged upon completion of the dispensary re-development project. In terms of Level of Service (LOS) it is my professional opinion that the intersection will continue to operate at LOS C. Peak hour capacity analyses conducted by VHB as part of the TIA for the relocated Starbucks were reviewed. The analyses were for the 2023 Build Condition. In light of the proposed dispensary use hours of operation (closed during the AM peak hour), it is anticipated that the AM weekday peak hour LOS on the driveway leg to the intersection will experience less delay as no traffic will be generated from the proposed dispensary. [LOS as defined in the Highway Capacity Manual-7<sup>th</sup> Edition (HCM) by the Transportation Research Board (TRB), is a measure of delay experienced by stopped vehicles at a signalized intersection. LOS is rated on a scale from A to F with A describing very low delay per vehicle and F describing a condition where delays exceed 80 seconds per vehicle.] Overall, the amount of traffic generated by the proposed dispensary development and processed at this intersection will result in better operation during the AM peak hour, no change during the PM peak hour and slightly better operation during the Saturday Midday peak hour based on the expected trip generation to/from the development during these respective analyzed time periods.

**SIGHT DISTANCE ANALYSIS**

The driveway intersection leg of the intersection with Spencer Street will continue to provide safe and sufficient intersection and stopping distance sight distances for vehicles entering and exiting this leg of the intersection. The intersection sight distances will exceed the minimum required sight distances as set forth in ConnDOT's current "Guidelines for Highway Design" manual. The actual sight distance looking left from the site driveway is in excess of 700 feet while looking right is in excess of 800 feet. Both these sight lines exceed ConnDOT required distances of 390 feet to the left and 440 feet to the right.

**ACCIDENT ANALYSIS**

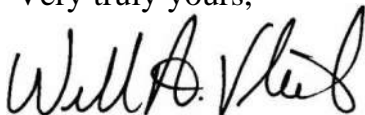
Available accident data was obtained and reviewed for Spencer Street in the vicinity of the development driveway and also included the intersection of Spencer Street and Hillstown Road. Within the five (5) year time frame studied, no identifiable accident patterns were revealed. The vast majority of accidents resulted in property damage only to the involved vehicles with very few injuries and no fatalities. This review/analysis is consistent with the similar analysis conducted by VHB as presented in the TIA for the relocated Starbucks. (See attached Accident Data)

**CONCLUSION**

Based on my assessment of the traffic volumes which will be generated by the proposed development coupled with my 30+ year history of traffic engineering involvement in the Town of Manchester area, it is my professional opinion that the introduction of site generated traffic will not disrupt the continuity of weekday and weekend peak hour traffic flow on the adjacent Spencer Street corridor/roadway system. The current roadway geometry and signalized site drive intersection with Spencer Street and Hillstown Road will provide for safe and efficient travel for peak hour traffic. The level of site generated traffic does not require any changes to the existing driveway intersection with Spencer Street and Hillstown Road.

Please contact me if you require any additional information or have any questions.

Very truly yours,



William A. Vliet, P.E.  
 Manager for VLIET & O'NEILL, LLC



TRIP GENERATION – Relocated Starbucks



**Table 3 Site Generated Traffic Summary**

Time Period	ITE LUC 937 (2,400 SF) <sup>1</sup>	Internal Capture Trips <sup>3</sup>	Total External Trips	Pass-By Trips <sup>2</sup>	Net New Trips
<i>Weekday Morning Peak Hour</i>					
Enter	124	12	112	54	58
Exit	<u>119</u>	<u>12</u>	<u>107</u>	<u>54</u>	<u>53</u>
Total	243	24	219	108	111
<i>Weekday Evening Peak Hour</i>					
Enter	47	5	42	21	21
Exit	<u>47</u>	<u>4</u>	<u>43</u>	<u>21</u>	<u>22</u>
Total	94	9	85	42	43
<i>Saturday Midday Peak Hour</i>					
Enter	105	11	94	47	47
Exit	<u>106</u>	<u>11</u>	<u>95</u>	<u>47</u>	<u>48</u>
Total	211	22	189	94	95

Source: Trip Generation, 11th Edition; Institute of Transportation Engineers (ITE); Washington, D.C. (2021).

1 Weekday morning projections based on local data at existing Starbucks on Spencer Street; other time periods based on ITE LUC 937 Coffee/Donut Shop with Drive-Through Window, 2,400 SF

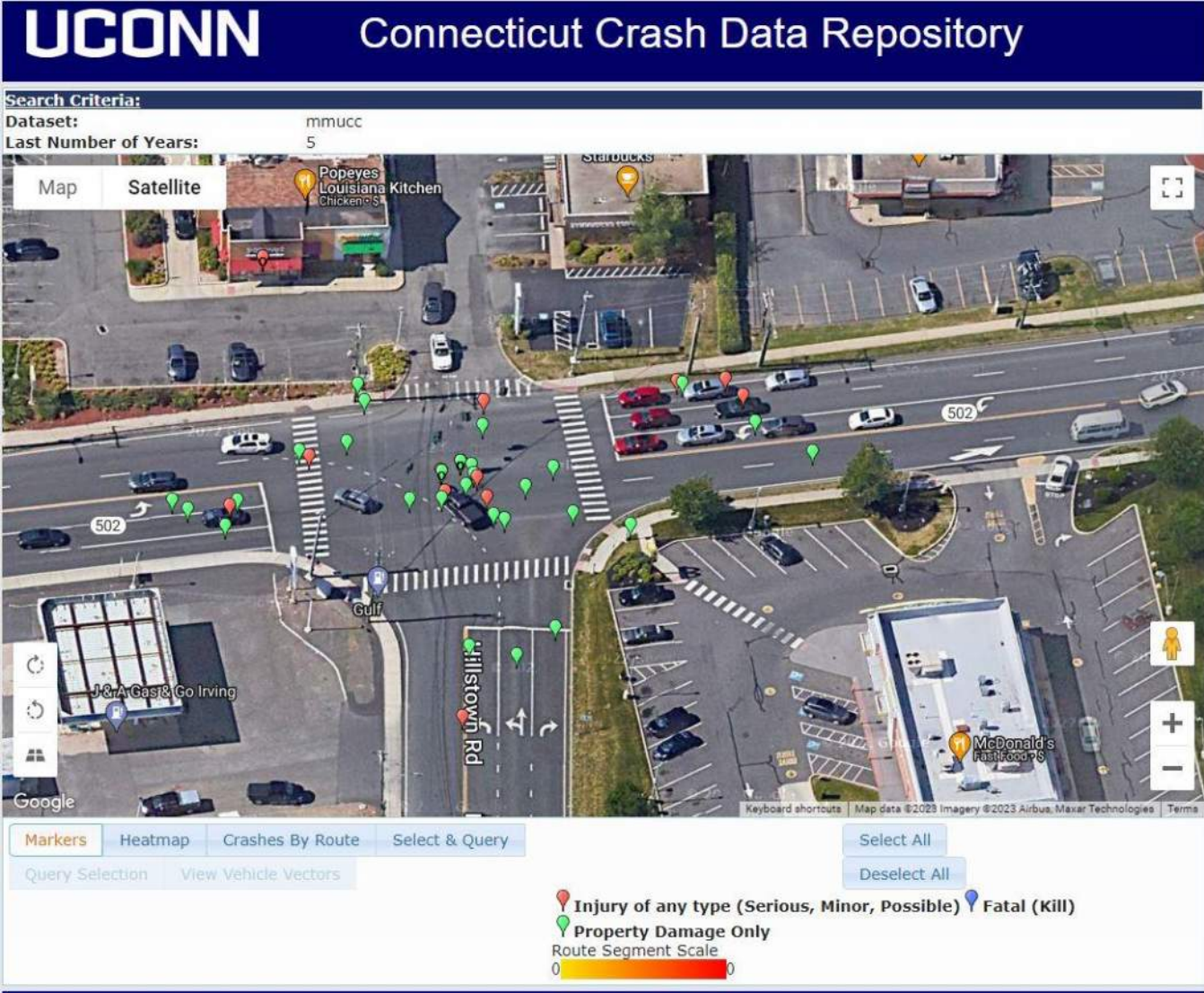
2 Pass-by Trips, per CTDOT 50%

3 Internal Capture Rate, per CTDOT 10%



# ACCIDENT DATA

Spencer Street and Hillstown Road at Site Driveway Area:



# UConn

# Connecticut Crash Data Repository

[Add Summary](#) [Add Route Histogram](#) [Export To CSV](#) [Save Query](#) [New Query](#) [Edit Query](#)

**Search Criteria:**  
Dataset: mmucc  
Last Number of Years: 5  
Latitude: 41.76702300  
Longitude: -72.56888900  
Tolerance: 150.00000000

**Search Summary**  
Crashes Records: 51  
Vehicles Records: 100  
Persons Records: 165

[View Crashes on Map](#) [View Crashes on Map With Criteria](#)

Map tool is optimized for usage with Firefox and Google Chrome. Some functionalities are not compatible with Internet Explorer.

[Crashes](#) [Vehicles](#) [Persons](#)

Records: 1 - 51 of 51  
Records Per Page:  [Visible Columns](#)  
Page: 1 of 1

1

*Click on the pencil to display the data in human readable text (if available).  
Click on the column names in order to sort by that column. (Sorting by a column may require more time to load the results.)*

Record	CrashId	Diagram	Location	Town Name	Date Of Crash	Time of Crash	Crash Severity
1	381728	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2018-01-18	10:13:00	Property Damage Only
2	392488	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2018-02-10	08:46:00	Injury of any type (Serious, Minor, Poss
3	407173	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2018-04-14	12:44:00	Property Damage Only
4	412457	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2018-04-29	10:45:00	Property Damage Only
5	416253	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2018-04-30	17:01:00	Property Damage Only
6	427307	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2018-06-16	21:54:00	Injury of any type (Serious, Minor, Poss
7	428519	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2018-06-24	10:15:00	Property Damage Only
8	473396	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2018-10-28	19:38:00	Injury of any type (Serious, Minor, Poss
9	473406	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2018-11-03	16:29:00	Injury of any type (Serious, Minor, Poss
10	500693	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2019-01-03	15:02:00	Property Damage Only
11	547171	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2019-05-14	08:08:00	Property Damage Only
12	571765	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2019-08-02	06:42:00	Injury of any type (Serious, Minor, Poss
13	581465	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2019-09-05	09:14:00	Injury of any type (Serious, Minor, Poss
14	592931	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2019-10-07	12:34:00	Property Damage Only
15	612316	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2019-11-08	08:11:00	Property Damage Only
16	623593	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2019-12-07	14:05:00	Injury of any type (Serious, Minor, Poss
17	626510	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2019-12-17	20:23:00	Injury of any type (Serious, Minor, Poss
18	659900	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2020-02-13	05:19:00	Property Damage Only
19	666100	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2020-03-07	18:24:00	Injury of any type (Serious, Minor, Poss
20	678466	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2020-04-25	15:33:00	Property Damage Only
21	702223	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2020-07-24	17:10:00	Property Damage Only
22	706899	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2020-07-27	21:18:00	Injury of any type (Serious, Minor, Poss
23	727445	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2020-09-25	19:58:00	Property Damage Only
24	729464	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2020-08-29	14:35:00	Property Damage Only
25	776638	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2020-12-29	17:28:00	Property Damage Only
26	785452	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2021-01-29	07:44:00	Injury of any type (Serious, Minor, Poss
27	789544	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2021-02-14	15:47:00	Injury of any type (Serious, Minor, Poss
28	807032	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2021-04-25	14:47:00	Property Damage Only
29	812227	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2021-05-14	09:07:00	Property Damage Only
30	851772	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2021-09-21	07:27:00	Injury of any type (Serious, Minor, Poss
31	852569	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2021-09-26	19:03:00	Injury of any type (Serious, Minor, Poss
32	866151	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2021-11-03	10:19:00	Property Damage Only
33	869098	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2021-11-12	15:07:00	Property Damage Only
34	903843	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2022-02-01	08:29:00	Property Damage Only
35	927338	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2022-04-07	14:14:00	Property Damage Only
36	948363	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2022-07-02	18:48:00	Property Damage Only
37	949318	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2022-06-25	21:21:00	Injury of any type (Serious, Minor, Poss
38	971167	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2022-09-01	21:15:00	Property Damage Only
39	979914	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2022-10-06	08:13:00	Injury of any type (Serious, Minor, Poss
40	982374	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2022-10-03	13:05:00	Property Damage Only
41	991688	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2022-11-02	15:43:00	Injury of any type (Serious, Minor, Poss
42	995913	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2022-11-17	15:25:00	Injury of any type (Serious, Minor, Poss

43	1004731	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2022-12-13	15:57:00	Property Damage Only
44	1013479	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2022-11-19	16:04:00	Property Damage Only
45	1029496	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2023-03-05	16:24:00	Property Damage Only
46	1029524	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2023-03-02	15:21:00	Property Damage Only
47	1037235	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2023-04-04	08:45:00	Property Damage Only
48	1043275	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2023-04-21	16:01:00	Property Damage Only
49	1045957	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2023-04-14	20:28:00	Property Damage Only
50	1058896	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2023-06-07	22:17:00	Property Damage Only
51	1064911	<a href="#">View</a>	<a href="#">View On Map</a>	Manchester	2023-06-25	16:39:00	Injury of any type (Serious, Minor, Poss





AYR Wellness Physical Security Overview

**201 Spencer Street Manchester, Connecticut**

By: Joshua Jordan-Gant, CPP Sr Director of Asset  
Protection-National



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1. General Security Provisions	

## **Section 1: Physical Elements**

1. Location & Building Specifications – This location is a standalone retail Dispensary location. \
2. Landscape & Natural Surveillance – Landscape will allow for clear, unobstructed views of surrounding areas to avoid creating blind spots. All mature landscaping shall be trimmed to ensure clear lines of sight are maintained. The landscaping plan shall allow for proper illumination and visibility regarding lighting and surveillance cameras through the maturity of any trees and shrubs.
3. Outdoor Lighting– Exterior lighting shall be white light using wall and fence mounted lamps or led boxes. Broken or damaged exterior lighting shall be repaired or replaced within 72 hours of being noted. Exterior lighting shall be shielded or otherwise designed to minimize spill-over illumination to adjacent streets and properties. Exterior lighting will be set to “on” after hours providing lighting without motion triggers.
4. Staff Entrance & Parking (Staff/Guests) – Staff members shall utilize designated parking which shall be equipped with adequate lighting to deter crime, reduce vehicle accidents, and mitigate potential safety hazards. Staff shall utilize a centralized staff entrance for entering and exiting the building.

## Section 2: Alarms/Camera/Access Systems

1. Alarm Systems – This facility is equipped with (2) burglary alarm systems (one primary, one backup) that are monitored by offsite central stations. The alarm system communicates to a central station using a primary cellular communicator and is equipped with a battery back-up with at least 24 hours of continued operation time in case of power failure. Alarm system includes-

- Motion Detectors at all exterior doors and windows, and within all rooms/locations that have cannabis.
- Glass Break sensors at all exterior doors or windows that contain glass.
- Audible alarms on front and rear of the building
- A duress alarm code that when entered silently alerts authorities that help is needed.
- An audible panic alarm (generated by manual activation) to summon aid in life threatening situations.
- Silent hold-up alarms (generated by manual activation) to signify that a alerts law enforcement of a robbery in progress.
- An automatic voice dialer system, that is loaded with pre-recorded messages that will notify law enforcement or public safety/emergency services upon activation.
- The alarm system is equipped with a notification system that will be monitored and will provide alerts within (5) minutes of malfunction.
- Our alarm systems will be audited each week and documentation of those audits shall be kept on record at the facility.

2. Camera systems – This facility is equipped with a video surveillance system that records and retains information as follows -

- Records 24 hours per day (continuous recording) 365 days per year. The cameras record in both daytime and nighttime. Additional lighting is not required for our cameras to function.
- All interior spaces of the building (excluding individual offices and Human Resources areas) are recorded as described above. This includes all areas state mandated areas, such as, safes, vaults, and any place where there is cannabis.
- Exterior cameras provide coverage of the perimeter of our cultivation building, entrance into and exits from the facility, parking lots, loading dock areas, and ingress/egress location are recorded and stored as described above.
- Cameras at all entry and exit points are angled as to provide clear identification of anyone entering or exiting the building.

- The video surveillance system provides exterior motion alerts to alert Security team members/vendors/staff of any attempted perimeter intrusion.
- The system will have the ability to produce 9600 dpi still images from images or videos and will be readily accessible for viewing by regulators with or without notice. The system can export images, videos, or stills on a standard industry format and those files are capable of being viewed on an industry standard publicly accessible computer or device.
- Our Video Surveillance system is equipped with a notification system that will be monitored and will provide alerts within (5) minutes of equipment malfunction.
- Our video surveillance system will be audited each week and documentation of those audits shall be kept on record at the facility.

3. Access Systems/Key Control – This facility will be equipped with a keycard electronic access control system.

- Our access control system will ensure that Employees, Contractors, Guests, Visitors, and any other persons within our establishment are denied access to any areas for which they do not possess clearances, or where cannabis is located.
- Access to our system to add, remove or modify cards will be limited to qualified and training Internal Security team members or designees.
- Access control key cards will be kept in a locked compartment or safe and shall not be comingled with any other item being stored and will be limited in access to qualified Internal Security members or designees.
- All physical keys shall be locked in an electronically controlled key box that limits key access to authorized individuals only. All electronic key boxes that are used will provide a written log of all individuals accessing facility keys.
- All doors shall be locked, and all keys, locks, lockset and equipment shall be purchased through a commercial lock vendor. No home or personal use locks or lock sets shall be used.
- All terminated employees or employees on extended vacation, shall have their access removed and codes deactivated (employees on extended vacation/leave of absences will be reactivated upon returning).



### **Section 3: General Security provisions-**

1.The following general security provisions will also be implemented-

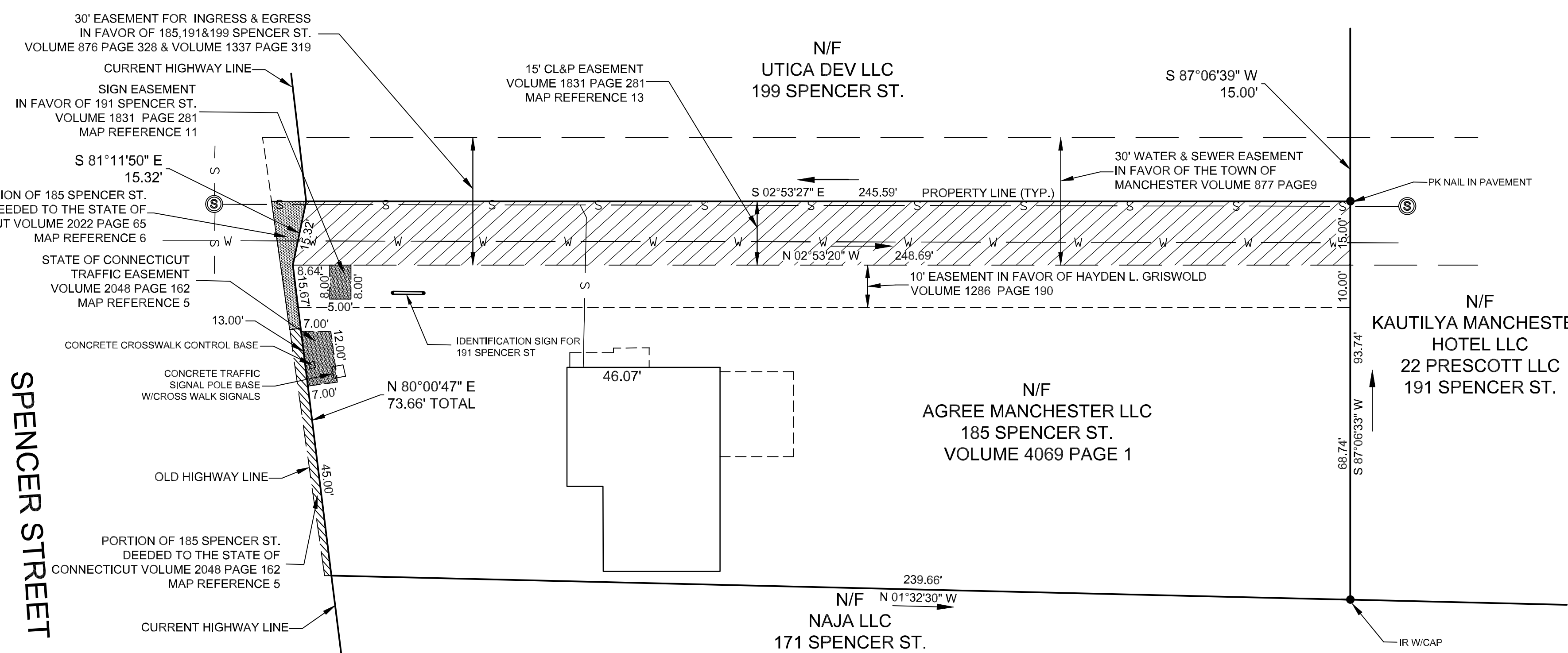
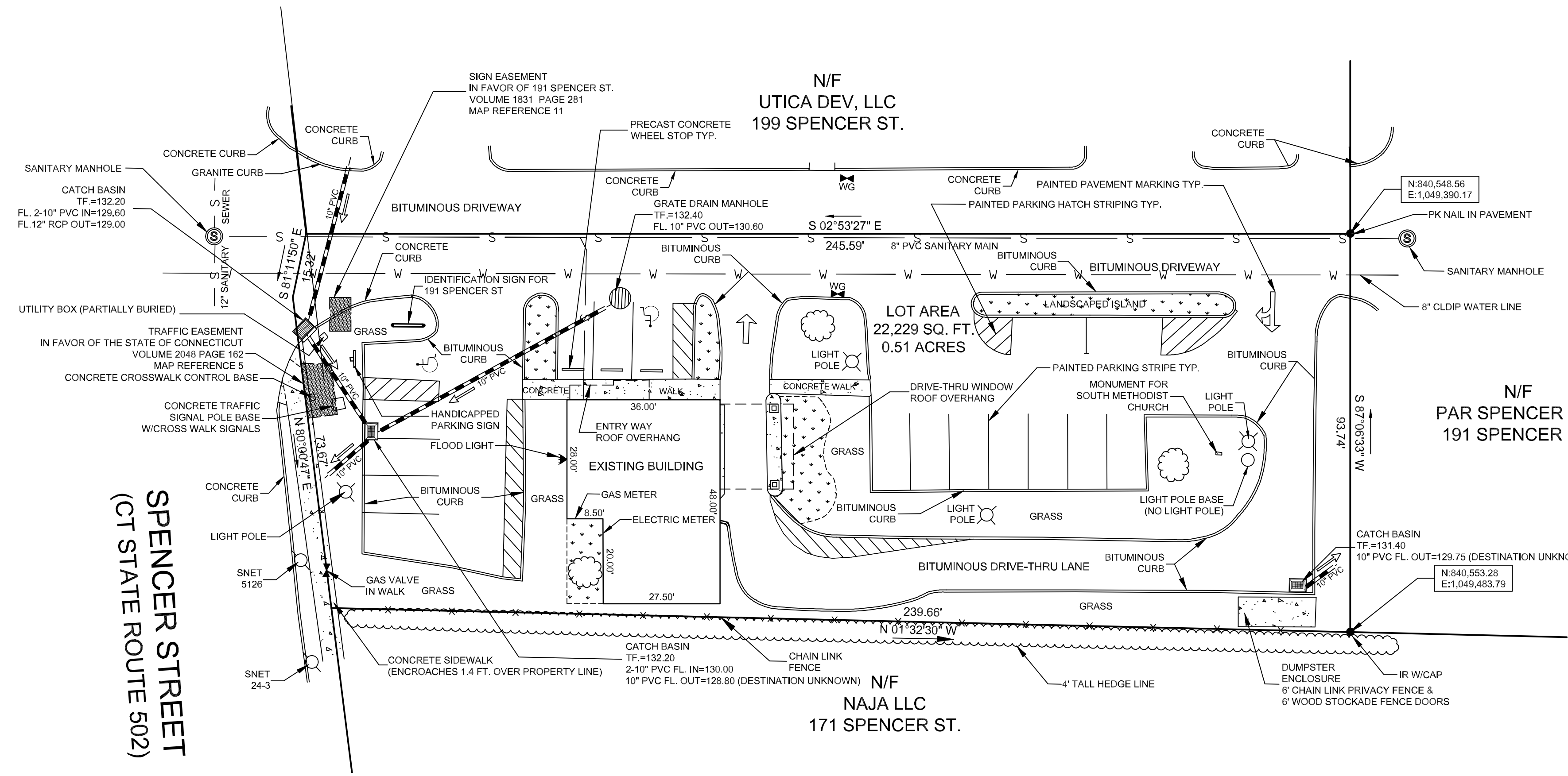
- All cameras/access/alarm systems shall be housed in a secured room, separate from all other devices, located within a cabinet with limited key access. Utilizing our access control system, only users with approved access will be able to access our server room. Our access control system will create a log of any entries and exits from this room for auditing purposes.
- All equipment shall be kept in good working order and free of damage or software glitch. Logs of all repair and auditing will be available for inspection upon request.
- All cannabis shall be stored in an approved safe or vault and in such a manner to prevent theft, loss, adulteration, or access by unauthorized individual.
- All safes, doors, entryways, and gates shall be locked and secured at all times, and will only be opened by authorized individuals and shall lock automatically after each entry.
- All doors or access hatches leading to any area containing cannabis will have signage which will be larger than 12inches in height and width advising “Do Not Enter – Access Limited to Authorized Employees Only.”
- Visitor badges will not have any access privileges or door access and shall be returned prior to leaving the facility.
- All visitors shall sign into our visitor log and will be escorted at all times while inside of the building.
- During any occurrence where AYR staff is not onsite, both alarms will be activated and the site’s alarm system, and cameras will be remotely monitored for after hours intrusion or system defect. Any intrusion events will be investigated and law enforcement shall be notified accordingly.

**SURVEY NOTES:**

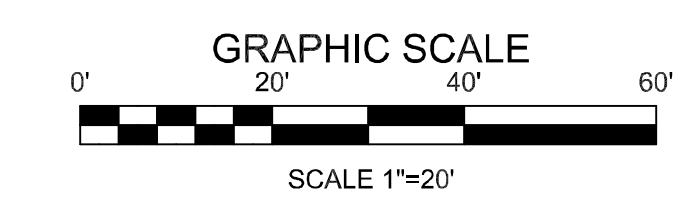
- THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES' MINIMUM STANDARDS OF ACCURACY, CONTENT AND CERTIFICATION FOR SURVEYS AND MAPS, AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS INC. ON AUGUST 29, 2019. IT IS A LIMITED PROPERTY/BOUNDARY ZONING LOCATION SURVEY MAP BASED ON A RESURVEY CONFORMING TO HORIZONTAL SURVEY ACCURACY CLASS A-2 AND TOPOGRAPHIC ACCURACY T-D. THE INTENT OF THIS MAP IS TO DEPICT THE LOCATION OF THE EXISTING IMPROVEMENTS SHOWN WITH RESPECT TO THE APPLICABLE MUNICIPAL OR STATUTORY REQUIREMENTS.
- PROPERTY IS LOCATED IN A GB (GENERAL BUSINESS) ZONE.
- BEARINGS AND COORDINATES SHOWN ARE BASED ON NAD 83 DATUM. VERTICAL DATUM IS BASED ON TOWN OF MANCHESTER CONTROL NETWORK NGVD 88 USING GEOID 96. STARTING SURVEY CONTROL POINTS WERE TOWN OF MANCHESTER CONTROL POINT 512 NORTHING 841,076.536 EASTING 1,051,813.806 ELEVATION 115.43 AND CONTROL POINT 513 NORTHING 840,434.256 EASTING 1,052,089.122 ELEVATION 128.78.
- TOPOGRAPHY SHOWN WAS TAKEN FROM TOWN OF MANCHESTER GIS DATA.
- EXISTING UTILITY LOCATIONS ARE APPROXIMATE AND WERE TAKEN FROM INFORMATION PROVIDED BY THE TOWN OF MANCHESTER ENGINEERING DEPARTMENT.
- THE PROPERTY IS NOT LOCATED IN A FLOOD HAZARD ZONE A PER FEMA FLOOD INSURANCE RATE MAP 0903C0389F EFFECTIVE SEPTEMBER 26, 2008.
- TOWN OF MANCHESTER ON-LINE INLAND WETLAND MAPPING DOES NOT INDICATE ANY INLAND WETLANDS WITHIN 100 FT. OF THE PROPERTY.
- THE PROPERTY IS SUBJECT TO RESTRICTIONS CONTAINED IN DEED FILED ON THE TOWN OF MANCHESTER LAND RECORDS IN VOLUME 876 PAGE 328.
- THE PROPERTY IS SUBJECT TO AN EASEMENT FOR AN IDENTIFICATION SIGN IN FAVOR OF 191 SPENCER STREET FILED ON THE TOWN OF MANCHESTER LAND RECORDS IN VOLUME 1831 PAGE 281.
- THE PROPERTY IS SUBJECT TO A PORTION OF THE 30' UTILITY EASEMENT IN FAVOR OF THE TOWN OF MANCHESTER FILED ON THE TOWN OF MANCHESTER LAND RECORDS IN VOLUME 877 PAGE 9.
- THE PROPERTY IS SUBJECT TO A TRAFFIC EASEMENT IN FAVOR OF THE STATE OF CONNECTICUT FILED ON THE TOWN OF MANCHESTER LAND RECORDS IN VOLUME 2048 PAGE 162.
- THE PROPERTY IS SUBJECT TO A 10 FT. EASEMENT IN FAVOR OF HAYDEN GRISWOLD FILE ON THE TOWN OF MANCHESTER LAND RECORDS IN VOLUME 1286 PAGE 190.
- THE PROPERTY IS SUBJECT TO AN 15 FT. ELECTRICAL DISTRIBUTION EASEMENT IN FAVOR OF THE CONNECTICUT LIGHT AND POWER COMPANY FILED ON THE TOWN OF MANCHESTER LAND RECORDS IN VOLUME 1831 PAGE 281.
- THE PROPERTY IS SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS IN FAVOR OF PROPERTIES LOCATED AT 191 SPENCER STREET FILED ON THE TOWN OF MANCHESTER LAND RECORDS IN VOLUME 1337 PAGE 319 AND 199 SPENCER STREET FILED ON THE TOWN OF MANCHESTER LAND RECORDS IN VOLUME 876 PAGE 328.
- THE PROPERTY TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS ACROSS THE PROPERTY LOCATED AT 199 SPENCER STREET FILED ON THE TOWN OF MANCHESTER LAND RECORDS IN VOLUME 876 PAGE 328.
- THE PROPERTY IS SUBJECT TO AN UTILITY EASEMENT IN FAVOR OF PROPERTIES LOCATED AT 191 SPENCER STREET FILED ON THE TOWN OF MANCHESTER LAND RECORDS IN VOLUME 1337 PAGE 319 AND 199 SPENCER STREET FILED ON THE TOWN OF MANCHESTER LAND RECORDS IN VOLUME 876 PAGE 328.

**MAP REFERENCES:**

- PLOT PLAN PROPOSED DEVELOPMENT FOR FAY'S PLAZA SPENCER STREET MANCHESTER, CT. PROJ. NO. 85-503 DATE 3-3-86 SCALE 1"=40' FIELD BK. 427 DESIGNER LRG CHECKER W.D.O. SHEET NO. 1 FUS & O'NEILL INC CONSULTING ENGINEERS MANCHESTER, CONNECTICUT
- PROPERTY SURVEY 185 SPENCER STREET MANCHESTER, CT. PROPERTY OF HAYDEN L. GRISWOLD, JR. TRUST ET AL SCALE: 1"=20' DRAWN: BB CHECKED: KH PROJECT: 16254.00 DATE: MAY 23, 2003 SHEET: 1 OF 1 REVISED TO 10/22/03 McFARLAND - JOHNSON, INC.
- ISSUED FOR CONSTRUCTION DYNAMIC EARTH 1904 MAIN STREET LAKE COMO, NJ 07719 T.732.974.0198 F.732.974.3521 WWW.DYNAMICCE.COM TITLE: SITE PLAN PROJECT: PROPOSED POPEYE'S RESTAURANT MANCHESTER CHICKEN, LLC PARCEL 51900-0199 199 SPENCER STREET (SH 502) TOWN OF MANCHESTER, COUNTY OF HARTFORD, CT. JOB NO.: 1021-14-003 DRAWN BY: ALPH CHECKED BY: RPF DATE: 02/27/14 SCALE: (H) 1"=20' SHEET NO. 4 OF 7 DEC CLIENT CODE: 1021 REV# 1 R.P.FREUD PROFESSIONAL ENGINEER B.W. SKAPINETZ PROFESSIONAL ENGINEER
- PLAN PREPARED FOR PAREM D ACQUISITION, LLC 191 SPENCER STREET MANCHESTER, CONN. PROPERTY/BOUNDARY SURVEY TOPOGRAPHIC SURVEY SCALE: 1"=40' MEEHAN & GOODIN ENGINEERS - SURVEYORS, P.C. 387 NORTH MAIN STREET, MANCHESTER, CT 06042 (860) 643-2520 FAX (860) 649-8806 REVISED TO 10-05-21
- TOWN OF MANCHESTER MAP SHOWING LAND ACQUIRED FROM HAYDEN GRISWOLD JR. TRUSTEE ET AL BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION SAFETY IMPROVEMENT ON S.R. 502 AT K-MART DRIVE AND HILLSTOWN ROAD JUNE 1997 JAMES F. BYRNES JR., P.E. - TRANSPORTATION CHIEF ENGINEER BUREAU OF ENGINEERING AND HIGHWAY OPERATIONS TOWN NO. 76 PROJECT 76-183 SERIAL 7 SHEET 1 OF 1 REVISED TO 12-23-97
- TOWN OF MANCHESTER MAP SHOWING LAND ACQUIRED FROM HAYDEN GRISWOLD JR. TRUSTEE ET AL BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION SAFETY IMPROVEMENT ON S.R. 502 AT K-MART DRIVE AND HILLSTOWN ROAD JUNE 1997 JAMES F. BYRNES JR., P.E. - TRANSPORTATION CHIEF ENGINEER BUREAU OF ENGINEERING AND HIGHWAY OPERATIONS TOWN NO. 76 PROJECT 76-183 SERIAL 12 REVISED TO 3/2/98
- MAP SHOWING EASEMENT AREA TO BE GRANTED TO THE CONNECTICUT LIGHT AND POWER COMPANY ACROSS THE PROPERTY OF HAYDEN GRISWOLD, JR. SPENCER STREET MANCHESTER, CONN. 11 JAN. 1991 JOB NO. 639 HALLISEY 7 HERBERT CIVIL ENGINEERS & LAND SURVEYORS 78 BEAVER ROAD, WETHERSFIELD, CONNECTICUT
- PROPERTY OF NAJA, L.C. 171 SPENCER STREET TOWN OF MANCHESTER, CONN. ALCA SURVEY ASSOCIATES CARL H. JAGER L.S. 7763 WETHERSFIELD, CONN. SCALE 1"=20' DATE 2/19/94 SHEET 1 OF 1
- MAP FF LOT #195 SHOWING PARCEL "A" #195 SPENCER STREET MANCHESTER, CONN. TO BE PURCHASED BY FRIENDLY ICE CREAM CORP. DRAWN SLS CHECKED JNC SCALE 1"=100' DATE 4-1-82 SHEET 1 OF 1 LEPORE & CAGGIANO, P.C. ENGINEERING & SURVEYORS 75 MEADOW ST BRISTOL, CONN. 06010
- MAP SHOWING LAND TO BE CONVEYED TO THE INN AT MANCHESTER, INC. SPENCER STREET MANCHESTER, CONNECTICUT JOB NO. 639 DRAWN JD CHECKED KH DATE 16 SEP. 83 SCALE 1"=40' SHEET 1 OF 2 HALLISEY & HERBERT CIVIL ENGINEERS & LAND SURVEYORS 1850 SILAS DEANE HIGHWAY, ROCKY HILL CONNECTICUT REVISED TO 8-28-89
- SIGN LOCATION PLAN PREPARED FOR: THE INN AT MANCHESTER, INC. AKMA CLARION SUITES INN 191 SPENCER STREET MANCHESTER, CONNECTICUT DATE: 10/95 SCALE: 1"=20' FT. DESIGN DAS DRAWN DAS CHECK. RPF SHEET 1 OF 1 PROJECT NO. 85-143 PLAN NO. 95-123 REVISED TO 10/29/95 MESSIER & ASSOCIATES, INC. SURVEYORS - ENGINEERS 288 MAIN STREET MANCHESTER, CT. (860) 646-0613 PUTNAM CT. (860) 928-1171

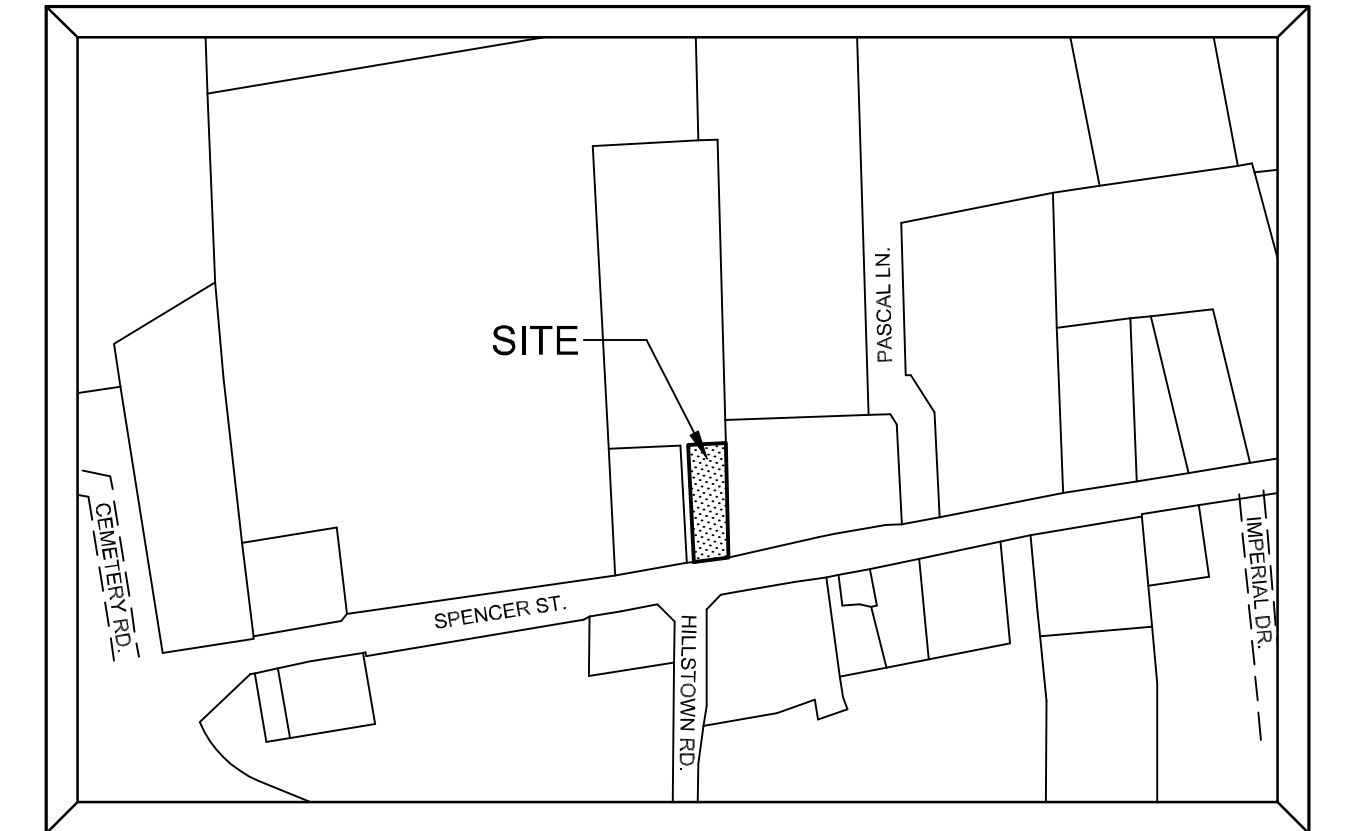


**PROPERTY LINE AND EASEMENT DETAIL**



TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

ANDREW F. BUSHNELL P.E. L.S. 24591  
 THIS MAP IS NOT VALID UNLESS IT BEARS THE EMBOSSED SEAL OF THE LICENSED LAND SURVEYOR WHOSE REGISTRATION NUMBER AND SIGNATURE APPEAR ABOVE.



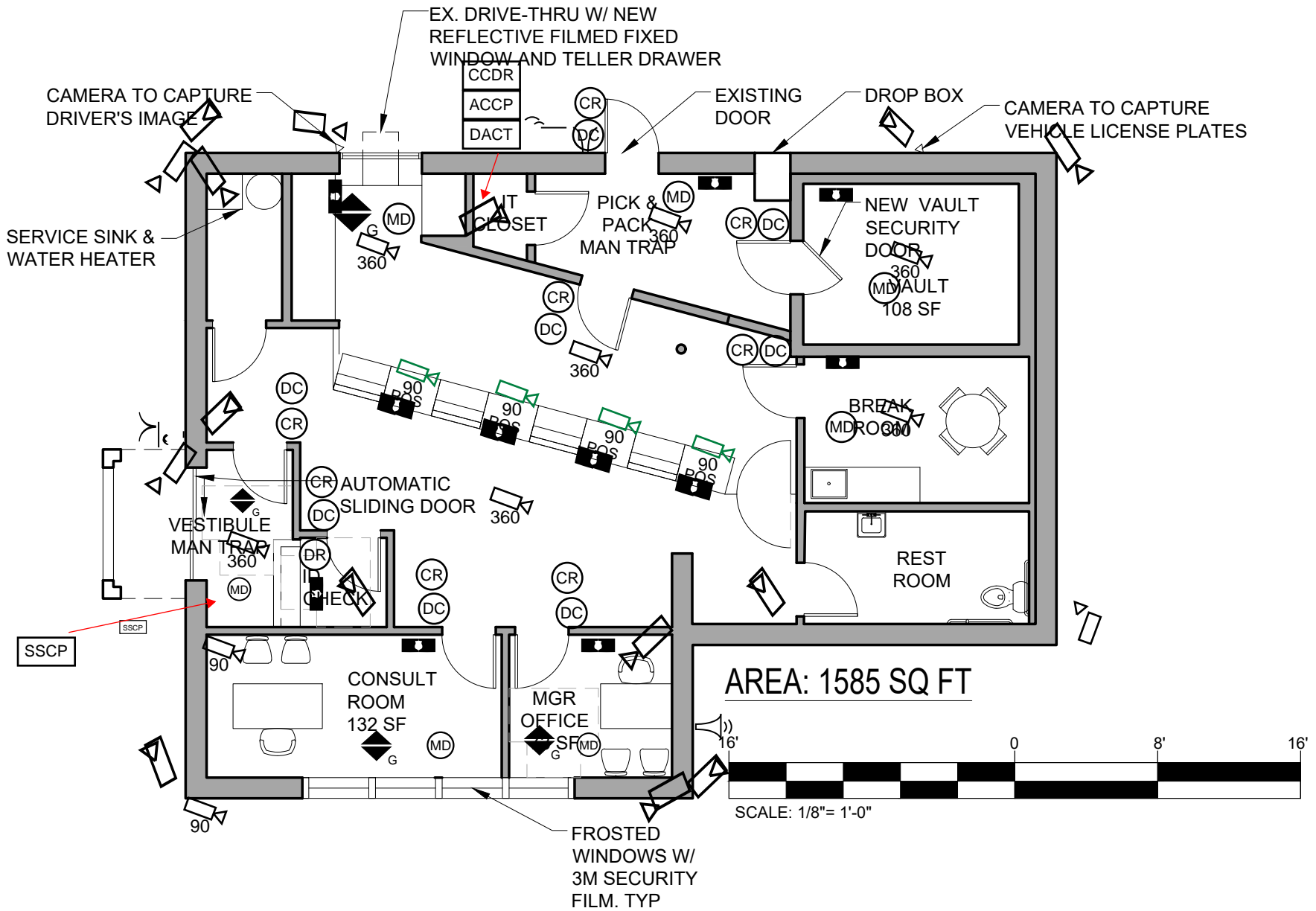
**KEY MAP**  
SCALE 1"=400'

**LEGEND**

■	EXISTING MERESTONE
○	IRON ROD TO BE SET
●	EXISTING IRON ROD / PK NAIL
⊕	EXISTING UTILITY POLE

UTILITIES SHOWN ON THIS MAP WERE DERIVED FROM FIELD LOCATIONS AND EXISTING MAPPING CONTRACTOR TO VERIFY LOCATIONS AND DEPTH IN THE FIELD PRIOR TO THE START OF ANY CONSTRUCTION. "CALL BEFORE YOU DIG (1-800-922-4455)."

<b>PLAN PREPARED FOR</b>			
<b>AYR WELLNESS</b>			
185 SPENCER STREET		MANCHESTER, CT.	
<b>EXISTING CONDITIONS SURVEY</b>			
SCALE: 1"=20'	DATE: 11/21/2023	FILE NO. 2023-120	SHEET: 1 OF 1
<b>BUSHNELL ASSOCIATES LLC.</b>			
<b>CIVIL ENGINEERING AND LAND SURVEYING</b>			
563 WOODBRIDGE STREET		MANCHESTER, CT. 06042	
860-643-7875			
REVISIONS:			



**Dean Associates**  
**Architects Incorporated**  
Architecture & Interior Design

Project Number  
2023.80  
Scale  
1/8"=1'-0"  
Drawn By  
JC  
Checked By  
WAM  
Date  
12/15/23

## PROPOSED FLOOR PLAN

201 SPENCER STREET  
MANCHESTER, CT 06040



**DRAFT**

**TOWN OF MANCHESTER  
MINUTES OF PUBLIC HEARING  
HELD BY THE PLANNING AND ZONING COMMISSION/INLAND  
WETLANDS AND WATERCOURSES AGENCY  
JANUARY 17, 2024**

**MEMBERS PRESENT:**

In Person: Eric Prause, Chairman  
Patrick Kennedy, Vice Chairman  
Michael Stebe, Secretary  
Teresa Ike  
Daniela Luna

**ALTERNATE MEMBERS SITTING:**

In Person: Maliha Ahsan

**ABSENT:**

Chris Schoeneberger  
Michael Farina  
Bonnie Potocki  
Zachary Schurin

**ALSO PRESENT:**

In Person: Megan Pilla, Principal Development Planner  
David Laiuppa, Environmental  
Planner/Wetlands Agent  
Electronically: Nancy Martel, Recording Secretary

The Chairman opened the Public Hearing at 7:00 P.M. The Secretary read the legal notice when the call was made.

MMM TRANSPORT, LLC – To revise the zoning regulations at Art. II, Sec. 16.15.02 to add “Cannabis transporter” as a permitted use by special exception in the Industrial zone. – Zoning Regulation Amendment (REG-0028-2023)

Mr. Mike D'Ambrosio, 376 East Hampton Road, Northampton, Massachusetts, introduced himself. He explained that their company operates in the state of Massachusetts. The company is interested in securing a building in Manchester and he commented that the Town has approved cannabis cultivator/micro-cultivator and they are seeking the addition in the Industrial zone. His company would need approval from the Town prior to securing a building.

Mr. Prause observed that, if the addition of transporter is approved, a public hearing would still be required for each site.

After a comment from Mr. Prause, Mr. D'Ambrosio explained that a cannabis transporter must deliver within certain periods of time during the operating hours of the facility.



Mr. Stebe inquired about the State controls, which Mr. D'Ambrosio enumerated for the record. In Connecticut, the permit to transport only allows the product to be stored in a secure vault for 24 hours. He added that "delivery" is to a consumer as a mobile dispensary. MMM Transport is strictly business to business.

Mr. Kennedy sought confirmation that "cannabis transporter" is an actual category of license under the State regulations, which Mr. D'Ambrosio confirmed. The product cannot be transported across state lines.

Ms. Pilla noted that there were no comments or objections from staff. As it is a regulation amendment, it was submitted to CRCOG and there were no comments or objections.

Mr. Stebe asked whether staff reviewed the code to determine whether it should be expanded beyond the applicant's request. Ms. Pilla stated that they did not, as it is not their proposal.

Mr. Prause asked whether "transporter" is a special exception elsewhere in the regulations. Ms. Pilla responded that, when adopting the regulations for recreational cannabis, all State definitions for the various license types were included, with the expectation that they may be added as a permitted use in the future. At this time, only retail sales, cultivator and micro-cultivator are permitted.

There were no members of the public to speak.

**MOTION:** Mr. Kennedy moved to close the public hearing. Mr. Stebe seconded the motion and all members voted in favor.

The public hearing was closed at 7:26 P.M.

I certify these minutes were adopted on the following date:

\_\_\_\_\_

Date

\_\_\_\_\_

Eric Prause, Chairman

**NOTICE: A DIGITAL RECORDING OF THIS PUBLIC HEARING CAN BE HEARD IN THE PLANNING DEPARTMENT.**

**DRAFT**

**TOWN OF MANCHESTER  
MINUTES OF BUSINESS MEETING  
HELD BY THE PLANNING AND ZONING COMMISSION/INLAND  
WETLANDS AND WATERCOURSES AGENCY  
JANUARY 17, 2024**

**MEMBERS PRESENT:**

In Person: Eric Prause, Chairman  
Patrick Kennedy, Vice Chairman  
Michael Stebe, Secretary  
Teresa Ike  
Daniela Luna

**ALTERNATE MEMBERS SITTING:**

In Person: Maliha Ahsan

**ABSENT:**

Chris Schoeneberger  
Michael Farina  
Bonnie Potocki  
Zachary Schurin

**ALSO PRESENT:**

In Person: Megan Pilla, Principal Development Planner  
David Laiuppa, Environmental  
Planner/Wetlands Agent  
Electronically: Nancy Martel, Recording Secretary

The Chairman opened the Business Meeting at 7:26 P.M.

MMM TRANSPORT, LLC – To revise the zoning regulations at Art. II, Sec. 16.15.02 to add "Cannabis transporter" as a permitted use by special exception in the Industrial zone. – Zoning Regulation Amendment (REG-0028-2023)

Noting that there were only six members of the Commission present, Mr. D'Ambrosio opted to move on with the item at this meeting.

Zoning Regulation Amendment (REG-0028-2023)

**MOTION:** Mr. Kennedy moved to approve the zoning regulation amendment to Art. II, Sec. 16.15.02 to add "Cannabis transporter" as a permitted use by special exception in the Industrial zone. Ms. Ike seconded the motion and all members voted in favor.

The reason for the approval is that the proposed amendment is consistent with the Plan of Conservation and Development's "Retail and Service Economy" Recommendation #5, which recommends consideration of zoning regulation updates to reflect the changing needs of the retail and service industry.

The zoning regulation amendment will be effective on February 7, 2024.

Mr. Prause commented that there should be no added nuisance or impact for this type of use. The special exception will allow the Commission to review each application. This is only effective in the Industrial zone by special exception and will have less impact to residents and businesses that are not industrial. It is consistent with the Plan of Conservation and Development's recommendation to update the regulations as the retail and service industries evolve.

Mr. Stebe supported the application, noting the Commission's desire to make Manchester accessible to new businesses with the reuse of industrial sites that are underutilized at this time. This will be a good addition to Manchester and is compliant with the regulations' intent.

AMERCO REAL ESTATE CO. – Show Cause Hearing – Cease and Correct Order for violations to the Inland Wetlands and Watercourses Regulations at 260 Tolland Turnpike

Mr. Laiuppa presented the area with disturbance in and adjacent to the wetlands. Most of the activity was on the Amerco property and some was on the adjacent Town-owned property. Photos of the violations were displayed.

Documented Ground Disturbing Activities:

1. Grading soils within and adjacent to wetland;
2. Clear-cutting of vegetation within and adjacent to a wetland;
3. Filling, with foreign material, within and adjacent to a wetland;
4. Purposefully channeling and directing site run-off into a waterbody, without any evidence of water filtration, dissipation, volume control, or erosion control.

The failure to secure permits, which would include engineered and design plan elements that would minimize impacts to regulated resources, prior to the commencement of site work has resulted in a violation of the Town of Manchester Inland Wetlands and Watercourses Regulations.

Order Issued January 10, 2024

On Friday, January 5, 2024, Mr. Laiuppa observed and documented ground disturbing activities:

1. Grading soils within and adjacent to a wetland
2. Clear-cutting of vegetation within and adjacent to a wetland
3. Filling, with foreign material, within and adjacent to a wetland
4. Purposefully channeling and directing site run-off into a waterbody, without any evidence of water filtration, dissipation, volume control, or erosion control.

In accordance with Section 3.8 of the Regulations, jurisdiction is assigned to the Manchester Inland Wetlands Agency and the Wetland Agent, over those activities which:

- a. Remove material from,
- b. deposit material in,
- c. alter,
- d. discharge to, or

- e. pollute a wetland, watercourse, or upland review area.

By January 17, 2024:

- **STOP** all ground disturbing and/or vegetation clearing activity.
- **STOP** depositing material.
- **STOP** discharging water into the watercourse/waterbody by blocking the constructed swale (must be done in consultation with Wetlands Agent)

By January 31, 2024:

- **INSTALL** erosion control measures around the perimeter of the disturbed area (to remain in place and be maintained until the Order is lifted)

As soon as weather allows, no later than April 15, 2024:

- **COMPLETE** a wetlands delineation by a licensed professional, including in the report a notation of all regulated resources that were impacted by the violation.
- **SUBMIT** for approval a wetland mitigation plan and accompany erosion and sedimentation control plan.

Within 1 year of approval of mitigation plan:

- **IMPLEMENT** the approved mitigation plan (no additional site work may take place until this is complete)

Mr. Kennedy asked whether the work done was in violation of a permit or without a permit. Mr. Laiuppa explained it is a violation of the regulations; there was no permit in place.

After a question from Mr. Stebe, Mr. Laiuppa described the wetlands as probably groundwater driven wetland. It is within the upland review area of the Hockanum River. Mr. Stebe and Mr. Laiuppa discussed the mitigation plans.

Mr. Prause commented that this was the site of a fire that gutted what remained of a mill building.

Mr. Laiuppa did not observe any issue related to the fire. It is unknown whether there are any contaminants in the soil. During the mitigation stage, potential contaminants must be investigated. The mitigation plan is to be submitted by April 15.

Mr. Jeff Nadeau, Amerco Real Estate, reported that the property owner is responsible regardless. There is no site plan, and the exact use has not been determined. He stated that the order is workable. The water runoff will be taken care of within five days, which Mr. Laiuppa found acceptable. Mr. Nadeau plans to have an environmental engineer evaluate the property.

After a comment from Mr. Prause, Mr. Laiuppa noted that the order has a description of a licensed professional, an independent qualified soil scientist, who would perform a wetland delineation. Mr. Nadeau was informed that the professional must have a certified soil scientist on staff who is licensed in the State of Connecticut.

### Show Cause Hearing

**MOTION:** Mr. Kennedy moved to uphold the Cease & Correct Order issued by David Laiuppa, Inland Wetlands Agent, on January 10, 2024. Ms. Ike seconded the motion and all members voted in favor.

### **DISCUSSION OF COMMISSION INTEREST IN PURSUING AN ORDINANCE FOR MUNICIPAL FINES FOR WETLANDS VIOLATIONS**

Ms. Pilla reviewed the ability to assess fines for wetlands violations and noted that the Town does not have that ability currently. State law states that, in order to assess municipal fines, there must be an ordinance in place as well as a procedure for citation hearings. Fines can be assessed at a higher level, be referred to the Town Attorney and in turn to the Superior Court, who can assess fines.

The State law allows the Town to have an ordinance, but the Board of Directors would have to approve. Staff would be in support of such an ordinance, which would allow Mr. Laiuppa to issue fines. Staff, the Commission and the Board of Directors would work together to establish the ordinance.

Ms. Luna speculated about the standard in other towns. Ms. Pilla responded that Manchester would not be the first town to have an ordinance in place.

Mr. Stebe asked what other areas the Commission has purview over to level fines, either as the Inland Wetlands Agency or Planning and Zoning Commission. Ms. Pilla responded that the Board of Directors adopted an ordinance in 2019 which allows the Zoning Enforcement Officer to directly issue citation fines for zoning violations.

Mr. Kennedy contemplated the amount of trouble there is enforcing wetlands regulations currently. He speculated that the majority comply with citations and questioned the need for an ordinance.

Ms. Pilla noted that it has not been an urgent need and the issue only came up after staff reported a notice of violation.

Mr. Laiuppa stated that this issue may come up with repeat occurrences or in situations with uncooperative entities. He reported the steps he takes when a violation is noted. DEEP has empowered some town wetland agents to have a ticket book. Currently, the language in the notice of violations states that noncompliance will be referred to the Town Attorney to issue fines. His concern is the window of when there is a clear violation not being addressed and the amount of time it takes to go through the court system. Mr. Laiuppa stated that this issue is infrequent. He reported that there is an issuance of a fine related to the violation which is ongoing and recurring. If recurring, it warrants a daily fine, which is \$1,000, the maximum by State law.

Mr. Prause asked about the complexity of the ordinance. Ms. Pilla responded that most are three to four paragraphs. The most complicated piece would be establishing a citation hearing procedure.

Mr. Prause inquired whether the PZC should propose a finalized ordinance to the Board of Directors. Ms. Pilla assumed it would be best to gauge the BOD before putting something on the agenda.

Mr. Prause asked whether staff has the bandwidth or if the PZC should form a smaller committee to work on the language. Ms. Pilla responded that, if the Commission feels there is urgency, it may be helpful to have a small committee working on it.

Mr. Kennedy observed that the Commission does not write ordinances, nor does it have the expertise. It was his opinion that the Commission could gauge the BOD's interest.

Mr. Stebe felt the Commission should move forward based on the number of situations over the recent past. He suggested that the PZC determine its need prior to addressing the BOD.

Ms. Pilla stated that the role of the Commission would be to approach the BOD with what it would like to see. The final language would be up to the BOD and the Town Attorney.

Mr. Laiuppa presented and detailed a flow chart of violation procedures.

A general discussion was held about the timing and detail of a proposal to the BOD.

It was suggested that the Commission members have an opportunity to review other towns' ordinances.

After an inquiry from Ms. Ahsan, Ms. Pilla stated that staff could produce a list of previous violations. A discussion was held about informing the BOD of past examples. Mr. Laiuppa noted that, if there was a cease and desist or cease and correct order, there was a direct impact to a wetland. If there is a notice of violation, sometimes there is a direct impact, although not always.

## **ADMINISTRATIVE REPORTS**

- Ms. Pilla reported on a training opportunity on February 5, 2024 at 5:45 P.M. – an in-house training session prior to the regularly-scheduled meeting.
- Mr. Laiuppa gave an update on the Notice of Violation at 69 Woodside Street.

After a comment from Mr. Stebe about the Notice of Violation, Ms. Pilla stated that staff has reviewed and approved the revised plan, which is weather dependent. A discussion was held regarding the timeline related to weather.

## **APPROVAL OF MINUTES**

January 3, 2024 – Public Hearing/Business Meeting

**MOTION:** Mr. Kennedy moved to approve the minutes as written. Ms. Luna seconded the motion and all members voted in favor.

## **RECEIPT OF NEW APPLICATIONS**

There were no new applications.

**MOTION:** Mr. Kennedy moved to close the business meeting. Mr. Stebe seconded the motion and all members voted in favor.



The Business Meeting was closed at 8:40 P.M.

I certify these minutes were adopted on the following date:

\_\_\_\_\_

Date

\_\_\_\_\_

Eric Prause, Chairman

**NOTICE: A DIGITAL RECORDING OF THIS BUSINESS MEETING CAN BE HEARD IN THE PLANNING DEPARTMENT.**