

**CITY OF NORWALK
ORDINANCE COMMITTEE
JUNE 21, 2022
BY VIDEOCONFERENCE AND TELECONFERENCE**

ATTENDANCE: Lisa Shanahan, Chair; David Heuvelman; Dominique Johnson; Joshua Goldstein; Thomas Keegan; Thomas Livingston; Nora Niedzielski Eichner

STAFF: Darin Callahan and Brian Candela, Corporation Counsel; Broderick Sawyer, Norwalk Fire Department; Robert Stowers, Director of Recreation and Parks

OTHERS: Heidi Alterman, Common Council member

ROLL CALL

Ms. Shanahan called the meeting to order at 7:01 p.m. and called the Roll as indicated above.

PUBLIC HEARING – possible action on

Public participation comments are not verbatim and represent a summarization of statements unless otherwise noted.

Discuss and vote on Pesticides Ordinance

Ms. Audrey Cuzzara spoke in support of the pesticides ordinance.

Ms. Priscilla Ferrel spoke in support of the pesticides ordinance and said that organic alternatives may be more expensive, but the considerations will be outweighed because they will not pose a pesticide risk.

Ms. Diane Lauricella spoke in support of the pesticides ordinance. She reviewed her background and said she would love to see an educational component of the ordinance. She offered a friendly warning about aerial spraying for west nile virus because it was toxic to bees.

A member of the Norwalk River Watershed spoke in support of the pesticides ordinance.

A member of the public spoke in support of the ordinance

There were no other speakers, and the public hearing was closed.

Discuss and vote on Firefighter safety Building Marking System Sign ordinance

There were no speakers, and the public hearing was closed.

PUBLIC HEARING DISCUSSION

Ms. Niedzielski Eichner thanked the City staff for their work on the pesticides ordinance and for developing ways to move away from pesticides. Mr. Heuvelman added that the staff has been very open to making new changes and that says something for the quality of the staff.

Mr. Livingston offered grammatical changes along with titles for consistency. Ms. Johnson said she appreciated the adoption of inclusive gender-neutral language in the ordinance. She noted that it is important that the City because they can't expect homeowners to do it, if the City is not doing it. She said they can be an example to homeowners. Mr. Goldstein noted the importance of educating people on how best to maintain their homes.

Ms. Niedzielski Eichner suggested using their, rather than him/her in the ordinance. Ms. Johnson said she wanted to be sure the changes were consistent with the code. Mr. Keegan reminded his colleagues that this ordinance may have future financial implications and asked that they remember the steps the staff took if they have to request additional funding. Mr. Livingston said they could make changes from "his/her" to "their designee". The Committee agreed to that change.

**** MR. KEEGAN MOVED TO APPROVE THE PESTICIDES ORDINANCE
AS AMENDED AND TO MOVE IT TO THE FULL COMMON COUNCIL
** MOTION PASSED UNANIMOUSLY**

Ms. Shanahan told Mr. Keegan that it was such a pleasure working with him on this Committee and that she will miss him.

Ms. Shanahan left the meeting at 7:32 p.m. and Mr. Livingston took over as Chair of the Committee.

**** MR. KEEGAN MOVED TO APPROVE THE BUILDING MARKING
SYSTEM SIGN ORDINANCE AND TO MOVE IT TO THE FULL
COMMON COUNCIL
** MOTION PASSED UNANIMOUSLY**

PUBLIC COMMENT

Public participation comments are not verbatim and represent a summarization of statements unless otherwise noted.

Ms. Diane Lauricella spoke about the Aquifer Protection Agency and suggested moving it under the Conservation Commission rather than Planning and Zoning.

ACCEPTANCE OF MINUTES

May 17, 2022 – regular meeting

Page 4: Mr. Goldstein explained that since the meeting of May 17, 2022, the Cannabis law changed.

Page 6: the following sentence - Mr. Goldstein explained they are required to put the money in a trust account and does not believe the State law requires that the money be spent within a specific time, should read: Mr. Goldstein explained they are not required to put the money in a trust account and does not believe the State law requires that the money be spent within a specific time.

**** MR. KEEGAN MOVED TO APPROVE THE MINUTES AS AMENDED
** MOTION PASSED UNANIMOUSLY**

OLD BUSINESS

Discuss and vote on Cannabis ordinance

Mr. Goldstein said there are some draft concerns and he wanted to walk through some changes. He discussed the designated space issue. He noted that this is unlike any other ordinance, because there are no designed spots to smoke cigarettes or drink alcohol. He reviewed the updates to the ordinance.

Mr. Livingston thanked Mr. Goldstein.

Mr. Heuvelman referred to the section in the ordinance regarding cannabis restrictions. Mr. Goldstein explained that the law for cannabis has a requirement to chose a place or places where it can be used. Mr. Heuvelman told Mr. Goldstein that he was stigmatizing cannabis by limiting its use to one location. Mr. Livingston pointed out that Mr. Goldstein is not stigmatizing it; it is in the legislation. Mr. Heuvelman said he has a tough time with that section and putting it on the Mayor.

Ms. Johnson said she was focusing on equity and equitable and asked how to define those two. Mr. Goldstein said that was from the State statute. Ms. Johnson suggested highlighting that Black and Brown residents would be treated like everyone else. Mr. Goldstein said the definition of equity is from the State Statute. He added that one of the reasons this fund is in existence, is to remedy the issues from the war on drugs. Mr. Goldstein told Ms. Johnson that he would be happy to work with her on this. Ms. Johnson asked how they will put the practice of equity into enforcement so they do not create unintended effects.

Mr. Keegan said that when they talked about how this worked in MA, they indicated their biggest problem was with DUI, from a law enforcement perspective.

Mr. Keegan explained that someone had a problem with every single place they recommended as a place to use Cannabis. He said that cigarette smoking has been legal for years and years, but today it is frowned upon. Cannabis has been illegal for years and years. If someone is smoking cannabis in public, the Police can issue a summons, except if they are smoking in an area where it is permitted. The State requires the City to come up with a place where smoking is legal. If they choose to smoke elsewhere, they can get a ticket. Mr. Goldstein said they are trying to build cannabis as an industry in the City.

Ms. Niedzielski Eichner said this is a difficult issue, but the goal of legalizing cannabis is to decrease arrests; however she said that she did not want her child to walk in back of someone smoking cannabis and ingesting the second hand smoke. Mr. Livingston said they need to do what the State wants them to do. Mr. Heuvelman said he was concerned about this from an enforcement and equity standpoint and said they need to have multiple locations in the City.

It was noted that people do not only smoke cannabis and the question was asked if imbibing of cannabis was permitted in other places. Mr. Keegan said he did not think there was any guidance on imbibing cannabis. He said that this is a tremendous challenge and that they should come up with the best place possible. Ms. Johnson asked if they should include the definition of consumption in the ordinance. Mr. Goldstein said he would make a note of that.

Ms. Niedzielski Eichner noted that people are not allowed to walk around on sidewalks with alcohol and this ordinance does not prohibit the use on private property.

Mr. Goldstein said the various City departments have been very helpful in finding appropriate retail facilities and for designating spots. Mr. Heuvelman said the City allows people to purchase and consume alcohol on site, but they do not permit that with cannabis. Ms. Niedzielski Eichner said this is a State law. Mr. Heuvelman said that cultivation is a huge opportunity for Norwalk.

Mr. Goldstein said that in May, the State legislature passed a bill providing several amendments to the original bill legalizing cannabis. He added that he did not see anything in the law preventing the City from limiting the number of retail sites.

The Committee members discussed the ordinance and the state statute relative to the fund. Mr. Goldstein thanked everyone for their engagement and thoughts. He noted that this is a collaborative process. There was no vote on the ordinance this evening.

NEW BUSINESS

Discuss and vote on chapter 17 (Aquifer Protection Agency), Section 1 (Designation; membership; technical training)

Mr. Livingston explained that the proposed amendment changed the reference from the Zoning Commission to the Planning and Zoning Commission. Mr. Livingston said he did not hear from any other commission and that this is not just a technical change.

**** MR. KEEGAN MOVED TO APPROVE THE CHANGE TO CHAPTER 17 (AQUIFER PROTECTION AGENCY), SECTION 1 (DESIGNATION AND SEND/MOVE TO PUBLIC HEARING; MEMBERSHIP; TECHNICAL TRAINING)**

**** MOTION PASSED UNANIMOUSLY**

Mr. Livingston thanked Mr. Keegan and said that he will miss him.

DISCUSSION ITEM

There were no discussion items this evening.

ADJOURNMENT

**** MR. KEEGAN MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

There was no further business, and the meeting was unanimously adjourned at 8:42 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services