

**CITY OF NORWALK
ORDINANCE COMMITTEE
MAY 17, 2022
BY VIDEOCONFERENCE AND TELECONFERENCE**

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

STAFF: Brian Candela, Corporation Counsel; Deanna D'Amore, Director
of Health; Lamond Daniels, Chief of Community Services; Steven
Kleppin, Director of Planning and Zoning; Broderick Sawyer, Fire
Marshall, Norwalk Fire Department; Robert Stowers, Director of
Parks and Recreation

OTHERS: Nicol Ayers, Diana Revolus and Darlene Young, Common Council
members

ROLL CALL

Ms. Shanahan called the meeting to order at 7:04 p.m. and called the Roll as indicated above.

PUBLIC HEARING (possible action on)

A public hearing was not held this evening.

PUBLIC COMMENT

No members of the public wished to comment this evening.

ACCEPTANCE OF MINUTES

April 19, 2022 – regular meeting of the Ordinance Committee

The following corrections were made to the minutes:

Remove Chairman throughout and replace with Chair.

Correct the spelling of Diane Lauricella's name.

Page 4, second paragraph should read: Mr. Goldstein asked why the Committee has a member of the Zoning Board of Appeals and not a member of the Planning and Zoning Commission.

- ** MR. HEUVELMAN MOVED TO ACCEPT THE MINUTES AS CORRECTED**
**** MOTION PASSED WITH ONE (1) ABSTENTION (MR. HEUVELMAN)**

OLD BUSINESS

Discuss and vote on Pesticides Ordinance

Ms. Shanahan gave an overview of the Pesticides Ordinance. She said that the Ordinance was passed through several department and changes were made based on the comments. She reviewed the changes. Ms. Shanahan noted that she was very pleased that Oak Hills Park will not use prohibited pesticides. The reporting records will go through Parks and Recreation. Mr. Sawyer noted that in the Fire Code Safety Data Sheets, pesticides fall under the realm of the Fire Department.

Mr. Keegan asked about the financial impact on Parks and Recreation and Oak Hills. Ms. Shanahan explained that is not something they plan to discuss. She noted that the City has been cautious about what they use. Mr. Livingston added that the City has not been using these pesticides. There may be costs for Oak Hills.

Mr. Stowers said he did not believe there would be additional costs. If they need to get an exemption to use pesticides for toxic weeds they would go through the Committee. Ms. Shanahan added that if someone is using a restrictive product, they would need to go before the Committee. Mr. Stowers said they have been looking at alternative products to remove toxic weeds.

- ** MR. LIVINGSTON MOVED TO SCHEDULE A PUBLIC HEARING AT THE NEXT MEETING**
**** MOTION PASSED UNANIMOUSLY**

NEW BUSINESS

Discuss and vote on Fire Fighter Safety Building Marking System Sign Ordinance

There is a safety issue when Fire Fighters enter a nonresidential building. This signage lets them know how long they have inside the building. This signage will keep the Fire Fighters and the public safe. This has not been adopted in Connecticut. Mr. Sawyer said he spoke with the State Fire Marshall who has no problems with the local Fire Marshall doing this.

Mr. Sawyer said this is something the owners will have to comply with. The property owner, architect or building management will know what type of material the building is made of. The signs are about \$40.00 and are weather resistant.

Mr. Sawyer said this signage would be required of three family buildings and up and for commercial buildings.

Mr. Livingston said this was a terrific idea and important. He said he was struggling with the implementation and asked if there was a penalty. Mr. Sawyer explained that the penalty is in the Fire Code. He said they need to give people time to comply and would be happy to implement this in January. People will have 30 days to comply.

An effective date of November 1, 2022 was suggested. Mr. Livingston offered suggestions on the language. Ms. Niedzielski Eichner suggested checking Zoning regulations to make the language consistent.

**** MR. GOLDSTEIN MOVED TO SCHEDULE A PUBLIC HEARING AT
THE NEXT MEETING
** MOTION PASSED UNANIMOUSLY**

Discuss and Vote on Cannabis Ordinance

Ms. Shanahan explained that this Ordinance is the mechanics for the City to collect funds and how those funds will be held and spent.

Mr. Goldstein, working with Mr. Keegan said this was a team effort. He explained that this was an initial, but comprehensive presentation. This is not a finished product. He reviewed the law that was signed by Governor Lamont last summer. He said no one knows how much the State will earn in tax revenues.

Ms. D'Amore presented a map showing cannabis retail eligible parcels in Norwalk. Mr. Kleppin reviewed sites that are eligible and not eligible for retail cannabis sale. He noted that the business is regulated. He added that they need to think about cultivators, because they are treated as a manufacturing. Mr. Kleppin said that once the Committee thinks about the variables, they can work on a timeline.

Ms. Young asked for a description of where the retail eligible areas are located. Mr. Kleppin presented the location on a map and said the majority of the areas are where retail uses are located, such as, Main Avenue/Route 7, West Avenue and Wall Street and East Avenue. Other areas that allow retail are Rowayton and the Cranbury, and Silvermine areas of Norwalk. Ms. Young asked Mr. Kleppin to provide a copy of the map to the members of the Committee and to the members of the Common Council. Mr. Kleppin said he will send the map along with a spread sheet showing the properties.

Ms. Revolus expressed concern about traffic and suggested placing the retail establishments along the border areas of Norwalk. Mr. Heuvelman asked about parking. Mr. Kleppin suggested using the retail ratio. He said that he believes that when the retail establishments first open, there will be a big rush, but that should level off.

Ms. Niedzielski Eichner asked how people will negotiate locations. Mr. Kleppin said that people are reaching out and will be notified about available parcels. They will have to go

through an application process. Ms. Shanahan added that there will be an Ordinance as well as Zoning regulations.

Ms. Johnson said that some of the streets in the Wall Street area are eligible and asked about traffic issues. Mr. Kleppin said that question was hard to answer without having a specific parcel.

Ms. Young asked how many retail establishments will be permitted. She said she did not want to see any one section overburdened with traffic issues. Mr. Kleppin said that the Planning and Zoning Commission will craft the language over the next couple of months. Mr. Goldstein explained that the City can have up to three retail dispensing facilities. They can also have other facilities in Norwalk. Mr. Heuvelman asked how many other facilities would be permitted in Norwalk. Mr. Goldstein said he would have to find out.

Mr. Heuvelman said this gets into a public safety issue and he wants to be sure the Committee thinks about the retail facilities, cultivation facilities and the manufacturing facilities.

Ms. Ayers expressed concern about signage that may entice children to partake. She asked why this industry was being heavily placed in four to five neighborhoods. She said she did not think there should be more than one establishment in one neighborhood. Mr. Kleppin explained there were no sensitive uses in those areas. He added that there are very strict regulations on signage. The cannabis legislation restricts the esthetics of the buildings. Ms. Ayers said they have to be mindful of pop culture. Ms. Revolus said while there are stipulations about signage, people do not care about the stipulations. There are people who don't care and will advertise. Mr. Goldstein said that a good thing with this use is that it has state oversight and is very regulated.

Mr. Goldstein said that in order for Planning and Zoning to move forward, the Ordinance Committee needs to lift the moratorium. He presented the draft Ordinance revoking the moratorium, to impose a limit on the consumption of cannabis and the policies and procedures of the cannabis trust.

Ms. Young discussed the disparity the Community suffered due to cannabis. She said they have to talk about things that held the Community at bay. She said if they are discussing making changes, education is a key component to change the lives of the people in the Community. This is an opportunity to make a financial commitment to be sure the Black and Brown children that will be in the South Norwalk school will benefit from this. She said she does not see anything in the presentation about education for young children.

Mr. Goldstein said that a reason a lot of them are intrigued by this is because it provides a tremendous opportunity for the City to get a revenue stream to help the Community on the War on Drugs. Ms. Shanahan said she understood that the State requires the money to go to seven specific programs. Mr. Goldstein said this is something they should continue

to discuss, but these are the stated purposes. This is a State Statute and the money has to be spent for those purposes.

Ms. Revolus asked if the educational programs educate a Community that was disenfranchised. She asked how this use puts economic growth in a Community that was put in jail for this. She asked if there will be an educational program for people to be successful in this industry that was dominated by one class and where the other was disenfranchised. She said that one community will benefit and the other will not. She said they do not want to be employees. They want to be owners.

Mr. Goldstein said he believed training in this industry is worthy of discussion, but that is putting the cart before the horse. That is not what they are trying to achieve here. Ms. Shanahan said they need to keep focus on what they can do as a Committee.

Mr. Candela said that part of the law involves Social Equity applications that go through the State. The law in Connecticut is that the State was going to be given the Social Equity applications.

Ms. Revolus asked what plans were in place regarding where people can smoke. She also asked about people who use medical marijuana. Ms. Shanahan said that some of this is beyond the scope of this Committee. Mr. Candela explained that this Ordinance deals with properties owned or controlled by the City of Norwalk. Mr. Goldstein said he did not have an answer about where people can smoke.

Mr. Goldstein summarized the rest of the Ordinance including how the City will get the proceeds from the sales tax.

Mr. Daniels shared his screen and highlighted the concept Implementation of the Norwalk Cannabis Trust Fund from the 3% sales tax. He explained that his office will direct the procedure guidelines and requirements.

Mr. Daniels said that the Social Equity office of the State of Connecticut identified disproportionately impacted areas and some of those areas are in Norwalk. He reviewed the common program requirements and said that is a work in progress.

Ms. Shanahan said it was early to get into the details. Mr. Goldstein added that the guidelines do not have to be completed before they pass the Ordinance.

Mr. Goldstein expressed his appreciation to all who contributed and showed interest in this Ordinance. Ms. Shanahan thanked Mr. Goldstein, Mr. Keegan and Mr. Livingston for their work on this first draft. She noted there will be community outreach in a variety of forms and the Committee members will have a chance to look at this Ordinance several more times.

Ms. Ayers asked if any of the funds will be used for the administration of the funds. She also asked if they could delay dispensing the funds a year, so they have a larger pot of

money. 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. He said there was not going to be a lot of money at first.

Ms. Johnson said she was going to re-read the State Statute before the public hearing. She asked about enforcement regarding imbibing in public. Mr. Goldstein said this is something he discussed with the Chief of Police. He asked him to reach out to other Chiefs to determine best practices. He added that Mr. Keegan played a pivotal role in this. She also asked about having an educational component. Ms. Johnson said education would be an important factor in providing equity for Black and Brown men.

The Committee members discussed the guidelines. Ms. Shanahan said she believed the guideline will be re-written a few times. Mr. Goldstein said they want the flexibility to make changes as priorities change.

Mr. Heuvelman asked if the State put out specific guidelines as to how the money is to be spent. He said there are two different prongs to this where non profits can apply for funds and the City can utilize the funds to achieve some of the goals. Mr. Daniels said that under the Ordinance, his department will be responsible for reporting. He said he did not see anything about reporting to the State. Mr. Candela said there will be multiple levels of checks and balances along with appropriate accounting. Ms. Shanahan said the City is holding itself up to a very high standard.

DISCUSSION ITEM

There were no further discussions.

ADJOURNMENT

**** MS. JOHNSON MOVED TO ADJOURN**
**** MOTION PASSED UNANIMOUSLY**

There was no further business, and the meeting was unanimously adjourned at 9:48 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services