

**CITY OF NORWALK
COMMON COUNCIL ORDINANCE
COMMITTEE REGULAR MEETING
FEBRUARY 15, 2022**

ATTENDANCE: Lisa Shanahan, Chair; Tom Livingston, Josh Goldstein,
David Heuvelman, Dominique Johnson, Tom Keegan, Nora Niedzielski-Eichner,
Darlene Young,

STAFF: Atty. Brian Candela; William Mooney, Health Department;

OTHER: Garrett Bonella, Steve Kleppen; Diana Revoulos, Jessica Vonashek

CALL TO ORDER

Chair Shanahan called the meeting to order at 7:11 p.m., acknowledged the above members in attendance, (as appeared on the Zoom meeting screen), and stated that a quorum was present.

PUBLIC HEARING

The following are summarizations of statements made. Written comments and emails were read into the record and are attached as an addendum to the minutes.

Temporary Prohibition of all Cannabis Establishments

1. Ginger Katz, Courage to Speak Foundation provided an overview of her non-profit organization that has been in place for 25 years following the death of her son as the result of drug overdose at the age of twenty. Research has shown marijuana is a ‘gateway drug’ that leads to dependency on heroin and other illegal substances, including lethal substances such as fentanyl. She asked the Committee for a moratorium on Cannabis establishments until the City can evaluate many areas such as location, and learn from other towns and cities. (Ms. Katz’s statement was later read into the record and attached to the minutes)
2. Denise Rollinson, a clinician in medical professional spoke of the progress that has been made to fight drug abuse that could be at risk if cannabis establishments open business and operate under uncertain circumstances or in the wrong location or management. She urged the Committee members to evaluate this item carefully and gave her support for a moratorium on Cannabis establishments until the Committee can evaluate and learn from other towns and cities. Since Norwalk is easily accessible by neighboring towns that have already banned or postponed cannabis sales, it is likely Norwalk could become a cannabis market not just for Norwalk residents, but also for neighboring towns.

Public Comments – cont.

Ms. Rollinson also said the U.S. Drug Enforcement Administration classifies marijuana as a Schedule I substance under the Controlled Substances Act, meaning that it has a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision, according to the DEA.

4. Anthony DiLuaro spoke to echo what others have said in support of a moratorium on Cannabis establishments until the Committee can evaluate and learn from other towns and cities. He added there is potential for Norwalk to become a drug hot-spot as neighboring municipalities permanently ban cannabis establishments.
5. Margaret Watts, 41 France Street, spoke on the consequences of Cannabis establishments open business and operate under uncertain circumstances or black market such as legal use of vaping and open usage to treat anxiety and psychosis. She highlighted increase death due to fentanyl issues or ‘dabbling’ into cannabis usage rather than certified drug treatment programs to treat addiction.
6. Diane Lauricella, Blue Mountain Road, spoke on the second item on Public Hearing agenda and asked for refining the standards for Outdoor Dining. She applauds the user-friendly permitting process and wants adequate enforcement of fines. She wants to address noise issue and show that the City does care about neighbors especially those in condos and homeowners that are adjacent to the outdoor venues.
7. Daniel Sissero, a hospital clinician spoke on substance use and the impact on lives although cannabis is used to cope with addiction, it is a dangerous side step to treatment.
8. Katie Gallo, 4 Overlook Road, asked for time to assess issue of traffic and parking and feels a moratorium is needed to learn from other towns and communities of what has worked with regulations put in place. She added that is possible we could be overwhelmed with traffic density and an influx of DUIs, which could put our community health and safety at risk.
9. Sam Fitzgerald, 41 France Street spoke in favor of the moratorium and asked for smart planning to take place with due diligence on guidelines for Cannabis establishments. He noted the progress that has been made and the risk of threatening enforcement of illegal drug use and possession. He urged the Committee members to evaluate this item carefully and gave support for a moratorium on Cannabis establishments until the Committee can evaluate and learn from other towns and cities.

*Chair Shannahan noted that comments for both agenda items could be accepted at this time.

Public Comments – cont.

10. Richard Bonenfant, 6 Park Hill Avenue, Norwalk said his comments from last month's meeting were not reflected on disturbance with neighbors' quality of life. He expressed his disappointment that the Committee has not recognized his comments and the issues sidewalk dining businesses impose on neighboring residents and their bordering properties with late night noise, etc. He noted that he is wasting his time by addressing this committee and suggested Common Council members be contacted.

11.

Atty. Candela read emails and noted they would be printed and attached to the minutes.

Ms. Shanahan asked if there were more comments from the public, and hearing none, closed the Public Comments portion of the meeting at 7:48 p.m.

ACCEPTANCE OF MINUTES

Chair Shanahan noted a change the order of the agenda to have the Acceptance of Minutes moved at the end of the meeting.

Discuss and Vote on Temporary Prohibition of all Cannabis Establishment

Attorney Candela presented a draft of the temporary prohibition and there was discussion over wording and changes as noted. He noted that in Norwalk's area, Darien, New Canaan, Weston and Westport all have banned cannabis businesses, and 40% of Connecticut municipalities have placed either a permanent ban or a moratorium on cannabis businesses.

Mr. Goldstein noted that the intent of the temporary ban on cannabis businesses is to allow time for the council to conduct research on the recently passed legalization of recreational cannabis and determine what restrictions, if any, are needed. He added that the City is not resistant at all to having these types of retail establishments, it's about making sure they go to the right neighborhood.

Chair Shannahan stated that based on the public comments and consensus of the Committee is to approve the moratorium to allow time for further research and due diligence. She called for a motion for approval.

- ** MR. LIVINGSTON MOVED TO APPROVE AND FORWARD ON TO THE COMMON COUNCIL: TEMPORARY PROHIBITION OF ALL CANNABIS ESTABLISHMENTS**
- ** MOTION PASSED UNANIMOUSLY.**

OLD BUSINESS

DISCUSS AND VOTE ON CHAPTER 45, ARTICLE IV, OUTDOOR DINING. STANDARDS/GUIDELINES

Ms. Jessica Vonashek reviewed the item and noted the draft ordinance had been sent to DPW and Public Health, and Bill Ireland, Code Enforcement for comment. She shared the red-lined draft with comments and language corrections on ADA compliance and areas subject to fines. There was review of the proposed wording for the guidelines, revocation schedule, permit processes . with outdoor dining ramps and wheelchair access. Ms. Vonashek noted that Guidelines are not voted on by the Common Council just the Ordinance, so there is some flexibility is provided with precise wording. The Fire Marshall comment on ‘no obstruction’ should be in fire lanes. There were further comments and suggested wording corrections were made on the screen mark-up version as presented.

Chair Shanahan noted that following the Public Hearing on the issue and approval of the wording of the standards as presented, asked for a motion for approval.

- ** MR. LIVINGSTON MOVED TO APPROVE AND FORWARD ON TO THE COMMON COUNCIL: CHAPTER 45, ARTICLE IV – OUTDOOR DINING. STANDARDS/GUIDELINES**
- ** MOTION PASSED UNANIMOUSLY.**

NEW BUSINESS

Discuss and Vote on Chapter 98 Section 543 City Code Section 98-43 Blocking of Intersections

Mr. Garrett Bolella presented a map and wording on the code that involves two major intersections #91 Section D East Avenue Exit 16 and Rte. 1 @ Francis Street. He noted that signage would be added to indicate state highway and ‘Do Not Block Intersection’ fines would go into effect.

There was discussion on turn lanes and thru lanes being re-striped and the need for signage for state highways and improvements to adaptive signals on East Avenue for traffic calming and congestion at intersections. It was noted that new state project enhancements are in development with grant dollars.

**** MR. LIVINGSTON MOVED TO PUT THIS ITEM ON THE AGENDA FOR PUBLIC HEARING AT THE MARCH MEETING.**

**** MOTION PASSED UNANIMOUSLY.**

ACCEPTANCE OF MINUTES

Chair Shanahan noted corrections provided by Atty. Candela.

**** MR. HEUVELMAN MOVED TO ACCEPT THE MINUTES OF THE MEETING OF JANUARY 22, 2022 AS AMENDED WITH CORRECTIONS SUBMITTED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** MR. LIVINGSTON MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:04 p.m.

Respectfully Submitted,
M. Knox
Telesco Secretarial Services

Christoforides, Anastasia

From: gkatz@couragetospeak.org
Sent: Monday, February 14, 2022 4:23 PM
To: Candela, Brian
Subject: Submitting Comments for the Ordinance Committee meeting January 15 at 7pm
Attachments: Katz Cannabis testimonyintest - Norwalk Moratorium final.pdf

Follow Up Flag: Follow up
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Hi Brian

Here is my written testimony and I also plan to speak at the meeting for the Moratorium on the retail sale of cannabis in Norwalk. . Please let me know you received this message.

Ginger Katz

Founder and CEO of the Courage to Speak Foundation

www.couragetospeak.org

Blog link <https://teendrugabuseprevention.com/>

203.247.3975

From: Ginger Katz, Founder and CEO of the Courage to Speak Foundation

Date: 2/15/2022

Testimony in support of moratorium on the retail sale of cannabis in Norwalk

My name is Ginger Katz, and I am a local resident and the Founder of the Courage to Speak Foundation, a nonprofit organization located in Norwalk, CT that has been providing drug prevention programs to youth, young adults, and parents for the past 25 years. We have served thousands of youth and parents in Norwalk since my husband and I started the Courage to Speak Foundation in 1996. Our mission is to encourage and empower youth to be drug free. In addition, I serve on The Norwalk Prevention Coalition as a core member of the leadership team.

I am in support of a moratorium on the retail sale of cannabis in Norwalk. The delay would allow the City to conduct more research to put effective protocols into place concerning where and how cannabis will be sold in Norwalk. This will allow planning for traffic, parking, and other considerations that should be taken into account since Norwalk will likely see an increase in shoppers from other communities (like Westport and Weston) which have permanently banned cannabis sales. Most importantly, it is critical that we allow our community leaders more time to plan for the ramifications of introducing easy access to cannabis in our community, which research shows will provide easier access to cannabis by youth. Allowing this to happen will be detrimental to our youth and subsequently our community. It will also be extremely taxing on our mental health system because Cannabis can be the trigger to a first mental health break for youth. (CT hospitals have already seen a 300% increase in Cannabis-Induced Psychosis due to today's very high THC levels in cannabis products.)

I have had a personal experience with how the introduction of marijuana led to the death of a child; my own son Ian James Eaccarino, a Norwalk High School graduate. At the age of 13, Ian started using marijuana and he often came to me in his high school years and said, "Mom I can't concentrate." In Ian's sophomore year of college, he called in tears, begging for help. "I'm addicted to heroin, and I can't stop. Please come and help me." Only a few months later, Ian died in his sleep of a drug overdose which consisted of heroin and a prescription drug. When I found him, my cries for help were heard two blocks away. Ian was only 20 years old. I believe that marijuana was the drug that led my son Ian to the drugs that killed him.

Ian was a bright college student and a talented athlete with a very promising future ahead of him. What started out as occasional use of marijuana at age 13, led to his untimely death of a drug overdose at just age 20. Now that research on youth drug use has advanced, we now know that youth who start with marijuana move on to other deadly drugs. With retail shops opening in Norwalk, more drugs will be circulating, making the probability of marijuana getting into the hands of our youth even greater.

To devise an effective plan we need more time to develop zoning plans and educational campaigns that will keep our children safe.

Mental health issues are on the rise amongst our youth, including difficulties with anxiety, depression, and suicide. The COVID pandemic has exacerbated mental health issues in youth

causing them to turn to drugs to self-medicate. How prepared are we for the increase in mental health services? Norwalk Hospital is losing its psychiatric beds which are moving to Danbury Hospital. Community organization will need more time to fortify preventive strategies to address both increases in drug use and the need for outpatient mental health treatment.

It is imperative to our children's health and wellbeing that we convince you of the huge role marijuana plays in teenage risky behavior. We receive many emails and letters from children stating that they or their friends smoke marijuana. Many children do not stop at that. "12- to 17-year-olds who use marijuana are 85 times more likely to use cocaine; 60% of adolescent who use marijuana before 15 will later use cocaine or another illicit drug." (Source: National Center on Addiction and Substance Abuse at Columbia University, CASA).

I am certain that once cannabis sales begin in Norwalk we will increase the number of children who will get addicted, just as in Colorado where teens requiring drug treatment have increased. Within 4 years of the state legalizing it, marijuana use by Colorado teens had increased by 65%: (*Impact* Sept. 2016 page 38-40.) Just this past year, a national study by Smart Approaches to Marijuana looked at the impact in states that had legalized cannabis. The study found that there was a 25% increase in addiction to cannabis among teens aged 12-17.

(<https://learnaboutsam.org/wp-content/uploads/2020/12/2020-Impact-Report1.pdf>)

Please allow us more time to ensure that our youth will be safe in Norwalk where access to cannabis is sure to rise.

We owe it to our children.

Ginger Katz, Founder of the Courage to Speak Foundation, Norwalk, CT

www.couragetospeak.org

Christoforides, Anastasia

From: Cicero, Daniel <Daniel.Cicero@nuvancehealth.org>
Sent: Tuesday, February 15, 2022 5:49 PM
To: Candela, Brian
Subject: Moratorium on cannabis sales ...

Follow Up Flag: Follow up
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Good evening –

My name is Daniel – I am a Norwalk resident as well as a clinician at Norwalk Hospital's outpatient psychiatry department. I am here to support a moratorium on cannabis sales. This is a big deal – and an important one, with outcome(s) that will impact our [entire] community. I work with our residents who are struggling to cope and survive with the impact substance use is having in their lives – and the lives of their loved ones. It should not come as a surprise to anyone that our community has a high population of substance users, with that population growing amongst [our] youth. Depression and suicidal ideations - as well as attempts - are rising as our neighbors are struggling to cope with the world as we know it. We have no control over where the world is heading, some things are simply unavoidable, but [I believe] we can put the brakes on its momentum in this area. In addition to corporate concerns such as traffic, parking, negative legal impact (DUI's), and auto collisions, we'll have the inevitable need for increased emergency interventions from our [heroic] civil servants – police, EMS, and hospital personnel. I possess the hope that all those involved in the decision making process feel the way I do in as much as the safety and wellbeing of our loved ones, friends and neighbors – our community - is the first priority of consideration when it comes to life-impacting decisions such as this.

#NORWALKISAWESOME

Thank you -
Respectfully -

Daniel Cicero
Community Support Program
Nuvance Health
P: 203-855-3534
F: 203-899-5066

About Nuvance Health

Nuvance Health is a family of award-winning nonprofit hospitals and healthcare professionals in the Hudson Valley and western Connecticut. Nuvance Health combines highly skilled physicians, state-of-the-art facilities and technology, and compassionate caregivers dedicated to providing quality care across a variety of clinical areas, including Cardiovascular, Neurosciences, Oncology, Orthopedics, and Primary Care. Nuvance Health has a network of convenient hospital and outpatient locations — Danbury Hospital, New Milford Hospital, Norwalk Hospital and Sharon Hospital in Connecticut, and Northern Dutchess Hospital, Putnam Hospital and Vassar Brothers Medical Center in New York — plus multiple primary and specialty care physician practice locations, including The Heart Center, a leading provider of cardiology care, and two urgent care offices. Non-acute care is offered through various affiliates, including the Thompson House for rehabilitation and skilled nursing services, and the Home Care organizations. For more information about Nuvance Health, visit nuvancehealth.org

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Christoforides, Anastasia

From: Margaret Watt <mwatt@positivedirections.org>
Sent: Tuesday, February 15, 2022 5:02 PM
To: Candela, Brian
Subject: testimony for ordinance committee
Attachments: Watt Testimony to Ordinance Committee 2-15-22.docx

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Hi Brian, here's my testimony for the Ordinance public hearing tonight for the record.
Thank you,
Margaret

Margaret Watt, MPH, MA (she/her)
Prevention Director
TurningPointCT Project Director
Co-Chair, The Norwalk Partnership & Westport Prevention Coalition
Positive Directions - The Center for Prevention and Counseling
90 Post Road West, Westport, CT 06880
Office: 203-227-7644
Confidential fax: 203-227-0037
mwatt@positivedirections.org
www.positivedirections.org

In a behavioral health crisis, dial 2-1-1, option 1 to access CT's regional mobile crisis response team, or call your local first responders at 911. If you are in emotional distress, you can call the National Suicide Prevention Lifeline 24/7 at 1-800-273-8255 or text the Crisis Text Line at 741741 anytime.

Positive Directions is proud to host the TurningPointCT.org project: online resources & support for mental wellness, created by and for young people in CT. We also serve as fiduciary & coordinator for [The Norwalk Partnership](#) and the [Westport Prevention Coalition](#), local coalitions dedicated to preventing substance misuse in their community.

Like & follow us! @positivedirections @turningpointct

Testimony before the Norwalk Ordinance Committee

Public Hearing Held February 15, 2022

Good evening, my name is Margaret Watt and I live at 41 France Street. I am here as a resident, parent, and behavioral health program director to state my **support for a moratorium on cannabis sales**. I am also a leader of The Norwalk Partnership, which is our community coalition dedicated to preventing substance misuse in youth and young adults in Norwalk.

Yesterday, the *CT Insider* reported the latest information about how other communities are responding to the new cannabis law. They surveyed 120 of CT's 169 municipalities and found that 75 communities, which is 63% of communities surveyed and 44% of the state, have already either passed a moratorium or have outright banned future cannabis sales.

Why is that? Because communities recognize that we should not be rushing into a brand new drug market without being prepared to handle both the **known impacts** and the **possible unintended consequences**. Municipalities are giving themselves the gift of time to study community needs, develop plans, and build awareness. We should do the same.

What are some of the predictable impacts of the new law in Norwalk? We are likely to become the marijuana hub for surrounding communities like Westport, Weston, and New Canaan that have already prohibited retail cannabis. While that will bring in some revenue, it will also require attention to issues like **traffic** and **parking**. The City will need to identify the **one designated space** where visitors and residents will be allowed to use cannabis in public—and then **raise awareness** about it, because as far back as last spring before the law passed, increased public consumption was reported in parks and beaches in plain sight of law enforcement. The City will also need to address the **law enforcement needs** to monitor impaired driving, including out-of-town traffic getting on and off the highways.

Norwalk will also need to figure out our zoning requirements. Are we going to space out marijuana retailers around town by regulating **outlet density**, or are we going to allow certain neighborhoods to become marijuana destinations? Based on the new vape and hookah shops in SoNo, it looks like the industry is targeting that area. South Norwalk used to have a reputation for drug and crime activity which the City worked hard to redress. Today we have high-end retailers there, like Nordstrom's and Bloomingdale's. We likely need to think about regulating cannabis **signage and advertising** so that these marketplaces don't compete with each other—and so kids in those neighborhoods don't grow up surrounded by drug ads.

What are some of the possible unintended consequences? A recent (2021) national study by Smart Approaches to Marijuana looked at what happened in states that had already legalized marijuana. Some of the unintended consequences in "legal" states include:

- 1/3 higher **use of marijuana by teens**
- 25% increase in **marijuana addiction by teens**
- Doubling (or more) of marijuana-related **calls to poison control centers**
- increase in the **black market for marijuana**
- increase in **traffic accidents and fatalities** involving marijuana

Other consequences have already been seen in CT, such as the increase in illnesses associated with today's high-potency products. Cannabis products that are high in THC (which is everything on today's market!) are

associated with an **increase in anxiety**--even though often people think they're using it to manage stress. CT hospitals have had a 300% **increase in psychosis** associated with cannabis in a three-year period. And here in Norwalk, EMS had to bring a couple of high school students to the **emergency room** in December after dabbing very high strength THC. Other states have seen increased use of the emergency room by kids due to use of edibles.

If we want to reduce those issues, we will need public education, compliance checks at vape and cannabis retailers, support for law enforcement to address DUIs, and more.

The Norwalk Partnership collected data last year on what our teens and adults think about marijuana and other substances. A sampling of our data shows that there is need to raise awareness about the existing substance use laws and risks, even prior to bringing cannabis into the mix:

- 29% of Norwalk adults don't know the legal age for vaping and nicotine, even though that law changed back in 2019. Vaping is once again increasing in our middle and high schools.
- 36% of Norwalk adults don't know about the Social Host law around alcohol, which will now be in place for marijuana.
- 35% of Norwalk teens think using cannabis 2-3x/week isn't risky—even though that level of use during the teens years is associated with IQ loss, later opioid use, increased risk of addiction, and risk of developing schizophrenia.

What this tells me is that we are about to open up a consumer market for an addictive drug that is still on the federal Schedule I list, for a consumer base that is not educated about the product.

So, let's take the time to examine the impacts on our community, to hear from our neighborhoods, to raise awareness, to look at what ordinances and zoning are needed, and to determine how the anticipated tax revenue can be used to offset some of the risks to our youth by funding prevention, education, and positive supports for our teens. The Norwalk Partnership looks forward to collaborating with the City on this effort.

Resource: Sample ordinances from California: <https://gettingitrightfromthestart.org/our-model-ordinances/>

Advertising considerations: Do we want to allow feather banners advertising drugs? Signs with pictures of drug delivery systems? (1st 2 pictures from Milford, CT.) 3rd photo is of new Medical MJ billboard on Westport Ave where NHS kids pass it by when walking to the gym in the Bed Bath & Beyond shopping plaza.

