**Town of Cornwall**

**Planning & Zoning Commission**

**Memorandum regarding Adult Recreational Cannabis**

*Prepared by Janell Mullen, Consultant Planner on March 21, 2023 and updated in advance of August 8, 2023 meeting*

**BACKGROUND**

In the late fall of 2022, The Town of Cornwall Planning & Zoning (P&Z) Commission enacted a twelve-month moratorium on cannabis establishments in response to the recent state legalization- the Responsible and Equitable Regulation of Adult Recreational Cannabis Act “RERACA” ([PA 21-1](https://www.cga.ct.gov/2021/ACT/PA/PDF/2021PA-00001-R00SB-01201SS1-PA.PDF)) and a later amendment [Public Act 22-103](https://www.cga.ct.gov/2022/ACT/PA/PDF/2022PA-00103-R00HB-05329-PA.PDF), An Act Concerning Cannabis.

The Town of Cornwall P & Z proposed a moratorium on all license types associated with adult recreational cannabis. This action was taken to give the P&Z ample time to better understand its municipal role with regards to the recent legislation as well as locally gather public input. The new legislation authorizes local planning & zoning commissions to regulate certain aspects of cannabis, including:

1. Prohibition of cannabis establishments and/or specific license types (In accordance with [PA 21-1](https://www.cga.ct.gov/2021/ACT/PA/PDF/2021PA-00001-R00SB-01201SS1-PA.PDF), “*No municipality shall prohibit the delivery of cannabis to a consumer and/or prohibit the transport to, from or through such municipality by any person licensed or registered pursuant to RERACA to transport cannabis.”)*
2. Establishment of reasonable restrictions on hours
3. Establishment of reasonable restrictions on signage
4. Place of proximity restrictions on cannabis establishments from schools, charitable institutions, hospitals, veteran’s homes and/or military barracks.

During this moratorium, which is set to expire on November 1, 2023, applicants cannot apply for local zoning approvals associated with adult-recreational cannabis uses.

**PUBLIC INPUT DURING THE MORATORIUM**

On April 11, 2023, The P&Z hosted a public educational forum to review the Zoning Regulations re-write as well as present the various license types (cultivator, micro-cultivator, producer, product manufacturer, food & beverage manufacturer, product packager, retailer, hybrid retailer, dispensary facility, delivery service, transporter) that have been made available in the state of Connecticut associated with adult recreational cannabis. The forum was followed up by a town-wide survey, which asked which license types if any should be allowable uses with the Town of Cornwall’s Zoning Regulations and in which zone (residential and/or business). Graph interpretations and a summary of the 117 responses is available.

**COMMISSION DISCUSSION**

In June, the Commission reviewed the survey results and reviewed what other neighboring towns are doing at this time to address the legalization of Adult Recreational Cannabis in CT. Most other Towns have outright banned it (Kent, Goshen, Litchfield) or enacted a moratorium (Warren, North Canaan). A small sample of nearby Towns have limited very particular license types to a very specific zone (eg Falls Village allows product manufacturers and food & beverage manufacturers in their Light Industrial Zone and Morris has a producer operating under a Social Equity license since Morris was mapped as disproportionally impacted area (DIA) by the state in 2021. *The Town no longer falls under that classification so future license types may have been banned by Town-wide referendum*.

At this time, The Town of Cornwall P&Z Commission plans to extend the moratorium for another twelve (12) months due to elements of uncertainty at the state-level and the divided results of the local input. At this time, the P&Z gets the sense that it would be premature to create any new regulations concerning cannabis-related operations. **Therefore, it has been proposed to extend the moratorium on all license types (cultivator, micro-cultivator, producer, product manufacturer, food & beverage manufacturer, product packager, retailer, hybrid retailer, dispensary facility, delivery service, transporter) associated with adult recreational cannabis use (as provided for in** [**PA 21-1**](https://www.cga.ct.gov/2021/ACT/PA/PDF/2021PA-00001-R00SB-01201SS1-PA.PDF) **and** [**22-103**](https://www.cga.ct.gov/2022/ACT/PA/PDF/2022PA-00103-R00HB-05329-PA.PDF)**) through May 31, 2025.** When the Commission moves this item to public hearing, a preamble to the Town of Cornwall Zoning Regulations will contain specific language (*see above*) that alerts the public and any potential application of this moratorium. This language will be incorporated into the Regulations until further action is taken.