

Block: 319

ZONING BOARD CERTIFICATE

I, David Stein, Chairman of the ZONING BOARD of the CITY OF STAMFORD, in compliance with Special Act No. 619 of the 1953 General Assembly, hereby certify that on April 26, 2021 and continued to May 3, 2021, a Public Hearing was held by the ZONING BOARD on:

APPL. 221-08 Stamford Research Drive LLC and FFD West LLC (collectively, the "Applicant"); Site & Architectural Plans and/or Requested Uses and Special Permit Approvals

Requesting Special Permit and Site & Architectural Plans and/or Requested Uses approvals to operate a medical marijuana dispensary with associated site and parking improvements at property known as 12 Research Drive, Stamford, Connecticut (Parcel ID #002-1884). It is located in the M-G zone and contains approximately 0.62± acres of property located and described as follows:

Block #: 319

Area: 0.62± Acres

All the certain piece or parcel of land, together with the buildings and all other improvements thereon, situated in the City of Stamford, County of Fairfield and State of Connecticut, being known and designated as Parcel No. 1 and Parcel No. 2 as shown and delineated on a certain map entitled, "Map Prepared for George Goldman, Stamford, Connecticut", now on file in the Office of the Stamford Town Clerk as Map No. 4943, reference thereto being had; bounded and described as follows:

Northerly: 139.08 feet by Larkin Street, so-called;
Easterly and
Northeasterly: 208.07 feet by land n/f of George Goldman;
Southerly: 148.30 feet by land n/f of DeLeo Brothers Development Corporation; and
Westerly: 199.65 feet by Research Drive, so-called.

And the land affected is owned and located on the following streets:

<u>NAME</u>	<u>ADDRESS</u>
Stamford Research Drive LLC	12 Research Drive, Stamford, CT
Newing LLC	

And that the following is a statement of its findings: APPROVED AS MODIFIED on May 03, 2021, by passage of the following conditions:

WHEREAS the Zoning Board has reviewed applications for Site and Architectural Plans and/or Requested Uses and a Special Permit to operate a medical marijuana dispensary, with associated site and parking improvements, at 12 Research Drive, Stamford, Connecticut;

WHEREAS notice of the public hearing was duly published in the Stamford Advocate on April 13, 2021 and April 21, 2021;

WHEREAS a sign providing notice of the public hearing was posted on the subject property on April 8, 2021 and an original Affidavit, evidencing that the sign was posted, was submitted into the record on April 9, 2021;

WHEREAS notice of the public hearing was duly mailed to property owners within 100 feet of the subject site on April 14, 2021, and an original Certificate of Mailing evidencing same was duly submitted into the record on April 15, 2021;

WHEREAS the Zoning Board conducted a duly called public hearings on April 26, 2021 and May 3, 2021 and has considered the submitted comments of interested City agencies, officials and the general public;

WHEREAS the Special Permit request seeks approval to operate a medical marijuana dispensary pursuant to Section 7.U of the Zoning Regulations;

WHEREAS a medical marijuana dispensary means a place of business where marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers, and for which the CT Department of Consumer Protection has issued a dispensary facility permit to an applicant in accordance with Section 21a-408-14 of the Regulations of Connecticut State Agencies;

WHEREAS the grant of a Special Permit approved by the Zoning Board by itself does not guarantee the applicant the ability to operate a medical marijuana dispensary. The applicant must also secure a license from the State of Connecticut's Department of Consumer Protection to operate a medical marijuana dispensary;

WHEREAS the proposed medical marijuana dispensary is not located within 3,000 feet of any other dispensary;

WHEREAS the approved Site and Architectural Plans and/or Requested Uses and Special Permit plans are more particularly described in the followings plans:

- Survey titled "Property Survey Depicting 12 Research Drive, Stamford, Connecticut, prepared for Stamford Research Drive LLC," prepared by D'Andrea Surveying & Engineering P.C., dated February 24, 2021.
- Civil and Architectural Plans prepared by L'Arc Architects:

<u>Sheet #</u>	<u>Title/Description</u>	<u>Date</u>
SD-4.3.0	Proposed Landscape Plan	2.25.21
SD-4.3.1	Proposed Site Plan	4.16.21
SD-4.3.2	Proposed Floor Plan	2.25.21
SD-4.3.3	Proposed ADA Plan & Access Plan	2.25.21

- Signage Plan titled “Fine Fettle | Stamford, CT,” prepared by artfx, dated January 19, 2021;
- Security Plan titled “Fine Fettle – Theft and Diversion Prevention Plan.”

and such related materials, reports and exhibits constituting the application file as may be amended to be consistent with representations made during the public hearings on April 26, 2021 and May 3, 2021 and conditions contained herein. Together, all of these documents are referred to hereinafter as the Building and Site Plans.

NOW THEREFORE BE IT RESOLVED that the Zoning Board, at its regular meeting on May 3, 2021, APPROVED AS MODIFIED Application 221-08 subject to the following conditions:

SITE-SPECIFIC CONDITIONS:

- 1) All work shall substantially conform to the above referenced Building and Site Plans unless otherwise approved by the Zoning Board or, for minor modifications, by Zoning Board staff.
- 2) Prior to the issuance of a Building Permit, the Applicant must submit a copy of a current license for a Medical Marijuana Dispensary facility at the subject location from the State of Connecticut Department of Consumer Protection to Zoning Board staff.
- 3) There shall be no illumination of a sign advertising a marijuana product at any time.
- 4) There shall be no signage that advertises marijuana brand names or utilizes graphics related to marijuana or paraphernalia on the exterior of the Dispensary or the building in which the Dispensary is located.
- 5) There shall be no signage which advertises the price of its marijuana.
- 6) There shall be no display of marijuana or paraphernalia on the exterior of the Dispensary or the building in which the Dispensary is located.
- 7) The hours of operation shall be limited to the following. Any extension of the operating hours shall be subject to the approval of the Zoning Board staff.

Monday: 9:00am – 8:00pm
Tuesday: 9:00am – 8:00pm
Wednesday: 9:00am – 8:00pm
Thursday: 9:00am – 8:00pm
Friday: 9:00am – 8:00pm
Saturday: 9:00am – 8:00pm
Sunday: 9:00am – 8:00pm

- 8) Prior to issuance of a Certificate of Occupancy, the Applicant shall comply with the TTP conditions set forth in Mani Poola's memo dated March 27, 2021 and as updated in the emails from Mani Poola dated April 19, 2021 and April 20, 2021.
- 9) Prior to issuance of a Building Permit, the Applicant shall comply with comments from Susan Kiskan P.E., Coordinator of Site Plan Reviews and Inspections dated March 3, 2021.
- 10) Prior to issuance of a Building Permit, the Applicant shall comply with comments from Pamela Fausty, Environmental Analyst dated April 27, 2021.

STANDARD CONDITIONS:

- 11) Prior to the issuance of a Building Permit, the Applicant shall submit final site and architectural plans and landscaping plans, including specifications for exterior architectural designs, materials, samples and colors, for final approval by Zoning Board staff, to ensure consistency with the approved plans, architectural elevations, and illustrative renderings constituting the record of the application.
- 12) No mechanical equipment, in addition to that depicted on the Building and Site Plans, shall be installed within view of any public street without prior approval of the Zoning Board staff.
- 13) Prior to the issuance of a Building Permit, the Applicant shall submit a Construction Staging and Management Plan to ensure safe, adequate and convenient vehicular traffic circulation and operations, pedestrian circulation and protection of environmental quality through the mitigation of noise, dust, fumes and debris subject to final approval of the Land Use Bureau Chief or his designee. Such Construction Management Plan shall address, but not be limited to, reasonable restrictions on times when deliveries can be made to the job site, measures to control dust, staging areas for materials and construction worker parking as well as temporary measures requiring the timely removal of construction debris and/or litter from the jobsite.
- 14) Applicant shall submit a performance bond, certified check or other acceptable form of surety to secure the timely and proper performance of onsite sediment and erosion/construction controls, drainage, landscaping, professional supervision, along with a 15% contingency. A detailed estimate of these costs shall be supplied to EPB Staff for approval prior to the submission of the performance surety. The performance surety shall be submitted to EPB Staff prior to the start of any site activity and issuance of a building permit.
- 15) Prior to the issuance of a Building Permit, sewer and storm drainage plans shall be submitted and subject to final review and approval of design specification and construction by the Engineering Bureau.
- 16) Prior to issuance of a Building Permit, Applicant shall obtain necessary approvals and permits from the Stamford Water Pollution Control Agency (WPCA).

- 17) Prior to the release of surety, transfer of title and issuance of a signature authorizing the granting of a Certificate of Occupancy, the Applicant shall execute and file a standard, City of Stamford "Landscape Maintenance Agreement" on the Stamford Land Records to ensure the success of the planted features.
- 18) Prior to the release of surety, transfer of title and issuance of a signature authorizing the issuance of a Certificate of Occupancy, the Applicant shall execute and file a standard, City of Stamford "Drainage Maintenance Agreement" on the Stamford Land Records to ensure the full and proper function of all installed drainage facilities.
- 19) All final grading, utilities, drainage, final stabilization measures, and other engineered elements shall be completed under the supervision of a Connecticut registered professional engineer and land surveyor with an improvement location survey (surveyor) and written certifications (engineer) submitted to EPB Staff prior to the release of surety and signature authorizing the issuance of a Certificate of Occupancy.
- 20) Prior to the issuance of a Building Permit, sedimentation and erosion control plans shall be submitted by Applicant and subject to approval by the Environmental Protection Board staff.
- 21) A Street Opening Permit shall be required for any and all work within any City of Stamford street right of way.
- 22) Applicant shall make best efforts to keep the property in good condition up until and during the construction process. Existing lawn areas shall be mowed and maintained, and construction debris shall be kept to a reasonable minimum.
- 23) The Applicant shall have one year from the effective date of this approval within which to secure a Building Permit, subject to Zoning Board approval of three extensions, each not more than one year, upon timely application and good cause shown.

Effective date of this decision: June 2, 2021

DAVID STEIN, CHAIRMAN


ZONING BOARD, CITY OF STAMFORD, CT

Dated at the City of Stamford, CT, this 2nd of June, 2021.