Town of Wallingford, Connecticut

JAMES SEICHTER
CHAIRMAN-PLANNING & ZONING COMMISSION

KACIE A. COSTELLO, AICP
TOWN PLANNER

WALLINGFORD TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 294-2090
FAX (203) 294-2095

November 13, 2013

David Kimmel
Vintage Foods Limited
20 Mayer Drive
Montebello, NY 10901

Dear Mr. Kimmel:

As requested, this letter is to confirm that 350 North Cherry Street Extension, Wallingford, is located in an I-40 (Industrial) zone, and that manufacturing (including the manufacturing of pharmaceuticals) is permitted in the I-40 zone.

However, the Planning and Zoning Commission has determined that uses related to medical marijuana (manufacturing or dispensaries) are not currently permitted by the Wallingford Zoning Regulations. The reasons for this determination include, but are not limited to, the following:

- Section 1.4 of the Wallingford Zoning Regulations requires all uses to be legal and the production or distribution of marijuana are violations under Federal law;
- the fact that Wallingford's zoning regulations are permissive (as opposed to prohibitive) in nature and do not explicitly allow for or consider uses relating to medical marijuana;
- and the fact that such a use is new and was clearly not anticipated by the Planning and Zoning Commission at the inception of the Wallingford Zoning Regulations.

Should you have questions pertaining to this correspondence, please feel free to contact me in the Wallingford Planning office at 203-294-2090.

Regards,

Kacie A. Costello
Town Planner

KAC:ss

Date: November 5, 2013
To: Department of Consumer Protection

Re: 350 North Cherry Street Extension
Wallingford, CT 06492

This letter is to inform the Department of Consumer Protection and the State of Connecticut, that I as the owner of the above referenced property, am fully aware of the intended use for the property by Vintage Foods Ltd, which is for the growing and production of medicinal cannabis products. As the owner of the property, I will allow this use, subject to the final approval by the State of Connecticut and the Town of Wallingford.

Very Truly Yours,

Jonathan Gavin, Member
350 North Cherry Street, Extension LLC
173 Church Street
Yalesville, CT 06492

9 WISCONSIN DRIVE
NORWICH, CT

Vintage Foods LTD.
9 Wisconsin Ave., Norwich CT 06360

Abutting Properties within 1000 feet

Map ID#	Address	Owner	Zoning	Current Use
Town of Norwich				
42/1/1	9 Wisconsin Ave.	TenTech LLC	BP	Light Industrial
42/1/22	5 Wisconsin Ave	5 Wisconsin Ave LLC	BP	Light Industrial
42/1/23	1 Wisconsin Ave	PB Real Estate Inc.	BP	Light industrial
42/1/19	182 VergasonAve	Anthony Janovic	R40	Single Family Res.
42/1/20	190 Vergason Ave.	WBellefleur Trustee	R40	Single Family Res.
42/1/21	200 Vergason Ave	Madison Ave LLC	R40	Single Family Res.
42/1/2	212 VergasonAve	James Riley	R40	Single Family Res.
42/1/25	3 Dominican Dr	Bridgetown LLC	IP	Comm Wharehouse
34/1/20	15 Wisconsin Ave	Brodeur Property LLC	BP	Light Industrial
34/1/19	Piumtree Dr.	Meadow Ridge Apts LLC	BP	Apts 8+ MDL-94
34/1/21	10 Hilltop Rd	Rolling Frot-Lay Sales LP	BP	Comm Wharehouse
34/1/3	29 Wisconsin Ave	Rolling Frot-Lay Sales LP	BP/R40	Outbuildong/Storage
34/1/17	3 Hilitop Ave	DIG-Connecticut LLC	IP	Factory
34/1/16	1 Hilltop Rd Ext	Cable Holdco LLC	IP	Light Industrial
34/1/15	243 Vergason Ave. Ext	Vergason Essex Trust	BP	Light industrial
34/1/14	Forest View Dr.	Forest Land Invest. LLC	Res MDL-00	Undeveloped
34/1/13	233 Vergason Ave	Abthony Boone	R40	Single Family Res.
34/1/12	221 VergasonAve	Carl Williams	R40	Single Family Res.
34/1/11	215 Vergason Ave	Carl Williams	R40	Single Family Res.
34/1/10	211 VergasonAve	East Side Holdings LLC	R40	Two Family Res.
34/1/9	205 Vergason Ave	Christopher Walenda	R40	Single Family Res.
34/1/18	234 Vergason Ave	Marilyn Cone	R40	Single Family Res.
34/1/2	1 Winnenden Rd	Norwich-Franklin LLC	IP	Light Industrial
41/1/24	5 Woods Dr	BR Norwich Apts LLC	BP	Apts 8+ MDL-94
41/1/3	Myrtle Dr	St. Jude Housing Corp	BP	Senior Assisted Living
41/1/1	10-12 Wisconsin	City of Norwick	BP	Park Emergency Generator
41/1/5	Myrtle Dr	Margaret Stanley	BP/R40	Woodland/Undeveloped
41/1/2	6 Oxford Dr	Cambridge Estates Apt LLC	BP	Apts. 8+ MDL40
33/1/1	100 Winnendon Rd	Computer Science Corp	IP	Office Bldg
33/1/2	20 Wisconsin Ave	Computer Science Corp	BP/R40	Undeveloped
Town of Franklin				
53/45/28	New Park Ave	Computer Science Corp	IND	Commercial Parking/Vacant

City of Norwich
Office of the Fire Marshal
10 North Thames St.
Norwich, CT 06360

(860) 887-2780
FAX (860) 886-2555

RECEIVED
NOV 0 4 2013
BY:

October 30, 2013

NCDC
Attn: Jayson Vincent
75 Main St.
Norwich CT. 06360

RE: 9 Wisconsin Ave.

Jayson,

This office would have no problem with the use of 9 Wisconsin Ave. as an indoor medical marijuana production operation.

With that said, the project would be subject to the requirements of the Connecticut Fire Safety Code, as would any other new use group in an existing building. This would include compliant sprinkler and fire alarm systems, proper exiting, proper lighting and compliance with any other code pertinent to the occupancy.

If this project were to move forward, I would expect a complete set of drawings submitted to this office for review and subsequent acceptance inspections, before I would recommend the issuance of a certificate of occupancy.

If you have any comments or questions regarding this matter, please contact this office for assistance.

Respectfully,

James W. Roberts
Deputy Fire Marshal

1000 FOOT ANALYSIS - 9 WISCONSIN AVENUE, NORWICH CT

This map was produced by the Norwich Community Development Corporation and should only be used for its intended purpose. For copies of this map, please contact us at:
77 Main Street, Norwich, CT (860)887-6964

Source Data: NCDC and City of Norwich/Applied Geographics Inc.

N

1 in = 500 ft

NCDC NORWICH COMMUNITY DEVELOPMENT CORPORATION

Date: 10/25/2013

BLOCK&
KAHAN
PROPERTIES

November 12, 2013

To: The Department of Consumer Protection

This letter is to verify that as the property owner, Ten Tech, LLC of 9 Wisconsin Avenue, Norwich, CT, we are aware of the intended use of our space by Vintage Foods Ltd. is for the purpose of a marijuana production facility.

The space being requested is 72,000 sq. ft. and it is located in the Stanley Israelite Industrial Park, which is zoned for pharmaceutical manufacturing.

We understand and agree to this intended use in the event that the company is granted a license by the State of Connecticut.

Please do not hesitate to reach out to me if you have any questions,

Very truly yours,

Joel Kahan
Member
Ten Tech, LLC

PROPERTY INVESTMENT & DEVELOPMENT • REAL ESTATE BROKERAGE & MANAGEMENT

38 Trumbull Street, New Haven, CT 06510 • 203.562.4000 • Fax: 203.562.7000 • eblock@block-kahan.com • jkahan@block-kahan.com
A Limited Liability Company

CITY OF NORWICH

Department of Planning & Neighborhood Services
23 Union St.
Norwich, CT 06360
(860) 823-3766

November 7, 2013

David Kimmel
Vintage Foods, Ltd.
93 Thomas Road
Ledyard, CT 06339

Subject: Proposed Medical Marijuana Production Facility; 1 & 9 Wisconsin Avenue

Dear Mr. Kimmel:

I am writing in response to your request for a determination relative to your proposal to develop and operate a Medical Marijuana Production Facility, pursuant to Chapter 420f of the Connecticut General Statutes, at 1 and/or 9 Wisconsin Avenue within our Business Park zone. Section 10.3 and Section 10.3.3 (a) of the City of Norwich Zoning Regulations enumerate the Uses and Activities permitted in the BP zoning district.

It is our understanding that such a facility involves the manufacturing/processing of legally-controlled drugs (which medical marijuana is now considered) via cultivation and packaging of those drugs, as well as storage and warehousing. I would refer you specifically to Section 10.1(a) of our regulations which in part reads: manufacturing, compounding, processing or packaging of products such as candy, cosmetics, **drugs**, perfumes.....etc. Warehousing and storage is permitted in Section 10.1(f). Accordingly, a medical marijuana facility such as you intend to develop would be permitted at either location.

Depending upon the scope of site work and/or building renovations, other permits may be required. We can discuss those issues when you have further advanced your due diligence process.

We recognize the potential significance of your project as it relates to job creation and adaptive reuse of currently vacant buildings in our Business Park. We look forward to working with you towards the success of your proposal. Feel free to contact us with any other questions.

Sincerely,

Peter W. Davis
Director of Planning & Neighborhood Services

NCDC NORWICH COMMUNITY DEVELOPMENT CORPORATION

November 1, 2013

David Kimmel
20 Mayer Drive
Montbello, New York 10901

Subject: **Proposal to Develop a Medical Marijuana Production Facility in the Norwich Business Park,** pursuant to chapter 420f of the Connecticut General Statutes

Dear Mr. Kimmel:

I am writing in response to your request for clarification regarding whether the development and operation of a Medical Marijuana Production Facility, pursuant to chapter 420f of the Connecticut General Statutes is a Permitted Use under the Zoning Regulations of the City of Norwich. The Stanley Israelite (Norwich) Business Park is classified as a Business Park (BP) district under the City's Zoning Regulations. Uses and Activities in this zone are enumerated in Section 10.3 of the Zoning Regulations, which cross-references to a list of permitted uses in the Industrial District (via Section 10.3.3(a)) that are also allowed in the Business Park District.

It is our understanding that a Medical Marijuana Production Facility involves the manufacturing of legally-controlled drugs via cultivation; it then involves the processing and packaging of those drugs; and may include warehousing for a period of time. While the phrase "medical marijuana" is not specifically enumerated within the zoning regulations, the core activity (manufacturing of legally-controlled medical drugs) is, and can be found in Section 10.1(a): manufacturing, compounding, processing or packing of products as candy, cosmetics, *drugs* [emphasis added], perfumes, pharmaceutical toiletries, and food products, except the rendering of fats and oils. Warehousing and storage is also a permitted use in Section 10.1(f). It is my opinion that a medical marijuana production facility involves the manufacturing of drugs, the legalization of which is covered by Chapter 420f of the Connecticut General Statutes, and would therefore be allowed at 9 Wisconsin Avenue.

We have discussed this matter with the City of Norwich Department of Planning and Neighborhood Services and they concur with our conclusion. In addition, they wanted us to remind you that permits will be required for this activity. The following permits are anticipated: A Zoning Permit, issued by the Zoning Enforcement Officer. This permit process is administered by the Department of Planning and Neighborhood Services staff. A Change of Use Permit from the Building Official, and review by the Fire Marshal will also be required.

Please feel free to contact me if you have any questions.

Sincerely,

Jason Vincent, AICP
Vice President

askncdc.com
77 MAIN STREET, NORWICH, CT 06360 PHONE 860.887.6964 FAX 860.887.3438

1 / C1 SCHEMATIC SITE PLAN LOT AREA: 507,038 S.F. (11.65 ACRES)
1"=50'-0"

2 / C1 LOCATION MAP
1"=500'

GENERAL NOTES

1. SITE INFORMATION HAS BEEN TAKEN FROM THE FOLLOWING SOURCES:
   a. DRAWING SP1, REVISED SITE PLAN, REV. 03/10/1978, PREPARED AND SEALED BY FREDERICK A. CLINTON JR., CONSULTING ENGINEER, GLASTONBURY, CT.
   b. DRAWING X-2, PART [UNIT] PLAN AND DETAILS, 01/18/1990, PREPARED BY RUSSELL & DAWSON, ARCHITECTURE & ENGINEERING, EAST HARTFORD, CT.
   c. DRAWING SU1, SITE UTILITIES PLAN, DTD 05/10/1985, PREPARED AND SEALED BY CLINTON DESIGN ASSOCIATES, GLASTONBURY, CT.
   d. SITE OBSERVATION, DIMENSIONING, AND PHOTOGRAPHS.
2. WITH REFERENCE TO THE PRODUCER RFA:
   a. ITEM 6:
      SEE ELSEWHERE ON THIS SHEET FOR A SCHEMATIC SITE PLAN OF PROPOSED PRODUCTION FACILITY AND A LOCATION MAP
   b. ITEM 7:
      THERE ARE NO PLACES USED PRIMARILY FOR WORSHIP, PUBLIC OR PRIVATE SCHOOL, CONVENT, CHARITABLE INSTITUTION, WHETHER SUPPORTED BY PRIVATE OR PUBLIC FUNDS, HOSPITAL, OR VETERANS' HOME OR ANY CAMP OR MILITARY ESTABLISHMENTS THAT ARE WITHIN 1,000 FEET OF THE PROPOSED PRODUCTION FACILITY LOCATION.

LEGEND

- CONNECTICUT AGRICULTURAL PRODUCTS PRODUCTION FACILITY
- AREAS OF EXISTING BUILDING OCCUPIED BY OTHER BUSINESSES

NO.	REFERENCE	DATE
1	DRAWING BEGUN	10/29/13
2	REVIEW	

CONNELL ASSOCIATES ARCHITECTS
A Professional Corporation
ARCHITECTURE PLANNING INTERIOR DESIGN
86 Willow Street, New Haven, Connecticut 06511
Tel 203 562-9561 Fax 203 562-0522

APPLICANT:
CONNECTICUT AGRICULTURAL PRODUCTS LTD, LLC
9 WISCONSIN AVENUE
NORWICH, CONNECTICUT

JOB
[redacted]

TITLE OF SHEET
SCHEMATIC SITE PLAN

JOB NUMBER
413041

STAGE
SCHEM DES

DATE
10/29/13

SHEET NUMBER
C1