

DDS- Planning & Zoning: Plan Review Application



Submission date: **19 April 2022, 3:47PM**
Receipt number: **727**
Related form version: **2**

Application Type

Check all that apply: **Special Permit**

Property Information

Property Address: **89 Arch Street, Hartford, CT 06103 No coordinates found**
Zoning District: **DT-1**
Parcel ID: **270-462-026**
Property Owner: **89 ARCH ST HTFD LLC**
Address of Property Owner: **PO BOX 506, FARMINGTON, CT 06032**
Email: **N/A**

Applicant

Name of Applicant: **Derrick C. Gibbs, Jr.**
File Date: **04/19/2022**
Address: **1251 South Main Street Middletown, CT 06457 No coordinates found**
Phone: **(860) 847-0241**

Email:

Derrick Gibbs <dgibbs@changeinonline.org>

Primary Point of Contact

Name: Gregory W. Piecuch, Esq.

Phone: 860-256-3991

Email: greg@gwp-law.com

Project Narrative

Please describe your application action(s) and provide as much detail as possible. Attach additional pages if necessary:

See attached narrative

Zoning Map Change Application

Proposed Zone:

Describe the existing use of land and buildings in the zone change area:

Reason for this request:

Zoning Appeal Application

Are you an aggrieved party?

Permit or Violation Number:

State your reason for appealing the decision of the administrator or enforcement officer:

Variance Application

Please state the particular hardship* or unnecessary difficulty that prompts this application and the site the section of the zoning regulations that you are seeking relief from:

Subdivision Application

Number of lots to be created:

Area of each lot in square feet:

Street frontage of each of the new lots in feet:

Lot Combination Application

Addresses of lots to be combined

Map/Block/Lot for each property to be combined:

Liquor Permit Application

Please upload a copy of your State of CT Liquor Permit below.

Sign Permit Application

1. Is this sign proposed outside of the building line?

Maximum extension from building line:

2. Is this sign proposed outside of the street line?

Maximum extension from the Street line

3. Is the sign luminated?

4. Engineer Name (if any):

Phone:

Address:

5. Minimum distance from lowest point to the sidewalk:

6. Maximum height of sign from lowest point of established grade:

7. Distance from the nearest outdoor sign:

8. Square feet of surface for one face of the sign:

9. Wording of the sign (include all words):

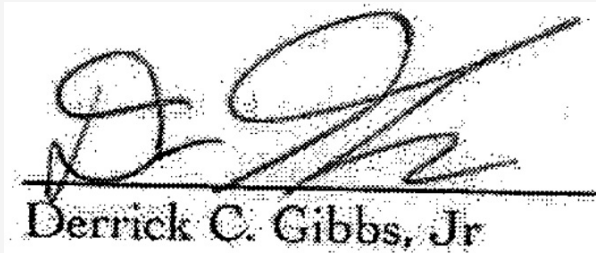
Description of work (upload additional files if necessary)

Upload any supporting materials below.

[89 Arch Street Narrative to Zoning Commission.pdf](#)

Signatures

Signature of Applicant



Derrick C. Gibbs, Jr

[Uploaded signature image: Screen Shot 2022-04-19 at 4.46.04 PM.png](#)

Printed Name of Applicant:

Derrick C. Gibbs, Jr.

Date:

04/19/2022

If you are not the property owner, you must attach a Letter of Authorization from the property owner to apply.

Letter of Authorization from Property Owner

[Application Authorization Letter.pdf](#)

Date:

04/19/2022

6167 Caladium Rd
Delray Beach, FL 33484-4686

April 20, 2022

Hartford Planning and Zoning Commission
c/o Department of Development Services
260 Constitution Plaza, 1st Floor
Hartford, CT 06103

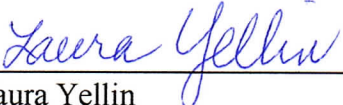
**Re: 89 Arch St, Hartford, CT 06103
Special Permit Application for Approval of Use
Proposed Adult Use Cannabis Retailer**

Dear Honorable Members of the Hartford Planning and Zoning Commission:

Our limited liability company is the fee simple owner of the property located at 89 Arch St, Hartford, CT 06103 (the "Property"). We are under negotiation to sell the Property to an entity to be owned and/or controlled by Derrick C. Gibbs, Jr. We understand that Mr. Gibbs's intended use of the property is as an adult cannabis retailer. We further understand that this proposed use requires the issuance of a special permit from the Commission.

Based upon the foregoing, this letter is provided to indicate the owner's consent to and participation in the filing and processing of Mr. Gibbs's application for a Special Permit. We do hereby authorize Derrick C. Gibbs, Jr., to file and to act as our agent for all land use applications concerning the Property and to post notice signage, as needed. We further authorize Mr. Gibbs to appear before the Commission on our behalf in support of such applications.

Respectfully Submitted,
89 ARCH ST. HARTFORD, LLC


By: Laura Yellin
Its Manager, Duly Authorized

Cc: Derrick C. Gibbs, Jr.
Law Office of Gregory W. Picuch, LLC



LAW OFFICE OF
GREGORY W. PIECUCH, LLC

THE HARTFORD TRUST BUILDING
750 MAIN STREET, SUITE 600
HARTFORD, CT 06103

TEL.: 860.256.3991
FAX.: 860.256.3992

GREGORY W. PIECUCH, ESQ.
greg@gwp-law.com

April 19, 2022

VIA ELECTRONIC SUBMISSION

Hartford Planning and Zoning Commission
c/o Department of Development Services
260 Constitution Plaza, 1st Floor
Hartford, CT 06103

**Re: 89 Arch St, Hartford, CT 06103 (the "Property")
Special Permit Application for Approval of Use
Proposed Adult Use Cannabis Retailer in DT-1 Zone designation
Pursuant to Regulation 3.3.10.C.**

Dear Honorable Members of the Hartford Planning and Zoning Commission:

This office is land use counsel to Derrick C. Gibbs, Jr. (the "Applicant"), who is the contract purchaser of that certain piece or parcel situated at and known as 89 Arch Street (the "Property").

The Property is located in the Zone Designated as DT-1 and is adjacent to the Arch Street Tavern and previously was occupied by the restaurant known as Bear's Barbecue, later Blind Pig Pizzeria. The Applicant's intended use of the Property is as an Adult Use Cannabis Retailer. Accordingly, pursuant to the Hartford Zoning Regulations 3.3.10.C and the Table of Principal Uses known as Figure 3.2.A, the Applicant is requesting that this Commission grant a Special Use Permit to allow for such use of the Property.

Please note that building has been located on this Property for many years, and the Applicant does not propose any substantive changes to the site or to the exterior of the building. Accordingly, the Applicant is requesting a waiver of any requirement to submit documents typically required for a site plan, such as a survey, elevations, landscape plan stormwater management plans, and the like. Instead, the Applicant hereby submits this narrative letter in support of the Special Use Permit Application which shall address those issues that we believe will be of interest to the Commission.

Therefore, we respectfully request that the Commission accept this application and schedule it for a public hearing. If there are additional items that the Commission would like to be addressed, we would be happy to revise this application and narrative prior to the hearing.

SITE LAYOUT, LANDSCAPING, ARCHITECTURE

As stated above, the Property is located at 89 Arch Street. It is located entirely in the Zone Designated DT-1. The Property is located adjacent to the Arch Street Tavern and across the street from one of the entrances to the Front Street South Garage. The Property was previously occupied by Bear's Barbecue, later Blind Pig Pizzeria. The building has an exterior of brick and is approximately 1,250 Square Feet in area. There is a small brick patio in the front of the building. There are no inland wetlands located on the site.

BUILDING RENOVATIONS

The Applicant intends to clean the Property and to do some flower and shrub plantings to make the Property more presentable. Additionally, the brick patio area will be repaired to replace any broken bricks and to level the patio itself.

The interior of the building will receive substantial upgrades and renovations. This will entail removal of all cooking and restaurant equipment that is still there from the prior occupant. The entire interior floor plan will be reconstructed with 5 additional rooms or areas. There will be an entrance area, a cash out/register area, a staff/employee rest area, the public counter area for customers and a vault room for safes and security equipment. The bathroom that currently exists will remain, but will be remodeled.

PARKING

The majority of parking will be in the Front Street South Garage. This garage is across the street and employees and customers will park in the garage and walk to the Property. At this point, the Applicant intends to provide customer validation for parking in the garage. It is anticipated that the parking demand for the new use will be less than that of a restaurant. It is the Applicant's understanding that sufficient capacity exists in this garage to handle the change in use from a restaurant to an adult use cannabis retailer.

The Property has 2 parking places on site which will be for employees only. Deliveries will be by small van or vehicle which will be parked in the spaces located on site. Emergency vehicles will have access directly from Arch Street.

UTILITIES

The Property is already served with all necessary utilities. The building has existing electricity service from Eversource. There is also existing natural gas service. Likewise, there is sufficient water and sewer service from MDC. We anticipate that water and sewer usage will decline as compared to the existing restaurant use. In terms of HVAC, the Property is served by natural gas-fired heating system and electric-based air conditioning.

OUTSIDE ODORS/VENTILATION

Because the intended use is strictly as a retailer, there will be no outside fumes or odors emanating from the building. All product is prepackaged upon delivery. There will be no on-site use of the product.

EMPLOYEES AND HOURS OF OPERATION

The business will employ 10-15 people. Of these, 2-4 employees will be exclusively assigned to security detail. The anticipated hours of operation will be as follows:

Monday-Saturday: 8:00am-9:30pm
Sunday: 10:00am-5:30pm

OPERATION OF BUSINESS

The Applicant is aware that this business will be one of the first of its kind in the State of Connecticut and, as such, understands that this Commission needs to know how the operation will function. As a preliminary matter, it should be noted that the operation of this retailer is dependent upon the issuance of a license from the Department of Consumer Protection. At all times, operations will be conducted in compliance with that license and all regulations and rules promulgated by DCP.

It should also be noted that all product will at all times, up until the point of sale, be stored in a locked cabinet or locked vault which will be constructed in accordance with State mandates. Product will not be "on display" for customers as one might see in other types of retail stores. Only designated employees will have access to the locked areas.

There will be 2 different classes of customers. First, certain customers will order product on the web site. When they are notified that their purchase is ready for pick up, they will come to the store. Upon arrival, customers will be greeted by a security employee who will check the customer's identification and verify that they may enter, all in accordance with State regulations. The website customer will then be escorted to the pick-up counter where the customer will pay for the product. An employee will then go to the locked cabinet and retrieve the product for the customer.

The second type of customer will be the walk-in customer. This customer will be greeted and screened in the same manner as a website customer to ensure that they may enter. After being properly identified and age verified, this customer will be escorted to a different counter, where there will be a pamphlet or binder listing all of the products for sale. One or more employees may be available to speak with the customer to answer questions. This customer will then pick the products for purchase and pay the employee at the counter. The employee will then retrieve the product from the locked area and complete the sale.

TRANSPORTATION

The three transportation modes will be: pedestrian, automobile, and public bus service. The Property is located in the Front Street District and is within a ten-to-fifteen minute walk of most of Downtown Hartford. As such, those who work or live downtown will be able to walk to and from the Property very easily. Customers will also be able to drive to the Property and park in the Front Street South Garage as stated previously. Additionally, customers will be able to take public buses and walk to the Property. Currently there are 4 nearby stops for public buses. They are as follows:

- Arch Street and Front Street
- Main Street and Gold Street at Center Church
- Main Street and Arch Street: and
- Convention Center and Columbus Boulevard

SIGNAGE

The Applicant understands that this Commission must approve any signs before they are constructed on the Property. The Applicant anticipate signage in generally the same amount as the prior use. However, because the Applicant's branding has not been fully finished, signage has not yet been designed. The Applicant will submit a separate Sign Permit Application when the details for signage are completed.

SECURITY

As stated above, all customers will be screened at the entrance for proper identification and to ensure that customers are of proper age before entering the premises. All customers will only be able to go to a designated counter. There will be employees in the facility to assist the customers as well.

At all times, the product will be stored in locked cabinets and/or a vault. The vault will be installed in accordance with State requirements. Additionally, the entire building will have numerous security cameras installed throughout the building, inside and outside. These cameras will be monitored by a third-party professional vendor, including at night when the business is closed. Moreover, during operating hours, there will always at least employees at the Property solely for security reasons.

PAYMENT

Currently, payment may only be made by cash or debit card. All cash received will be stored in a vault until such time as a third-party vendor (armored car service) picks up the cash for delivery to a bank.

REQUESTED FINDINGS

Based upon the foregoing, we respectfully request that the Commission make the following findings as set forth in § 1.3.4(D)(2) of the Regulations; specifically, that the Application and proposed use:

- (a) Is in harmony with the plan of conservation and development;
- (b) Complies with all applicable sections of these regulations pertaining to the district in which the proposal is located;
- (c) Comports with the purposes of the district in which the proposal is located;
- (d) Will not be detrimental to existing development in the district because of its location, bulk, scale, or design;
- (e) Does not create safety hazards in the proposed vehicular and pedestrian circulation pattern;
- (f) Will not seriously degrade traffic levels of service without providing adequate mitigation measures;
- (g) Is compatible with adjacent properties;
- (h) Provides for the suitable arrangement of buildings, open space, and provision of light and air;
- (i) Properly provides for adequate provision of essential services;
- (j) Will not be detrimental to the control of stormwater at its source and the minimization of runoff;
- (k) Does not place excessive demands on city services and infrastructure;
- (l) Provides landscaping, including vegetation and trees, that are appropriate to the district and enhance the public realm;
- (m) Provides pedestrian amenities; and
- (n) Conforms fully with the code.

CONCLUSION

We hope that this narrative fully explains the proposed business operation to this Commission. If there are further areas or items of concern to this Commission, we would be happy to address them.

Thank you for your consideration of this matter. We look forward to presenting this application to the Commission and to answer any and all questions that the Commission may have.

Sincerely yours,



Gregory W. Picuch
Cc: Derrick C. Gibbs, Jr.

Paul Ashworth

From: Paul Ashworth
Sent: Wednesday, May 25, 2022 3:24 PM
To: Greg Piecuch
Cc: Hartford Planning Division; Mary Scully
Subject: RE: 89 Arch St - Special Permit Application - COMM-2022-0621

Hi Greg,

I was able to review the special permit application for an adult use cannabis retailer at 89 Arch Street. I have a few questions regarding the operations of the use and renovations to the patio, but otherwise thank you for the thorough project narrative.

Please find staff comments below regarding the application:

1. The narrative describes renovations to the existing patio including “leveling” and various plantings. Please describe this in more detail. The patio is currently made of a concrete walk, semi-pervious pavers and gravel. Please confirm the proposed surfacing of the patio. Please confirm no new stormwater runoff will be created by the renovations. If a completely pervious material is proposed please provide a plan for the patio and the stormwater.
2. The patio appears to be located on a parcel owned by the State of Connecticut (69 Columbus Blvd). Please confirm you have owner authorization to use and make repairs to this property.
3. The operations description appears to revolve around pedestrians accessing the front entrance to the business. Like you mention in the narrative this could be one of the first of this type of business in the State and traffic should be expected to be high. What is the pedestrian queueing plan for this business? Please note the sidewalk in front of this business is not wide enough to facilitate both a queueing line and an ADA accessible pathway. Will the facility use the patio as a waiting area and call customers by number, or use a fob notification system similar to restaurants with queues?
4. Please confirm how any proposed window coverings will comply with both the State of Connecticut’s requirements for this business type and the local window signage regulations. The City of Hartford prohibits the covering of more than 30% of any set of windows, or more than 50% of any one window. At least in concept this should be discussed now. The final sign plan can be submitted with a separate application as suggested in your narrative.
5. Please identify the location of the two (2) existing on-site parking spaces you mention in the narrative.
6. Please address further the traffic generated by this use. A full traffic analysis may not be required, but a forecast of potential impacts and greater discussion is warranted. Contingency plans for a-typical business levels and traffic impacts, in particular regarding the parking garage access, during the first 30 days should be addressed.
7. In order to better prepare for the first month of business, staff have considered requiring that, as a condition of approval, the use be required to notify the City of Hartford prior to the first day of operations. We’re still in talks with internal departments about what an appropriate or necessary notification period would be. Do you have a thoughts on this?

Thank you for your time and let me know if you would like to discuss any of the above.

Have a great week,

Paul Ashworth

Senior Planner

City of Hartford - Department of Development Services

Planning & Zoning Division

he/him

260 Constitution Plaza, 1st Floor
Desk: 860-757-9055

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Please be advised that unless it is expressly stated, this correspondence does not constitute a zoning permit, certificate of zoning compliance, certification of a legal nonconforming use, or other approval within the Division's jurisdiction. If a permit or approval is desired, an application, application fee, and all required supporting documentation must be submitted to the Zoning Administrator in accordance with the Hartford Zoning Regulations. Please visit www.hartfordct.gov/dds and click on "Our Services" to begin the application process.

Make an appointment online: <https://developmentservices.setmore.com/>

From: Paul Ashworth <>
Sent: Tuesday, May 24, 2022 1:07 PM
To: 'Greg Piecuch' <greg@gwp-law.com>
Cc: Hartford Planning Division <oneplan@hartford.gov>; Mary Scully <mary@gwp-law.com>
Subject: RE: 89 Arch St - Special Permit Application

Greg,

Thank you for confirming. That's correct. The form letter I attached is made with the intention to meet the public notification requirements of the State.

Thanks,
Paul Ashworth
Senior Planner
City of Hartford - Department of Development Services
Planning & Zoning Division
he/him
260 Constitution Plaza, 1st Floor
Desk: 860-757-9055

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Make an appointment online: <https://developmentservices.setmore.com/>

From: Greg Piecuch <greg@gwp-law.com>
Sent: Tuesday, May 24, 2022 12:53 PM
To: Paul Ashworth <Paul.Ashworth@hartford.gov>
Cc: Hartford Planning Division <oneplan@hartford.gov>; Mary Scully <mary@gwp-law.com>
Subject: Re: 89 Arch St - Special Permit Application

Hi Paul,

Thank you for this. We will handle all the mailings. Mary (copied) will also coordinate picking up the sign.

Just to confirm on the mailing: all we need to include in the envelope is the "Notice of Public Hearing" that you attached to your email?

Thanks again,
Greg

GREGORY W. PIECUCH

LAW OFFICE OF GREGORY W. PIECUCH, LLC
THE HARTFORD TRUST BUILDING
750 MAIN STREET, SUITE 600
HARTFORD, CT 06103

TEL.: 860.256.3991
FAX: 860.256.3992
EMAIL: greg@gwp-law.com
WEB: www.gwp-law.com

From: Paul Ashworth <Paul.Ashworth@hartford.gov>
Date: Monday, May 23, 2022 at 4:55 PM
To: Gregory Piecuch <greg@gwp-law.com>
Cc: Hartford Planning Division <oneplan@hartford.gov>
Subject: RE: 89 Arch St - Special Permit Application

Hi Greg,

I put together the public notice requirements for the upcoming public hearing on June 14th. Please find an instruction sheet for the public notice requirements attached and pay close attention to the various noticing deadlines as these are provided by the state and are not flexible.

I will send over staff comments on the overall application in the next day or so.

Thank you for your time,
Paul Ashworth
Senior Planner
City of Hartford - Department of Development Services
Planning & Zoning Division
he/him
260 Constitution Plaza, 1st Floor
Desk: 860-757-9055

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Make an appointment online: <https://developmentservices.setmore.com/>

From: Greg Piecuch <greg@gwp-law.com>
Sent: Friday, April 29, 2022 3:14 PM
To: Berschet, Paige <Paige.Berschet@hartford.gov>
Cc: Hartford Planning Division <oneplan@hartford.gov>; Paul Ashworth <Paul.Ashworth@hartford.gov>
Subject: Re: 89 Arch St - Special Permit Application

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please contact the helpdesk at 860-757-9411 if you have any questions.

Good afternoon, Paige. Thank you for forwarding this along. We will review and will arrange payment.

GREGORY W. PIECUCH

LAW OFFICE OF GREGORY W. PIECUCH, LLC
THE HARTFORD TRUST BUILDING
750 MAIN STREET, SUITE 600
HARTFORD, CT 06103

TEL.: 860.256.3991
FAX: 860.256.3992
EMAIL: greg@gwp-law.com
WEB: www.gwp-law.com

From: "Berschet, Paige" <Paige.Berschet@hartford.gov>
Date: Friday, April 29, 2022 at 3:05 PM
To: Gregory Piecuch <greg@gwp-law.com>
Cc: Hartford Planning Division <oneplan@hartford.gov>, Paul Ashworth <Paul.Ashworth@hartford.gov>
Subject: 89 Arch St - Special Permit Application

Hello Greg,

Thank you for submitting your Special Permit Application for 89 Arch St. The application review has been assigned to Paul Ashworth (cc'd) who will be in touch with any questions as he completes the staff report and the applicant public noticing requirements that must be completed prior to the public hearing. The public hearing is scheduled for the June 14, 2022 Planning & Zoning Commission Meeting and the meeting login information and documents will be posted here: <https://www.meetinginfo.org/meetings/1732>.

The Special Permit Application fee is \$350 and can be paid in person with credit card or a check made out to the City of Hartford by scheduling an appointment online (<https://developmentervices.setmore.com/>), by mailing us a check with this email attached to the check and the address referenced to 260 Constitution Plaza, 1st Floor, Hartford, CT 06103 ATTN: Planning Division, or by paying online (<https://hartfordct-energov.tylerhost.net/Apps/SelfService#/payinvoice>) and searching for the invoice number: INV-00059801

Let us know if you have any questions.

Best,

Paige Berschet
Administrative Assistant
City of Hartford - Department of Development Services
Planning & Zoning Division
she/her/hers
260 Constitution Plaza, 1st Floor
oneplan@hartford.gov
Desk: 860-757-9029

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Paul Ashworth

From: Michael W. Freimuth <mfreimuth@crdact.net>
Sent: Friday, June 3, 2022 11:46 AM
To: Paul Ashworth
Cc: Hartford Planning Division; Anthony Lazzaro
Subject: RE: Front Street/Adriens Landing - 89 Arch St

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Paul: as Tony indicated to you, we have concerns regarding the proposed use at 89 Arch St. We will give you more formal comments at the upcoming June 14 hearing.

However, with respect to the use of the 'South Garage' (entrance located on Front St Crossing), we have no agreement with the applicant to use the parking facility. Further, this particular garage was financed and constructed with federal funds, carrying with it restrictions on the use of the facility for any purposes inconsistent with federal law. As such, leasing to a cannabis retailer would be prohibited.

Neither is there any agreement or communication with regard to the 'patio' area located on the abutting property to 89 Arch. This property is state owned and would require specific approvals from other state agencies in addition to CRDA. Again, none exists.

From: Paul Ashworth <Paul.Ashworth@hartford.gov>
Sent: Tuesday, May 31, 2022 2:57 PM
To: Michael W. Freimuth <mfreimuth@crdact.net>
Cc: Hartford Planning Division <oneplan@hartford.gov>
Subject: RE: Front Street/Adriens Landing Traffic Study

Hi Michael,

I spoke with Tony Lazzaro on Friday regarding the proposed adult use cannabis retailer at 89 Arch Street. He confirmed that CRDA had comments regarding the proposed use. Please deliver those to me by email as soon as possible, preferably by the end of this week 5/3/22. In particular if you could address the applicant's claim that they will use your garage or the patio next to their rental space, that would be helpful. I would like to include your comments in our staff report since your organization is a prominent land owner in the vicinity of the subject property.

All the best,
Paul Ashworth
Senior Planner
City of Hartford - Department of Development Services
Planning & Zoning Division
he/him
260 Constitution Plaza, 1st Floor
Desk: 860-757-9055

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Paul Ashworth

From: Anthony Lazzaro <alazzaro@crdact.net>
Sent: Friday, June 3, 2022 11:08 AM
To: Paul Ashworth
Subject: Adrian's Landing

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Hello Paul,

I am writing in furtherance of our conversation from last week. As discussed, CRDA will formally oppose the placement of the marijuana dispensary at the Front Street District.

CRDA's statutory mission includes the creation of family oriented entertainment within the Front Street District. To that end, all of the businesses located within Adriaen's Landing have sign reciprocal covenants forbidding the creation of liquor stores, pawn shops, head shops, gun stores, etc. We believe the addition of a marijuana distribution center to the District would be contrary to this goal.

The area businesses, including the master developer of the Front Street District (HB Nitkin) join CRDA is opposing this location.

Additionally, CRDA will not permit it parking garage to be used as identified parking for planning purposes. The garages were built with the funds from revenue bonds and restrict it use from supporting illegal activity at the State or federal level.

Moreover, the State parcel located a next to the proposed site, will not be lease to any entity for this purpose.

I am sorry for the brief E-Mail as I am still on vacation (pardon the typos). CRDA and it's neighbors intend to testify against this permit at the P&Z meeting.

I would be glad to discuss at your convenience.

Best,

Tony

Sent from my iPhone



LAW OFFICE OF
GREGORY W. PIECUCH, LLC

THE HARTFORD TRUST BUILDING
750 MAIN STREET, SUITE 600
HARTFORD, CT 06103

TEL.: 860.256.3991
FAX.: 860.256.3992

GREGORY W. PIECUCH, ESQ.
greg@gwp-law.com

June 6, 2022

VIA EMAIL: Paul.Ashworth@hartford.gov

Paul Ashworth, Senior Planner
Department of Development Services
260 Constitution Plaza, 1st Floor
Hartford, CT 06103

**Re: 89 Arch St, Hartford, CT 06103 (the "Property")
Special Permit Application for Approval of Use
Proposed Adult Use Cannabis Retailer in DT-1 Zone designation
Pursuant to Regulation 3.3.10.C.**

Dear Mr. Ashworth:

As you know, this office represents Derrick Gibbs, Jr., ("Applicant") the applicant for the above-referenced special use permit application. We are in receipt of your email correspondence dated May 25, 2022. I have reviewed your comments with the Applicant, and he has supplied the information set forth hereinafter. The numbered response paragraphs correspond to your numbered comments. Please accept this letter as a Supplemental Narrative to be considered together with the narrative set forth in my letter dated April 19, 2022.

1. Since the submission of the original application, the Applicant has had the opportunity to discuss the use of the outdoor patio with DECD. Following those discussions, the Applicant does not intend to use or occupy the outdoor patio area at this time. As such, no renovations to the patio area are anticipated, meaning there will not be any impact on stormwater management.
2. See response to # 1 above.
3. The Applicant will be part of a social equity joint venture. The other party to the joint venture is experienced in operating cannabis dispensaries. Social media and other advertising will discourage "walk-in" sales, but instead will instruct customers to either engage in on-line presale or scheduled consultation appointment. Based upon the JV's experience, coupled with market studies at several cannabis retailers, the Applicant anticipates that 80%-90% of sales are done by pre-sale via the internet or phone or by scheduled appointment, which should mitigate against large queuing outside the retailer. Thus, the Applicant's research indicates that its customers can

be processed very quickly; typically, in about eight minutes on average. The Applicant further anticipates, after studying other retail stores, that 20-30 people per hour will visit the store over the course of the 10-hour retail day, for a total of 200-300 people daily. As noted above, most of these customers would be given specific windows of time within which to arrive so that they are spread out over the course of the day and do not arrive all at the same time. As part of this process, customers will have access to a notification system such as text email or app notification to help facilitate orderly operations and service. Thus, in the first instance, the Applicant expects to manage customer flow through the extensive use of technology.

If, for some reason, there are an unexpectedly high number of customers that arrive together, this will be managed in two phases. First, the internal layout will allow for a line of customers within the building itself. The Applicant anticipates that there will be approximately 1000 SF of queuing space within the building immediately after the security checkpoint. This equates to approximately 20-25 individuals (10 at the counter and 10-15 in line). During typical operations, the Applicant will have two security employees on duty, one of which may be stationed outside the building as conditions warrant. An outside security person would, among other duties, ensure that the flow of customers to the building continues in an orderly fashion. Second, any overflow customers will be directed to a roped queue to be established heading southward on the sidewalk on Columbus Boulevard. See attached marked-up photo. This sidewalk is 9'-4" measured from edge of planting beds to westerly edge and 15'-1" from curb to edge. Applicant will add an additional security employee (for a total of three) during the first 30 days to staff the sidewalk queue. Store staff will be in communication by radio. As customers leave, thereby creating capacity within the store, this information will be radioed to the security personnel staffing the queue, and new customers will be released in small groups from the queue down a few steps to the entry door to proceed inside the building. This system has been designed to avoid lines or loitering on the Arch Street sidewalk. The Applicant does not anticipate that, long term, there will be a need for a roped sidewalk queue.

4. By State regulations, this establishment will have only one sign that will be allowed at the premises. The size and type are directed by the State. There will be no signs in any of the windows. The windows will have film covering them so that people cannot look into the store from the outside. In the near future, the Applicant will file a sign application that will set forth the details for the proposed sign.
5. The original narrative was incorrect. There are not 2 on-site parking places located on the property. There are two loading spaces on the street immediately in front of the building. As such, employees will be parking in the Front Street South garage. We apologize for the confusion.
6. There are currently 10 street parking places on Arch Street, eight on the south side and two on the north. One of the spaces on the south side is marked as a handicap parking place. These spots are available on a first come, first served basis only.

Paul Ashworth

June 6, 2022

Page 3

The Applicant has received correspondence (see attached) from ProPark, the company that manages the Front Street North and South parking garages, as well as the Convention Center garage. ProPark notes that there is “generous capacity” in the garages. The Applicant is advised that there are over 150 parking places in the South garage alone, which the Applicant anticipates being more than enough to handle the customers that visit the store. The North garage and Convention Center garage will also be available, if necessary.

Beginning approximately 30 days prior to opening, the Applicant intends to commence an educational program online, through marketing and a weekly newsletter. This program will inform the public of the hours of operation, the procedures for purchasing product, where to park, directions to the parking garages, how to obtain a parking ticket from the store, and the procedures for visiting the store by appointment to pick up purchased product.

To validate customers, the Applicant will also purchase \$3.00 parking cards that staff will distribute to customers in the store. These cards cover a customer’s first hour of parking charges. As noted above, the Applicant has estimated that—in large part due to the substantial use of the pre-order process—the average time a customer stays in a cannabis retail store is eight minutes. Customers who park over one hour will pay parking charges above and beyond the initial \$3.00. Applicant will arrange for monthly employee parking via transponders.

In terms of traffic (and in addition to store security personnel), the Applicant commits to hiring an off-duty Hartford police officer to be on site for at least the first seven days that the business is opened. The officer will be able to, as needed, ensure that that the public walkways stay clear for pedestrian traffic and also direct vehicular traffic to the Front Street District parking garages. If after consultation with town staff, pedestrian and traffic conditions warrant continuing police presence, the use of an off-duty police officer may be extended up to a total of the first 30 days of operation.

7. The Applicant has no objection to notifying the City of Hartford prior to the initial opening of the store. This can be a condition of approval. We can discuss the length of prenotification time after your staff has an opportunity to consider.

We hope the foregoing adequately responds to your email. If you have any further questions, please do not hesitate to contact me.

Sincerely yours,



Gregory W. Picuch

Attachment

Cc: Derrick C. Gibbs, Jr.

From: **Thomas Ortiz-Johnston** <Thomas.Ortiz-Johnston@propark.com>

Date: Thu, Apr 21, 2022 at 2:51 PM

Subject: Front Street South parking business account set-up

To: dgibbs@changeinonline.org <dgibbs@changeinonline.org>

Good afternoon Mr. Gibbs,

This message is a just a follow up confirmation regarding a pricing inquiry for an upcoming business account at the Front Street South location.

I was able to confirm that your employee parking can begin as early as needed at the \$85.08 (with tax) monthly rate, via parking transponder installed on your primary vehicle. Once we get closer to the setup date, we can issue these individually with your explicit approval per employee.

The customer/hourly parking will be billed through physical value cards that are limited to the \$3.00 value / 15 minute minimum, so if the customer stays beyond this value they will be charged the excess as an individual when exiting. We can make these as a batch for your staff to distribute as needed, billed prior to use. (Otherwise, when the customer exits, the value is automatically applied to their stay.)

The only aspect we are not able to accommodate at this time is the reserved parking. This location typically has generous capacity so hopefully this condition will not be too disruptive.

In the meantime, please let me know what billing information is preferred for this account, and you and your employees may of course visit the garage office for the parking transponders as soon as required.

(I am typically onsite from Monday to Friday from 9:30 am – 4:30 pm.)

Thank you for your patience, and looking forward to assisting further,

-Thomas H. Ortiz

Propark Mobility
(Front Street South Garage)
62 Front Street
Hartford, CT 06103

thomas.ortiz-johnston@propark.com



Paul Ashworth

From: Dellaripa, Frank
Sent: Monday, June 13, 2022 2:47 PM
To: Paul Ashworth
Subject: RE: 89 Arch St - Pedestrian Queueing Proposal

No issues with temporary measures regarding the sidewalks.

Frank

Frank Dellaripa
City Engineer / Assistant Director
50 Jennings rd, 2nd Floor
Hartford, CT 06120
O: (860) 757-9975
C: (860) 214-8027
F: (860) 722-6215

From: Paul Ashworth <Paul.Ashworth@hartford.gov>
Sent: Thursday, June 9, 2022 2:29 PM
To: Dellaripa, Frank <Frank.Dellaripa@hartford.gov>
Cc: Hartford Planning Division <oneplan@hartford.gov>
Subject: 89 Arch St - Pedestrian Queueing Proposal

Hello Frank, hope you're having a good week.

We're reviewing a special permit for a Cannabis Retailer at 89 Arch street and we asked them to identify an area for pedestrian queueing should the demand for their products overflow their internal capacity. We've heard this is a possibility at least during the first month of operation.

They have proposed using a portion of the sidewalk along Columbus Blvd. They want to use temporary stanchions and ropes to section of a queue area. They would leave an ADA accessible pathway between the queue and the tree wells.

My question to you: It looks like that section of the sidewalk may be owned by the State of Connecticut. Do you have any input on who maintains that stretch of sidewalk and if they would need a permit to do this?



Paul Ashworth
Senior Planner
City of Hartford - Department of Development Services
Planning & Zoning Division
he/him
260 Constitution Plaza, 1st Floor
Desk: 860-757-9055

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Please be advised that unless it is expressly stated, this correspondence does not constitute a zoning permit, certificate of zoning compliance, certification of a legal nonconforming use, or other approval within the Division's jurisdiction. If a permit or approval is desired, an application, application fee, and all required supporting documentation must be submitted to the Zoning Administrator in accordance with the Hartford Zoning Regulations. Please visit www.hartford.gov/dds and click on "Our Services" to begin the application process.

Make an appointment online: <https://developmentservices.setmore.com/>