



DEPARTMENT OF DEVELOPMENT SERVICES – PLANNING DIVISION
REPORT: Special Permits for INSA Hartford Facility
 for consideration November 11, 2022

STAFF REPORT

TO: Planning & Zoning Commission
PREPARED BY: Paul Ashworth, Senior Planner
paul.ashworth@hartford.gov

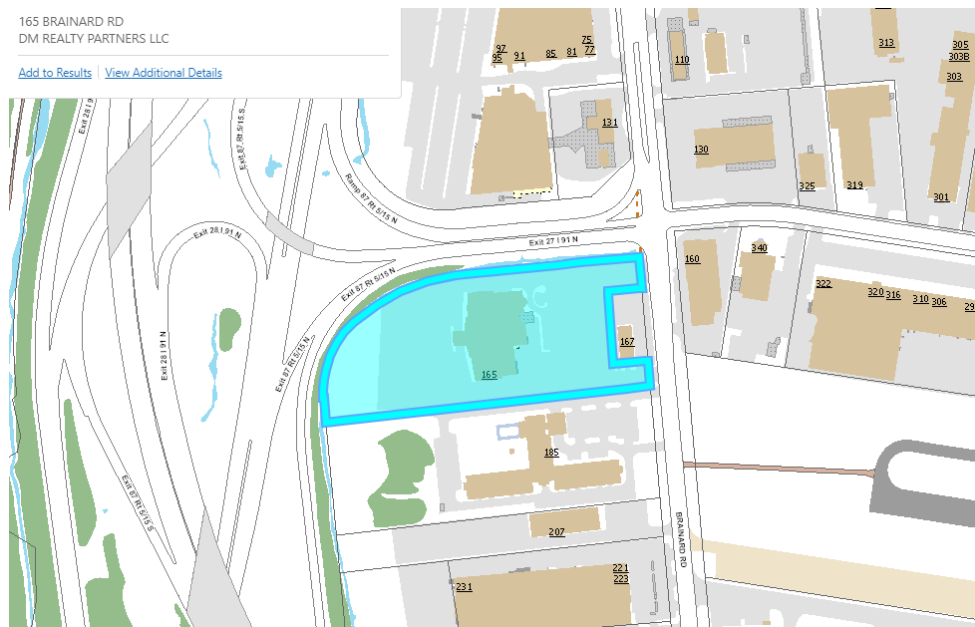
PROJECT: INSA Hartford Facility
 165 & 167 Brainard Road
 PARCEL ID: 300-817-011; 317-817-004
 P&Z-COMM-2022-0702; P&Z-COMM-2022-0702

ZONE: ID-1

TYPE: Special Permits and Site Plan for adult use cannabis hybrid retailer, cannabis cultivation, cannabis product manufacturing, cannabis food and beverage manufacturing, and cannabis product packaging per Section 1.3.4 and Section 3.3.10 of the Zoning Regulations.

APPLICANT: INSA CT, LLC.

OWNER: DM Realty Partners, LLC, and 167 Brainard Road, LLC;



Overhead View – City of Hartford Planning Viewer 2022

BACKGROUND INFORMATION

The applicant is requesting approval of special permits and a site plan to establish adult use cannabis related uses and an ~55,000 SF addition to existing buildings at 165 and 167 Brainard Road. The building at 165 Brainard Road, previously occupied by an Eating Place use, and the building addition will house the proposed cannabis cultivation, product manufacturing, food and beverage manufacturing and product packaging uses. The proposed cannabis hybrid retailer will occupy the existing building at 167 Brainard, which was previously occupied by a light fixture repair and supply. The applicant has proposed to combine the two parcels and establish a suite of new uses if approved. The lot combination will be reviewed under separate cover. Because the two lots are proposed to be combined, staff recommend that the Planning & Zoning Commission evaluate the request based on the interrelated nature of the site and the future site conditions.

No previous actions have been taken regarding this request. There is a related Inland Wetlands & Waterways application under concurrent review (P&Z-COMM-2022-0719). The subject property is not designated historic or within a historic district.

KEY APPLICATION TIMELINES

- Application Submission Date: October 7, 2022
- Date Application Accepted as Complete: October 7, 2022
- Application Date of Receipt: October 11, 2022 (sooner of either: date of next regularly scheduled meeting, or 35 days after acceptance of complete application)
- Public Hearing is scheduled to open on Tuesday, November 22, 2022; Open Hearing Deadline: December 15, 2022.
- Close Hearing Deadline (if opens November 22, 2022): (35 days after opening) Tuesday, December 27, 2022
- CT General Statutes Sec.8-7D allow that the applicant may consent to one or more extensions of time, provided the total extension of all time periods shall not be for longer than 65 days.

LEGAL STANDARD

Standard for Application Type:

The Commission reviews site plans in accordance with Zoning Regulations section 1.3.3. Site plans may be modified, conditioned, or denied only if they fail to satisfy the zoning regulations, inland wetland regulations, or subdivision regulations. The Commission may deviate from the minimum requirements for building siting, height, street facades, accessory structures dimensions, tree installation, landscape installation, buffers, fencing, lighting, parking, signage, and street design by up to 15% upon certain findings.

The Commission reviews special permits in accordance with Zoning Regulations section 1.3.4. Special permits may be approved, approved with conditions, or denied. Considerations the Commission may weigh in special permit review include: harmony with the plan of conservation & development; compliance with the purposes of the district; effect on existing development; creation of safety hazards in vehicular and pedestrian circulation; effects on traffic; compatibility with adjacent properties; suitability of arrangement of

buildings, open space, and provision of light and air; impact on essential services; impact on stormwater runoff; impact on city services and infrastructure; tree and landscape provision; and pedestrian amenities. The Commission may deviate from the minimum requirements for building siting, height, street facades, accessory structures dimensions, tree installation, landscape installation, buffers, fencing, lighting, parking, signage, and street design by up to 15% upon certain findings.

STANDARD SPECIFIC TO THE USE

Section 3.3.10 Cannabis Uses – A category of uses involving the cultivation, propagation, processing, extraction, creation, packaging, labeling and retail of cannabis, cannabis products and medical marijuana. Such cannabis and medical marijuana establishments are subject to the requirements of state law and regulations as established by the State of Connecticut Department of Consumer Protection.

All advertising, displays, signage, and visibility requirements must comply with state law and the regulations as established by the State Department of Consumer Protection.

- A. **Cultivator.** A person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand (15,000) square feet of grow space as defined in state law.
- C. **Cannabis Retailers.** A Retailer, defined as a person, excluding a medical marijuana dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs, or a Hybrid Retailer, defined as a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.
 - (1) **Proximity to Other Cannabis Retailers.** No cannabis retailer shall be located within a 1,500-foot radius in any direction of any parcel where cannabis retail sales are located, except that these dispersion requirements shall not apply to prohibit new cannabis retail in the DT districts.
 - (2) **Proximity to Certain Uses.** No cannabis retailer shall be located within a 500-foot radius of parcel used or reserved to be used for the purpose of a school or civic assembly, except that these dispersion requirements shall not apply to prohibit new cannabis retail in the DT districts.
 - (3) **Hours of Operation.** Cannabis retailers are permitted to be open to the public for sales between the hours of 8:00am and 10:00pm on Monday through Saturday, and between the hours of 10:00am and 10:00pm on Sunday.
- D. **Product Manufacturer.** A person that is licensed to obtain cannabis extract and manufacture products exclusive to such license type.
- E. **Food and Beverage Manufacturer.** A person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.
- F. **Product Packager.** A person that is licensed to package and label cannabis.

Figure 3.2-A – Table of Principal Uses: Cultivator, product manufacturing, food and beverage manufacturing, product packaging, and hybrid retail cannabis uses are permitted with a special permit in the ID-1 district.

Section 4.9.2 – Workshop/Warehouse Building Type Regulations

- C. Adult use cannabis uses are permitted on the ground story and upper stories per the district.

Plan of Conservation & Development

Grow400 – Entrepreneurship: Hartford has a diverse business ecosystem filled with large anchor institutions, small businesses, and start-ups. Meeting the needs of these diverse enterprises and cultivating an innovation atmosphere will expand economic opportunities and connect Hartford to the region and the world.

Play400 – Tourism: Hartford has architecture, history, parks, arts, culture, sports, and museums that would be the envy of any similarly-sized city. Creating a coherent tourism strategy that highlights our diverse assets will draw people, drive investment, create service jobs, and foster a love of our great city.

Live400: Hartford is full of active neighborhoods and institutions. We must forge better connections between people and available resources – and between people across neighborhood and city boundaries. With this City Plan, we hope to ensure equitable and affordable access to a high quality of life and to protect the dignity of all of our residents.

FINDING OF FACTS

Subject Property – 165 & 167 Brainard Road

- Combing lot size is ~6.05 acres.
- Occupied by two nonconforming commercial center buildings.

Proposed Use – Adult-Use Cannabis Uses

- The existing western building is ~28,000 SF and will be occupied by manufacturing, production, office and support services.
- The existing eastern building is ~7,600 SF and will be occupied by the hybrid retail cannabis use.
- The proposed ~55,000 SF addition will house the cultivation facility.
- Existing buildings will be converted to Workshop/Warehouse type buildings.
- All business operations will take place on the interior of the facility.
- Parking & Site Access
 - Total parking will be reduced from 366 spaces to 197 spaces.
 - Will use the existing two curb-cuts along Brainard Road.
 - Reorganization of parking and the addition of landscaping at the perimeter of the site.
 - Existing parking in ROW proposed to remain. DPW has confirmed they do not have an encroachment agreement on file for this parking.
 - Parking area west of existing buildings is covered by a utility easement.
- Signage
 - No signage is proposed as part of this application.
- Security Plan
 - Proposing access control mechanisms and alarms on the doors and gates, a video/visual surveillance system, lighting and backup power systems.
 - The applicant has confirmed there will be a security presence on the property at all times.
- Additional plans cover odor elimination/mitigation and air filtration, cannabis waste disposal, cannabis delivery procedures, and a cannabis waste treatment plan.

Neighborhood Context

- Adjacent Uses

- o North – Route 5/15 exit/on ramp and warehouse uses;
- o East – Brainard road and retail and warehouse uses and the Brainard Airport;
- o South – An ~4.28 acre hotel;
- o West – Route 5/15 right of way.

Review was based on the 18-page plan set titled INSA Hartford Facility and dated September 30, 2022, by Pare Corporation, and, the 143-page Stormwater Management Report by Pare Corporation dated September 2022.



Figure 1. Aerial view of subject property – Eagleview 2021

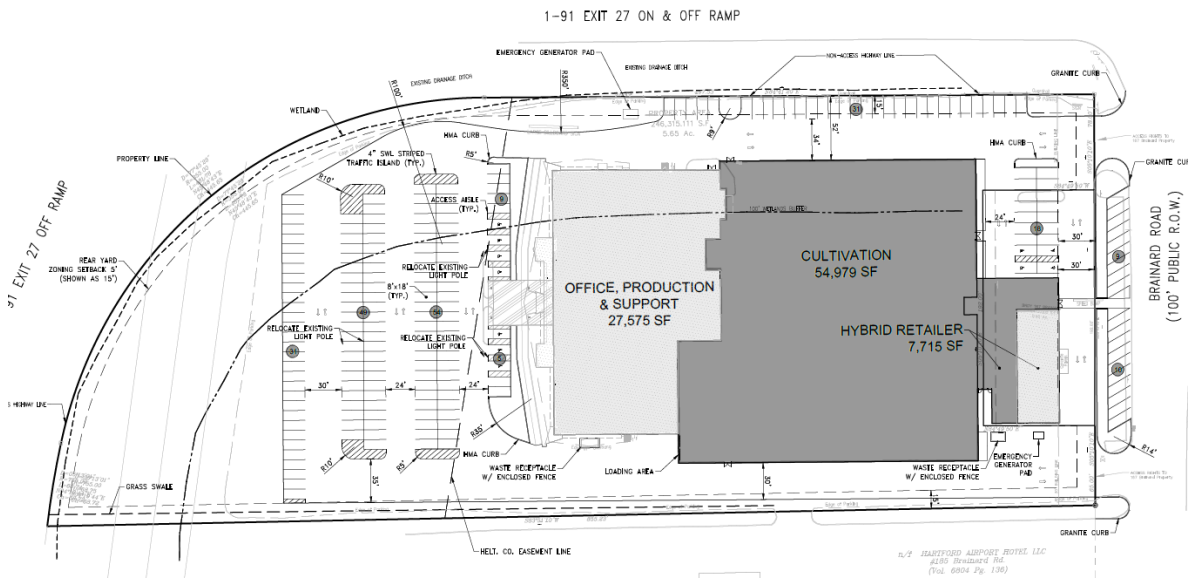


Figure 2. Site Plan – Pare Corporation 2022

COMMENTS RECEIVED (DEPARTMENTS, AGENCIES, NRZs, PUBLIC)

The South End NRZ provided a letter of support for the subject request dated October 25, 2022.

The applicant has confirmed they have reached out to the City of Hartford Police Department to coordinate review of the security plan. No formal comment was received as of this writing.

The City of Hartford Department of Public Works (DPW) provided comments regarding the proposed site plan on November 10, 2022. DPW expressed concerns regarding the condition created by the proposed arrangement of the parking within the ROW, whereby vehicles would be forced to back up into the ROW, and requested that should the parking remain, that an encroachment permit be obtained from DPW. They also requested clarification on the water quality volume analysis provided in the stormwater plan.

ANALYSIS

Site Plan

The proposed site plan includes an ~55,000 SF addition and the renovation and expansion of the retail building at 167 Brainard Road. The proposed addition and expansion will connect the two existing buildings, eliminating the existing parking area in this location. The project will reduce the overall impervious area by pulling back the edge of pavement around the periphery of the site and adding landscaping in this new pervious area. The proposed landscaping includes 41 large, medium and small trees, or an additional 21,700 SF of canopy at maturity, bringing the total canopy coverage to ~9%. The proposed layout, other than the items listed above, will use a similar parking and site organization to what is existing.

While the proposed changes generally represent improvements over existing conditions, the Regulations require certain standards. Because the scope of work includes an addition which increases the total gross building square footage by more than 15%, Chapter 6 of the Regulations applies. Chapter 6 requires interior parking lot landscape islands after every 9th parking space and at parking aisle termini, as well as total compliance with the tree canopy coverage requirement for the district, 15%. The applicant has contended that because the majority of the western portion of the subject property is covered by a utility easement, that parking lot landscaping islands in this area are not possible. The parking located along the northern property line and on the eastern portion of the site could come into compliance. Further, the additional trees may bring the site into compliance with the tree canopy coverage requirement. Also missing from the plan are bicycle parking and electric vehicle charging stations, and the proposed curb-cut widths exceed the maximum 22' per the Regulations.

The provided stormwater management report shows a reduction in discharge rates for the required storm scenarios. The Department of Public Works acknowledged that this portion of the report met the minimum requirements of Section 6.14 of the Regulations, however, the DPW requested additional information regarding how the minimum water quality volume requirements were met. As of this writing additional information has not been provided.

Special Permit

All of the proposed cannabis related uses are specifically contemplated as allowed in the ID-1 district with a special permit. The uses are specifically permitted within workshop/warehouse buildings. Further, the location related use specific conditions required of adult-use cannabis retailers are met: there are no similar cannabis retail uses or school/civic assembly uses within 1,500 feet of

the subject property. The subject property is particularly well located for product manufacturing, packaging and cultivation in that it is located in a primarily industrial area with direct access to highway infrastructure.

Special permits are required to meet several criteria as outlined in Section 1.3.4. Of note here is Sec.1.3.4.D.(2) which requires that the Planning & Zoning Commission determine whether the subject request “Provides pedestrian amenities”. The proposed site plan fails to provide pedestrian facilities along Brainard Road. Staff find that the plan should be altered to provide a sidewalk parallel to and along Brainard Road. The plan currently shows a pedestrian walkway from the primary building entrance connecting to automobile lanes on Brainard. This pedestrian walkway should connect to the new public sidewalk. See Figure 3 below for a snippet showing the currently proposed plan along Brainard Road. The Department of Public Works has also expressed concern about the proposed orientation of the parking which would back out onto Brainard Road. Staff find that the parking should be removed from the public ROW in favor of a sidewalk with adequate buffer from the street. This sidewalk would connect to potential future facilities and represent the first link in the pedestrian facilities chain to the bus stop ~200’ away on Murphy Road.

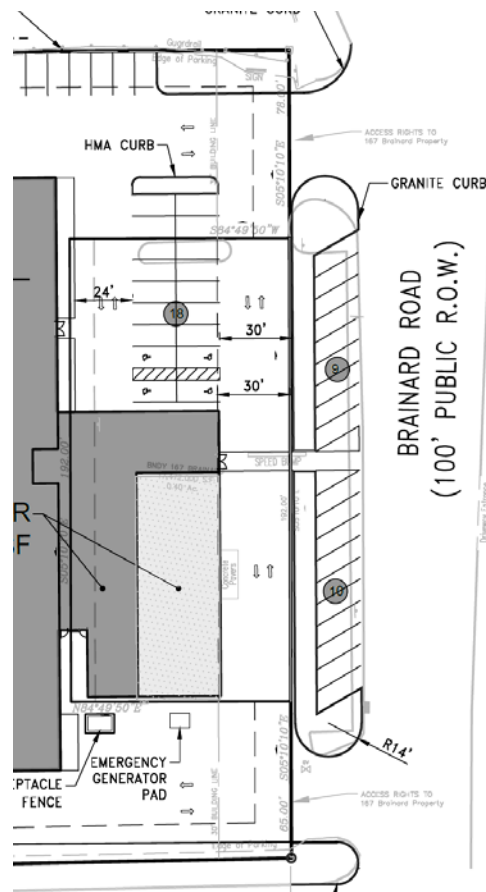


Figure 3. Proposed layout along Brainard Road – Pare Corporation 2022

Cannabis cultivators are associated with an odor created by the flowering plants within the facility. Facilities are also equipped with ventilation systems that continuously exchange the air to the outside of the facility possibly spreading the produced odor. To address this potential nuisance the

applicant has provided a plan confirming their use of several odor eliminating techniques. Staff find the proposed odor mitigation measures to be sufficient, however, because this is a new use to the city, staff recommend placing a condition of approval requiring the re-evaluation of the odor elimination system should a nuisance be identified later.

Plan of Conservation & Development

In July 2021, the State of Connecticut legalized adult use cannabis following suit of a national trend. Legalizing the consumption and sale of cannabis is, in large part, to help heal the wounds caused by the war on drugs which disproportionately impacted communities of color. The Social Equity Council was developed in order to make sure the adult-use cannabis program is grown equitably, and ensures that funds from the adult-use cannabis program are brought back to the communities hit hardest by the "war on drugs." All but three of the census tracts in the City of Hartford are considered "disproportionately impacted areas" (or DIAs). DIA's are census tracts that have either a historical conviction rate for drug-related offenses greater than one-tenth, or an unemployment rate greater than ten percent, as determined by the Social Equity Council. The subject property is within a disproportionately impacted area. The location of this business within a DIA in Hartford is consistent with both the intention of the state legislation and the Hartford Plan of Conservation & Development (the POCD). The subject property is an appropriate location for the proposed cannabis related uses.

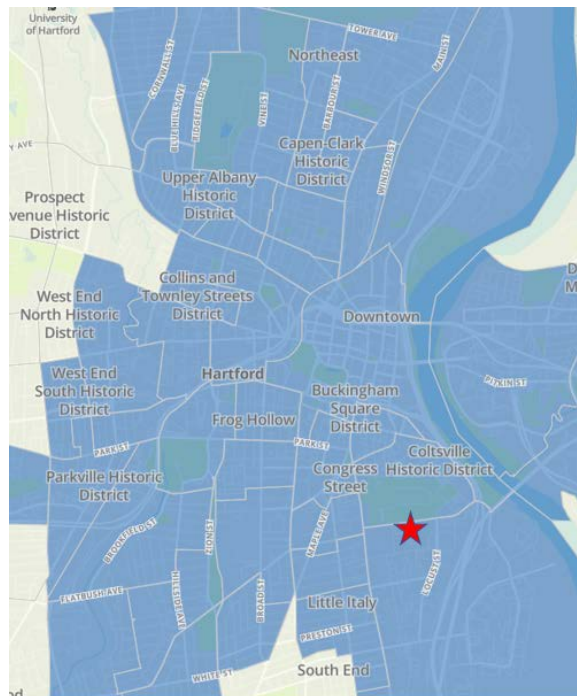


Figure 7. Excerpt of State of CT map of Disproportionately Impacted Areas, all areas in blue are DIAs, subject property is marked with a star – Data.CT.GOV 2022

STAFF RECOMMENDATION

Staff recommends approval of this application with the following conditions:

1. If at any time in the future it is determined that an odor nuisance has developed as a result of adult use cannabis use, the proprietor shall work with the city to eliminate the nuisance; including the installation of additional odor elimination mechanisms.

2. The site plan shall be brought into compliance with Ch.6 & 7 of the Regulations.
3. The parking shall be removed from the right-of-way in favor of a sidewalk with street trees to be reviewed and approved by DPW.

A draft resolution follows.

ATTACHMENTS

1. Site Plan & Landscape Plan dated 9/30/22
2. Applicant Narratives for 165 and 167 Brainard Road

REVIEWED AND EDITED BY,

Aimee Chambers, Director



CITY OF HARTFORD
PLANNING & ZONING COMMISSION RESOLUTION
165 & 167 BRAINARD ROAD
SPECIAL PERMITS AND SITE PLAN FOR ADULT USE CANNABIS RELATED USES

- Whereas,** The City of Hartford Planning & Zoning Commission reviewed the application and attached documents regarding the request for Special Permits and Site Plan for adult use cannabis hybrid retailer, cannabis cultivation, cannabis product manufacturing, cannabis food and beverage manufacturing, and cannabis product packaging per Section 1.3.4 and Section 3.3.10 of the Zoning Regulations; and
- Whereas,** Section 3.3.10.C requires that all Adult Use Cannabis Retailers meet certain dispersion requirements unless they are in a DT, Downtown district, and operate only during specific operating hours; and
- Whereas,** The subject property is located in the ID-1, Industrial district and is located more than 1,500 feet from any other adult use cannabis use or school/civic assembly use; and
- Whereas,** The proposed uses will be located within workshop/warehouse buildings; and
- Whereas,** The proposed Adult Use Cannabis Retailer meets all of the basic requirements of the Zoning Regulations; and
- Whereas,** The Plan of Conservation & Development, specifically the Grow400 element identifies goals that encourage entrepreneurship in innovative industries; and
- Whereas,** The cannabis industry is considered a new, burgeoning, innovative industry; and
- Whereas,** The proposed Adult Use Cannabis Retailer could become a destination retail use thereby increasing local tourism consistent with the Play400, Tourism goal within the POCD; and
- Whereas,** The proposed Adult Use Cannabis Retailer use is generally consistent with the POCD; and

Now therefore Be It

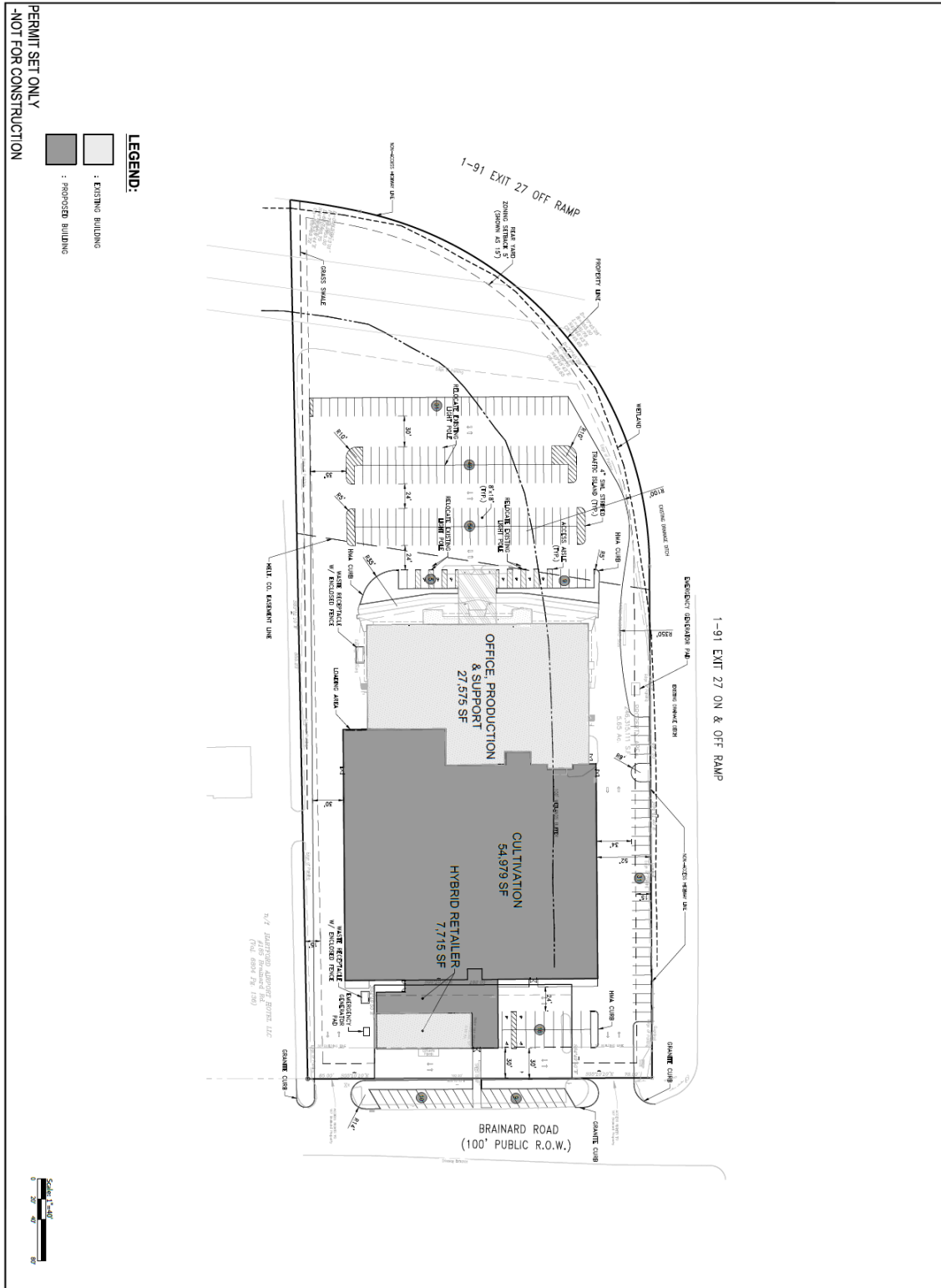
Resolved, The City of Hartford Planning & Zoning Commission hereby **denies/approves** the request for Special Permits and Site Plan for adult use cannabis hybrid retailer, cannabis cultivation, cannabis product manufacturing, cannabis food and beverage manufacturing, and cannabis product packaging per Section 1.3.4 and Section 3.3.10 of the Zoning Regulations:

1. If at any time in the future it is determined that an odor nuisance has developed as a result of adult use cannabis use, the proprietor shall work with the city to eliminate the nuisance; including the installation of additional odor elimination mechanisms.
2. The site plan shall be brought into compliance with Ch.6 & 7 of the Zoning Regulations.
3. The parking shall be removed from the right-of-way in favor of a sidewalk with street trees to be reviewed and approved by DPW.

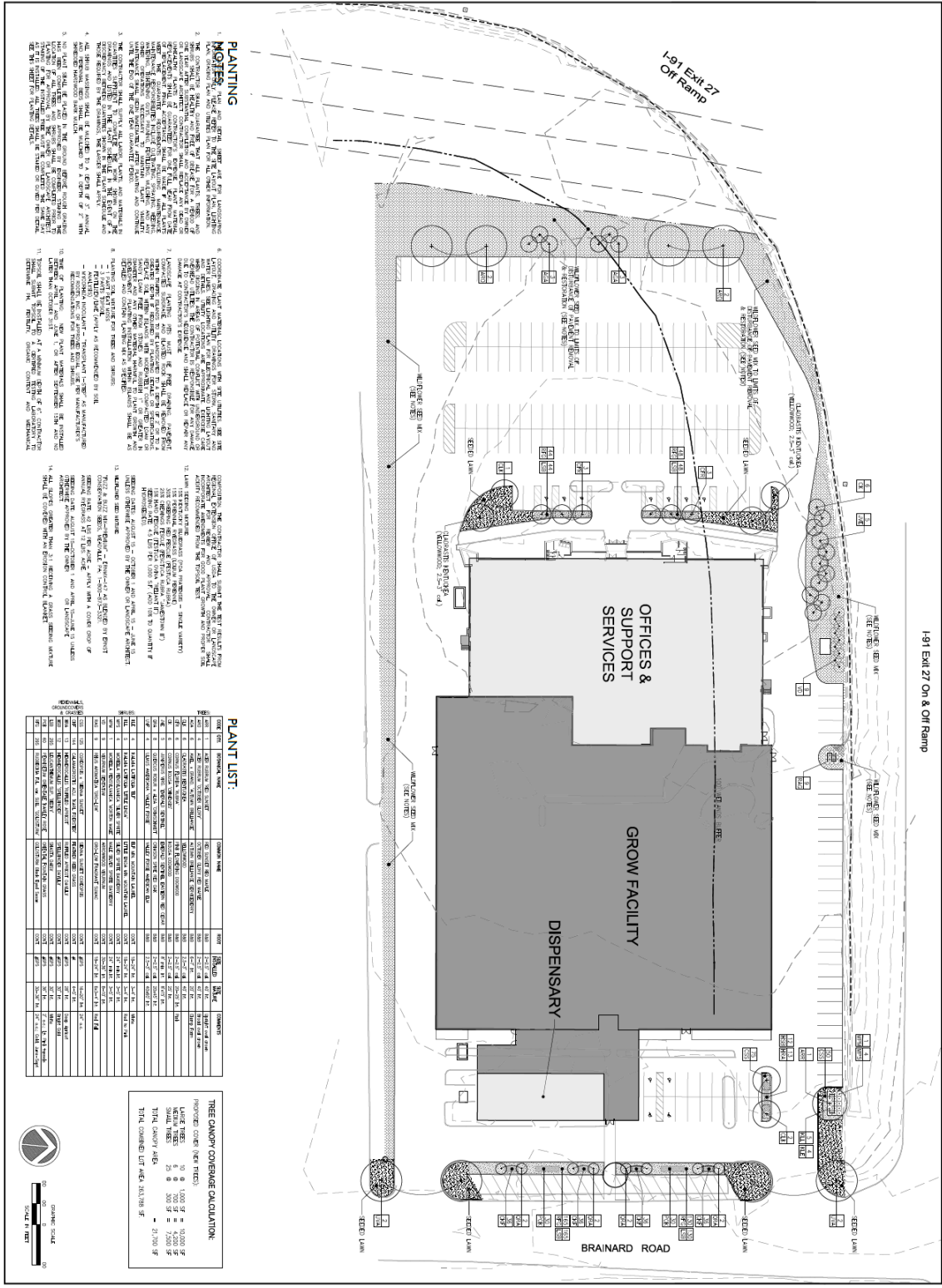
Be It Further,

Resolved, This 22nd day of November, 2022.

Attachment 1 – Site Plan & Landscape Plan dated 9/30/22



| | | | |
|---|---|---|---|
|  | <p>INSA HARTFORD FACILITY 165 & 167 BRAINARD ROAD HARTFORD, CT</p> | <p>SCALE: 1"=20' 0 20' 40' 80'</p> | <p>PROJECT NO.: 2024-03 DATE: 9/30/22 DESIGNED BY: JAV CHECKED BY: JAV DRAWING TITLE: SITE PLAN</p> |
|---|---|---|---|



- PLANTING**
1. NOTES:
 - a. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF HARTFORD PLANTING SPECIFICATIONS.
 - b. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING TREES AND SHRUBS TO REMAIN UNLESS OTHERWISE NOTED.
 - c. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF HARTFORD PLANTING SPECIFICATIONS.
 - d. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING TREES AND SHRUBS TO REMAIN UNLESS OTHERWISE NOTED.
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 14. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING TREES AND SHRUBS TO REMAIN UNLESS OTHERWISE NOTED.
 15. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING TREES AND SHRUBS TO REMAIN UNLESS OTHERWISE NOTED.

PLANT LIST:

| NO. | SYMBOL | PLANT NAME | SIZE | QUANTITY | REMARKS |
|-----|--------|-----------------------|---------|----------|----------|
| 1 | 100 | AMERICAN BEECH | 12" DBH | 1 | SEE PLAN |
| 2 | 101 | AMERICAN HICKORY | 12" DBH | 1 | SEE PLAN |
| 3 | 102 | AMERICAN OAK | 12" DBH | 1 | SEE PLAN |
| 4 | 103 | AMERICAN Sycamore | 12" DBH | 1 | SEE PLAN |
| 5 | 104 | AMERICAN WHITE PINE | 12" DBH | 1 | SEE PLAN |
| 6 | 105 | AMERICAN YEW | 12" DBH | 1 | SEE PLAN |
| 7 | 106 | AMERICAN RED CEDAR | 12" DBH | 1 | SEE PLAN |
| 8 | 107 | AMERICAN DOGWOOD | 12" DBH | 1 | SEE PLAN |
| 9 | 108 | AMERICAN SPICEWOOD | 12" DBH | 1 | SEE PLAN |
| 10 | 109 | AMERICAN BLACKBERRY | 12" DBH | 1 | SEE PLAN |
| 11 | 110 | AMERICAN RASPBERRY | 12" DBH | 1 | SEE PLAN |
| 12 | 111 | AMERICAN HOP YONK | 12" DBH | 1 | SEE PLAN |
| 13 | 112 | AMERICAN CLOVER | 12" DBH | 1 | SEE PLAN |
| 14 | 113 | AMERICAN BUCKWHEAT | 12" DBH | 1 | SEE PLAN |
| 15 | 114 | AMERICAN CHICKEN WOOD | 12" DBH | 1 | SEE PLAN |
| 16 | 115 | AMERICAN BURNING BUSH | 12" DBH | 1 | SEE PLAN |
| 17 | 116 | AMERICAN SWEET GUM | 12" DBH | 1 | SEE PLAN |
| 18 | 117 | AMERICAN WALNUT | 12" DBH | 1 | SEE PLAN |
| 19 | 118 | AMERICAN PINE | 12" DBH | 1 | SEE PLAN |
| 20 | 119 | AMERICAN SPRUCE | 12" DBH | 1 | SEE PLAN |
| 21 | 120 | AMERICAN FIR | 12" DBH | 1 | SEE PLAN |
| 22 | 121 | AMERICAN JUNIPER | 12" DBH | 1 | SEE PLAN |
| 23 | 122 | AMERICAN CEDAR | 12" DBH | 1 | SEE PLAN |
| 24 | 123 | AMERICAN REDWOOD | 12" DBH | 1 | SEE PLAN |
| 25 | 124 | AMERICAN DOGWOOD | 12" DBH | 1 | SEE PLAN |
| 26 | 125 | AMERICAN SPICEWOOD | 12" DBH | 1 | SEE PLAN |
| 27 | 126 | AMERICAN BLACKBERRY | 12" DBH | 1 | SEE PLAN |
| 28 | 127 | AMERICAN RASPBERRY | 12" DBH | 1 | SEE PLAN |
| 29 | 128 | AMERICAN HOP YONK | 12" DBH | 1 | SEE PLAN |
| 30 | 129 | AMERICAN CLOVER | 12" DBH | 1 | SEE PLAN |
| 31 | 130 | AMERICAN BUCKWHEAT | 12" DBH | 1 | SEE PLAN |
| 32 | 131 | AMERICAN CHICKEN WOOD | 12" DBH | 1 | SEE PLAN |
| 33 | 132 | AMERICAN BURNING BUSH | 12" DBH | 1 | SEE PLAN |
| 34 | 133 | AMERICAN SWEET GUM | 12" DBH | 1 | SEE PLAN |
| 35 | 134 | AMERICAN WALNUT | 12" DBH | 1 | SEE PLAN |
| 36 | 135 | AMERICAN PINE | 12" DBH | 1 | SEE PLAN |
| 37 | 136 | AMERICAN SPRUCE | 12" DBH | 1 | SEE PLAN |
| 38 | 137 | AMERICAN FIR | 12" DBH | 1 | SEE PLAN |
| 39 | 138 | AMERICAN JUNIPER | 12" DBH | 1 | SEE PLAN |
| 40 | 139 | AMERICAN CEDAR | 12" DBH | 1 | SEE PLAN |
| 41 | 140 | AMERICAN REDWOOD | 12" DBH | 1 | SEE PLAN |

THREE CANOPY COVERAGE CALCULATION:

PROPOSED CANOPY (NEW TREES):

- 10 @ 1,000 SF = 10,000 SF
- 10 @ 2,000 SF = 20,000 SF
- 10 @ 3,000 SF = 30,000 SF
- 10 @ 4,000 SF = 40,000 SF
- 10 @ 5,000 SF = 50,000 SF
- 10 @ 6,000 SF = 60,000 SF
- 10 @ 7,000 SF = 70,000 SF
- 10 @ 8,000 SF = 80,000 SF
- 10 @ 9,000 SF = 90,000 SF
- 10 @ 10,000 SF = 100,000 SF

TOTAL CANOPY AREA: 370,000 SF

TOTAL CANOPY COVERAGE: 370,000 SF



INSA-HARTFORD FACILITY
165 & 167 BRAINARD ROAD
HARTFORD, CT

SCALE: AS SHOWN
DATE: 10/20/2023
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]

LRIC
Landscape Resource Inc.
1000 Main Street
Hartford, CT 06103
Tel: 860-234-1234
Fax: 860-234-5678
www.lric.com

PARE
Professional Architectural Review
1000 Main Street
Hartford, CT 06103
Tel: 860-234-1234
Fax: 860-234-5678
www.pare.com

SHEET NO. 1 OF 1

**Attachment 2 - Applicant Narratives for 165 and 167 Brainard Road
Attachment to Special Permit and Site Plan Application of INSA CT Retail I, LLC**

I. INTRODUCTION & APPLICANT BACKGROUND

Pursuant to the City of Hartford Zoning Regulations (the “Regulations”), INSA CT Retail I, LLC (hereinafter the “Applicant” or “Company”) respectfully requests special permit and site plan approval from the City of Hartford, Planning and Zoning Commission (the “Commission”) for the following cannabis use, as set forth in the Regulations, to be primarily located at 167 Brainard Road, Hartford, CT (“167 Brainard Road”), with a portion of the proposed building to be located at 165 Brainard Road, Hartford, CT (“165 Brainard Road”) (collectively 165 Brainard Road and 167 Brainard Road are hereinafter referred to as the “Property”): Hybrid Retailer. The Property is located in the Industrial-1 (ID-1) Zoning District, a district designated by the City of Hartford as an area where cannabis uses may be permitted by special permit. We note that INSA CT Retail I, LLC and INSA CT, LLC have entered purchase and sale agreements with the current owners of the Property and 165 Brainard Road, respectively. Following the issuance of necessary approvals for the proposed cannabis uses, the Property and 165 Brainard Road will be acquired by the Applicant and its affiliate, INSA CT, LLC respectively and consolidated into a single lot. Submitted herewith are application consent letters from the current owner of the Property and 165 Brainard Road.

Pursuant to INSA CT, LLC’s provisional disproportionately impacted area cultivator license (a copy of which is submitted herewith) the Applicant has applied for a Hybrid Retailer license from the state pursuant to Section 5 of Public Act No. 22-103. A separate special permit and site plan approval application has been submitted simultaneously with this application for the proposed cannabis Cultivator, Product Manufacturer, Food and Beverage Manufacturer, and Product Packager uses to be located at 165 Brainard Road.

The Applicant is part of the Insa family of cannabis companies. Insa is a vertically integrated medical and adult-use cannabis company operating in multiple states with experience in retail, cultivating, manufacturing, and dispensing high quality medical and adult use cannabis products. Insa’s headquarters is in Chicopee, Massachusetts, approximately 30 miles north of the Property.

Insa has experience developing and operating cannabis retail, cultivation, and manufacturing facilities in multiple states. Insa’s operations in Massachusetts, Florida and Pennsylvania utilize some of the most advanced technology in cannabis cultivation and manufacturing. These advanced cultivation methods include automated irrigation systems, vertically stacked growing benches, light-emitting diode lighting, advanced building control systems, carbon and high-efficiency particulate air filtration, and de-ionization systems. Insa has designed their facilities in order to maintain a sterile and controlled environment to prevent pests and disease and promote plant health without disruption to the community. Insa has used this wealth of experience and knowledge to develop the facility design and operating procedures included in this application.

Insa currently operates dispensaries in Massachusetts and Florida and is in the process of opening its first store in Ohio. Its operations also include state-of-the-art indoor cultivation and product manufacturing facilities in Massachusetts, Pennsylvania, and Florida. Insa first began cultivating

Attachment to Special Permit and Site Plan Application of INSA CT, LLC

I. INTRODUCTION & APPLICANT BACKGROUND

Pursuant to the City of Hartford Zoning Regulations (the “Regulations”), INSA CT, LLC (hereinafter the “Applicant” or “Company”) respectfully requests special permit and site plan approval from the City of Hartford, Planning and Zoning Commission (the “Commission”) for the following cannabis uses, as set forth in the Regulations, to be located at 165 Brainard Road, Hartford, Connecticut (the “Property”): Cultivator, Product Manufacturer, Food and Beverage Manufacturer, and Product Packager. The Property is located in the Industrial-1 (ID-1) Zoning District, a district designated by the City of Hartford as an area where cannabis uses may be permitted by special permit. We note that INSA CT, LLC and INSA CT Retail I, LLC have entered purchase and sale agreements with the current owners of the Property and 167 Brainard Road, Hartford, CT (“167 Brainard Road”), respectively. Following the issuance of necessary approvals for the proposed cannabis uses, the Property and 167 Brainard Road will be acquired by the Applicant and its affiliate, INSA CT Retail I, LLC respectively and consolidated into a single lot. Submitted herewith is an application consent letter from the current owner of the Property.

In August 2022, the Connecticut Department of Consumer Protection (the “Department”) issued a provisional disproportionately impacted area cultivator license to INSA CT, LLC, pursuant to Section 149 of Public Act No. 21-1. A copy of the provisional cultivator license (the “Provisional License”) is submitted herewith. The Provisional License grants preliminary approval from the Department for the Applicant to conduct all cannabis uses requested in this application in the State of Connecticut and authorizes the Applicant to establish a new Equity Joint Venture for a Hybrid Retailer license pursuant to Section 5 of Public Act No. 22-103. A separate special permit and site plan application has been submitted simultaneously with this application for the proposed cannabis Hybrid Retailer use to be located on 167 Brainard Road and a portion of the Property.

The Applicant is part of the Insa family of cannabis companies. Insa is a vertically integrated medical and adult-use cannabis company operating in multiple states with experience in retail, cultivating, manufacturing, and dispensing high quality medical and adult use cannabis products. Insa’s headquarters is in Chicopee, Massachusetts, approximately 30 miles north of the Property.

Insa has experience developing and operating cannabis retail, cultivation, and manufacturing facilities in multiple states. Insa’s operations in Massachusetts, Florida and Pennsylvania utilize some of the most advanced technology in cannabis cultivation and manufacturing. These advanced cultivation methods include automated irrigation systems, vertically stacked growing benches, light-emitting diode lighting, advanced building control systems, carbon and high-efficiency particulate air filtration, and de-ionization systems. Insa has designed their facilities in order to maintain a sterile and controlled environment to prevent pests and disease and promote plant health without disruption to the community. Insa has used this wealth of experience and knowledge to develop the facility design and operating procedures included in this application.

Insa currently operates dispensaries in Massachusetts and Florida and is in the process of opening its first store in Ohio. Its operations also include state-of-the-art indoor cultivation and product manufacturing facilities in Massachusetts, Pennsylvania, and Florida. Insa first began cultivating

medical cannabis in Easthampton, Massachusetts in July 2017 with its first medical cannabis dispensary opening in January of 2018.

II. PROPERTY

Applicant respectfully submits that the application, including the proposed redevelopment and use of the Property, meets all applicable standards of the Regulations, and will ensure the safe and effective sale of adult use and medical cannabis without any material impact on the surrounding area.

The Property is located adjacent to Exit 27 on I-91. The Property is currently owned by 167 Brainard Road LLC and is currently vacant, being the former site of the Restoration Lighting Gallery. The Applicant is under contract to purchase the Property. As set forth above the Applicant, will consolidate the Property with 165 Brainard Road and this is reflected in the materials submitted to the Commission.

III. RENOVATIONS, ACCESS, AND LOGISTICS

Applicant has developed its conceptual design for its proposed facilities to ensure the safe and effective sale of medical and adult use cannabis. Applicant plans to renovate and expand the existing building at the Property creating a state-of-the-art single-story facility consisting of approximately 7,600 SF. The facility will include educational areas and displays for customers along with an outlook into the separately licensed cultivation facility at 165 Brainard Road through 3-inch-thick clear glass.

A row of parking in the front of the Property and on the City of Hartford right-of-way will be partially converted with two landscaped islands bookending the diagonal parking spaces. There are two vehicular access driveways located in front and on each side of the Property. The driveways front Brainard Road and are adjacent to I-91 Exit 27. It is expected that the majority of the vehicular traffic will enter the property from the I-91 into the adjacent driveway on the north side of the Property. Following consolidation of the Property and 165 Brainard Road, the site will contain 197 parking spaces, a reduction from the existing 366 parking spaces. It is expected the majority of the vehicles will exit the driveway on the north side of the Property and progress to the I-91 ramp. Due to the proximity of the I-91 ramp and relatively similar traffic volume to the existing conditions, operations are not expected to have any material impact on traffic in the surrounding area.

The amount of existing impervious surface on the consolidated site will be reduced, and additional landscaping will be installed.

IV. SECURITY

Applicant shall ensure that all security, video monitoring, detection, and access and control methods will follow applicable state laws and regulations. Applicant shall have a director of security as its safety officer responsible for ensuring the safety of its employees, authorized visitors

and consumers, and acting as the primary point of contact between the Applicant and law enforcement agencies. The Property will house a staffed Security Office.

(a) Limited Access Areas

Access to areas of the facility designated as limited access areas will be restricted with traceable keycards. The Company will issue a visitor identification badge to any outside vendors, contractors, or visitors as required by applicable regulations before they are granted access to any limited access area.

(b) Security System and Alarms

Applicant typically uses two operating security systems (primary and secondary).

The primary alarm system controls all building access control points and is the main alarm reporting system. The system reports to a constantly monitored central station. The secondary “back-up” alarm system provides all the functions of the primary system and will report to a constantly monitored central station. These surveillance systems will be made accessible to local law enforcement if requested. The facility’s security system includes a perimeter alarm on all building entry and exit points and perimeter windows, glass break detectors, and motion detection.

(c) Fire Alarm System

The Company’s fire alarm system consists of smoke detection as well as heat sensors. A knox box will also be provided, in accordance with Hartford Fire Department requirements.

(d) Visual Surveillance Systems

The Company’s video surveillance system provides complete video coverage of all limited access areas, areas that contain or may contain cannabis and cannabis products, all points of entry and exit, and the parking lot servicing the Company’s facility. Infrared illumination is used in all low light areas. Recording of all areas is continuous and includes a timestamp that is accurate to current date and time of all video footage and has the ability to immediately create screen shots of footage. Records will be retained as required by applicable regulations.

(e) System Installation

The vendors used for installation of the security systems will be established companies with extensive knowledge and experience in the installation of large commercial alarm, video, and access systems. All security equipment will be maintained in good working order and shall be inspected and tested in regular intervals.

(f) Cash Handling

The Company typically utilizes, a third-party armored transport provider that is appropriately licensed for cash transportation and employs appropriate cash handling procedures which will be compliant with applicable Connecticut law.

(g) Cannabis Transportation

The loading and unloading of cannabis and cannabis materials will occur in the Company's shipping and receiving area. All vehicles used for the transportation will be discrete and contain no markings indicating they are transporting cannabis.

(h) Exterior

All exterior areas of the facility will be well lit and free of obstructions activity to enable proper surveillance. This includes ensuring that trees, bushes, and other foliage surrounding the facility will be minimized and properly maintained. The Company's security department will monitor all exterior areas of the facility to ensure that there is no loitering by any individuals permitted around the facility.

(i) Lighting

Ample lighting will be always maintained withing the building as well as exterior, downward facing, overnight lighting.

(j) Backup Power

The facility will be equipped with a back-up generator capable of supplying power to maintain operation of all security systems and facility operations following a power outage.

V. ODOR CONTOL AND AIR QUALITY

The Company has developed a comprehensive odor mitigation and air quality strategy for each area of its operations. The Company will employ odor, virus, bacteria, and mold mitigation/air purification systems. These systems are currently employed at the Company's facilities in Massachusetts, Florida, and Pennsylvania. To date, the Company has received no odor or contamination complaints from neighbors at those facilities. Odor and bacteria mitigation systems at the proposed sites will include closed loop HVAC with ionization, carbon filters/scrubbers, high efficiency air conditioning and heating split systems, and negative pressure systems among other installations.

(a) Odor Mitigation

Every day the facility manager or their designee will evaluate on-site odors and operations for potential release of offensive odors. If questionable or offensive odors are detected, the company will implement the following protocols:

- Investigate and determine the likely source of the odor;
- Assess the filtration system and inspect/change filters; and
- Ensure that the exhaust fans are functioning properly, and the facility is under negative pressure (as applicable).

To reduce airborne emissions of odors, the company will utilize carbon filtration systems throughout the facility. All rooms with plant material will be maintained at a negative pressure to ensure air does not escape the room and is moved through carbon filters. Regular pad and filter cleaning and maintenance is required. This will decrease the accumulation of any odor causing build up. Additionally, exhaust air may be treated with a natural organic odor neutralizer, if necessary. The Company will also keep all cannabis in sealed bags whenever possible.

(b) Operational Odor Mitigation

Curing, trimming, and grinding cannabis material are processes that generate the majority of the odor produced by cultivating and processing cannabis. To minimize the potential impact of this odor the Company implements a number of processes to reduce the odor associated with these activities.

- **Handling:** Cannabis material is handled as minimally as possible to preserve the terpene profile of the plant and to ensure that cannabinoids degrade as little as possible. By minimizing handling, odor is reduced as much as possible. Necessary handling is carried out only in areas that are equipped with appropriate odor mitigation equipment.
- **Curing:** Cure rooms in the proposed facility will be equipped with carbon filters and appropriate ventilation to mitigate any odor or air quality issues that may arise. The lights in cure rooms are kept off to prevent the deterioration of cannabinoids and terpenes due to light exposure and as such, staff are not frequently occupying these areas.
- **Storage:** Cannabis is stored in vacuum sealed bags during storage, and finished goods are stored in their final packaging.
- **Processing:** Processing areas of the facility are equipped with HEPA air filtration devices, and ‘nuisance masks’ are available to employees with sensitivities to particulates in the air from grinding or trimming activities.

(c) Physical Measures

The Company’s facility is designed to minimize odors using a number of devices including carbon air filters, wall and ceiling mounted fans, and air filtration units.

- **Negative Air Pressure:** The facility will be designed such that cultivation and drying/curing rooms are maintained under negative air pressure. Air from those rooms will be channeled through a carbon filter using an exhaust fan to mitigate cannabis odors.
- **Air Exchange and Exhaust:** The facility will utilize two (2) wall-mounted can fans and ceiling mounted fans. In each room, fans are carefully placed to create an even, consistent airflow throughout each room. Consistent airflow allows optimal function of the carbon filters in odorous areas of the facility.

- **Air Filtration:** The Company's facility will incorporate the use of air filtration units which utilize high-efficiency particulate air filters to purify the air in cultivation rooms. The system is engineered to capture the various airborne threats to large indoor grow facilities. Mold and fungi spores, bacteria, pollen, pests, insects. Volatile organic compounds and odors are captured through a series of industry proven filtration technologies. The system is designed to trap 99.97% of all particulate larger than 0.3 microns. These units will be installed in every cultivation room including drying/curing rooms.
- **Doors and Windows:** In order to minimize any potential odor from facility operation, the facility's doors and windows will be airtight and no windows in the facility will be constructed in a way that allows them to be opened. Any broken windows, gaps, or cracks in the facility's exterior will be repaired immediately upon their discovery. Any activities requiring an exterior door to be opened will be minimized to prevent odor escaping the facility.

VI. SAFE WASTE HANDLING

The Company's processing methods allow the majority of cannabis biomass grown on site to be used to create products. Unusable parts of the plant will be disposed of according to all applicable state and local regulations.

(a) Cannabis Waste Processing

In order to ensure the health and safety of its employees, customers, and the general public, the Company shall dispose of undesired, excess, unauthorized, obsolete, adulterated, misbranded or deteriorated cannabis in a form and manner prescribed by the commissioner, which may include a surrender without compensation of such cannabis to the commissioner, or disposal in the presence of an authorized representative of the commissioner in such a manner as to render the cannabis non-recoverable.

The employee disposing of the cannabis shall maintain and produce in accordance with section 21a-421j-6 of the Regulations of Connecticut State Agencies, a separate record of each such disposal indicating: (1) The date and time of disposal; (2) The reason for and manner of disposal; (3) The type and quantity of cannabis disposed of; and (4) The name and signature, which signature may be electronic, of the person disposing of the cannabis, the authorized representative of the commissioner and any other persons present during the disposal, as applicable.

Any compostable mixed waste will ultimately be disposed of in a mixed waste facility equipped with an anaerobic digester or similar facility, or a non-compostable facility such as a landfill or incinerator. Any non-compostable mixed waste will be disposed of in a landfill, incinerator, or other facility.

There are four sources of waste that are processed by Cultivation Department staff:

- **Non-usable cannabis waste** – Stalks, stems, fan leaves, and root balls

- **Wastewater** – Water runoff from the plant rich in nutrients (particularly nitrogen and phosphorus)
- **Usable cannabis waste** – Sweet leaf and flower that does not meet the Company’s quality standards. This includes any products in the Company’s inventory that have been identified as outdated, damaged, deteriorated, misbranded, or adulterated
- **Solid waste** – Packaging (plastic/cardboard), general waste, and used PPE (such as hairnets, beard-nets, and nitrile gloves)

Usable cannabis waste will be ground using the sewage grinder and mixed with ground solid waste until it is unusable and unrecognizable. The proportion of solid waste/non-usable cannabis waste to usable cannabis waste will be 50%-50%. The processed waste will then be transferred to a locked dumpster in a secure, fenced area.

The plumbing system will be designed to collect the liquid waste (or water runoff) from the cultivation facility separately from the general liquid waste from the facility (e.g., bathrooms, sinks, etc.). Wastewater, including condensate from the HVAC, dehumidification water, excess runoff, and other wastewater will be reclaimed, sanitized with ozone, and filtered. The reclaimed water will then be re-used in the cultivation process thereby reducing water consumption by up to 75%.

Disposal of organic, hazardous, and chemical waste will be conducted in a manner consistent with federal, state, and local laws, and in accordance with regulations promulgated in 410 ILCS 705 and 8 IAC 1300.

Liquid waste will be disposed of in compliance with requirements for discharge into surface water, groundwater, and sewers, or may be processed in an industrial wastewater holding tank for subsequent disposal.

VII. REQUESTED FINDINGS

The Applicant respectfully requests that, based on the application, supporting materials and evidence provided during the public hearing process, the Commission find that this application complies with all applicable standards of the Regulations. The Applicant further requests that the Commission find that the application complies with the special permit criteria set forth in §1.3.4(D)(2) of the Regulations as follows:

- (a) Is in harmony with the plan of conservation and development;
- (b) Complies with all applicable sections of the 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.