



SECTION 12

Moratorium

12.0 Purpose

This section has been adopted to provide the *Commission* with the time necessary to consider adoption of potential changes to the Zoning Regulations by moratorium pursuant to Section 8-2 of the Connecticut General Statutes and to opt-out of certain provisions of public acts and the Connecticut General Statutes.

12.1 Cannabis Moratorium

The Connecticut General Assembly has passed legislation that legalizes adult use of cannabis in the State of Connecticut. Said Senate Bill No. 1201, June Special Session, Public Act No. 21-1 (the “Act”) contains provisions allowing municipalities to prohibit or place reasonable restrictions on cannabis establishments. Also, the *Commission* would like to review their regulations as it involves dispensary facilities and producers as defined in Chapter 420f, C.G.S., Palliative Use of Marijuana.

This temporary and limited-term moratorium has been adopted to provide the Old Saybrook Zoning Commission with the time necessary to develop regulations for cannabis establishments that meet statutory responsibilities and promote the public’s general health, safety and welfare and/or to consider a ban on cannabis establishments.

A. Definitions.

1. **Cannabis.** Marijuana as defined in Section 21a-240 of the Connecticut General Statutes.
2. **Cannabis Establishment.** A producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter of cannabis. Each one of these cannabis establishments has the same definition as set forth in Section 1 of the Act.

- B. **Applicability.** During this temporary moratorium, cannabis establishments shall be prohibited in the Town of Old Saybrook and any application shall be denied by the Zoning Commission or Zoning Enforcement Officer to establish a cannabis establishment.

- C. **Effective Date/Term.** This temporary and limited moratorium shall become effective on October 20, 2021 and shall remain in effect until May 31, 2022.

12.2 Accessory Dwelling Units – Opting Out of Certain Provisions of Public Act 21-29

The Town of Old Saybrook hereby opts out of the following:

- (1) The provisions of Section 6, subsections (a) through (d), inclusive, of Public Act 21-29; and
- (2) The provisions of subdivision (9) of subsection (d) of section 8-2 of the General Statutes, as amended by Public Act 21-29.

12.3 Drive-through windows as an accessory use for financial institutions, pharmacies, indoor restaurants or other food and beverage establishments (Section 53).

This temporary and limited term moratorium has been adopted to provide the Old Saybrook Zoning Commission with the time necessary to review existing regulations.

- A. **Applicability.** During this temporary moratorium, drive-through windows as an accessory use for financial institutions, pharmacies, indoor restaurants or other food and beverage establishments shall be prohibited in the town of Old Saybrook and any application shall be denied by the Zoning Commission or Zoning Enforcement Officer to establish drive-through windows as an accessory use for financial institutions, pharmacies, indoor restaurants or other food and beverage establishments.
- B. **Term.** This temporary and limited moratorium shall remain in effect until June 1, 2024 or the effective date of a new regulation if adopted prior to June 1, 2024. This moratorium ended on January 22, 2024, the effective date of the new regulation.