

Baldwin Planning Board Meeting

Minutes

August 24, 2023

Jo called the meeting at 7:00 pm

- Planning Board members in attendance: Jo Pierce, Matt Fricker, Dave Strock, Victoria Abramowska, Mike Ustin, Don Sharp
- Also in attendance: Don Kent and Bob Flint

Minutes for 8/10/2023 Planning Board meeting were unanimously approved,

OLD BUSINESS

Jeremy Carlisle – CUP for Medical Cannabis Registered Dispensary

1. Don Kent, CEO appeared before the Board and stated that the CUP application was incomplete because the Town Land Use Ordinance requires that the applicant needs to have obtained a State License before an application is submitted. The applicant has not obtained a State License yet. Seth Russell, the applicant's attorney, said that the Town needs to issue a license first before the State will issue a license. Seth said that Jeremy Carlisle has a Caregiver License and that this should be sufficient. Don Sharp said that the ordinance says that a dispensary cannot have a caregiver. Jeremy said that his office would be on site, separate from the dispensary. Don questioned this. Mr. Russell referred the Board to State Law 22-2429-D-558 C.
2. Don Kent also said that the application is also incomplete because the applicant has not submitted a deed for the new lot and access ROW across the parent lot, and the applicant needs to obtain a permit from MDOT for a new driveway onto Route 113.
3. Don Kent also said that the Town Land Use Ordinance said that a dispensary must be a non-profit operation. Mr. Russell said that the State laws have changed, and this is no longer true, and the Town ordinance needs to be changed. Mr. Russell referred the Board to State Law 22-2428. Don Kent said that it is his job to enforce the Town ordinances, and bring these type of issues to the Board. Mr. Russell asked the Board if they could

reach out to the Town attorney for a legal opinion. Bob Flint said that he would prepare a letter to the Town attorney if the Board gave him the language for the letter. David Strock said that he could do that.

4. Following this there was a discussion amongst the Board members about whether the dispensary was within 500 feet of a church. It generally was agreed that the dispensary lot was more than 500 feet from the church, but sections of the access driveway may be closer than 500 feet. There was a discussion amongst the Board members about whether the access driveway ROW should be considered as part of the dispensary lot. It was agreed that the applicant needs to furnish the Board with a plan of the driveway. It was also noted that the location of the driveway would be influenced by the presence of wetlands on the parent lot. One of the Board members suggested that the church members be contacted to see if they had any objection to having an access driveway to a medical cannabis dispensary closer than 500 feet to the church.
5. Don Kent had sent out an email to the applicant stating that the dispensary would be in violation of the Town Land Use Ordinance if the ordinance requirements noted above were not adhered to. It was the opinion of some of the Board members that the application itself is not in violation of the Ordinance. Jo said the application is incomplete, and the applicant still has the opportunity to address the questions raised.

NEW BUSINESS

Robbins Lumber Inc. – CUP for Sawmill Expansion

- 1 Robbins Lumber Inc. appeared before the Planning Board and presented an application for a Conditional Use Permit for the 10,000 square feet expansion of the existing sawmill located on property shown on Map 5 Lot 2 in Baldwin, Maine.
- 2 Loni explained that the sawmill has been in operation in Baldwin since 1967 and the expansion is for the installation of new safer and more efficient board edger equipment to replace the existing legacy equipment. Loni went to say that the CUP application also includes the 3 ½ acres that have recently cleared for additional staging area and that a permit has been obtained from MDOT for a new driveway.
- 3 The Board reviewed the information submitted with the CUP application to be complete, and unanimously voted to schedule a site walk at Robbins Lumber on September 16, 2023, at 9:00 am, followed by a public hearing on September 28, 2023, at 7:00 pm.

MEETING ADJORNED AT 8:40 pm