

Parsonsfield Planning Board Meeting
634 North Rd Parsonsfield, ME
Thursday May 9th, 2019

Medical Marijuana Facilities Zoning Ordinance Amendment
Public Hearing
Minutes

In Attendance: Justin Espinosa (Chair), Nate Stacey, Brendan Adelman, Rick Sullivan, Clifford Krolick

Absent: Andy Yale

Also In Attendance: Gary Taylor, William Ryan, Edward Griggs, Trevor Sanborn, Corey Sanborn, Chris Foster, Sherry Bachelder, Marion Wright, Todd Crooker, Jesse Stacey, Katrina Day, Denise Crooker, Michael Chute, Carolyn Chute, Tiffany Brendt, Harvey Maycomber, Jeff Wright, Lindsay Gagne

Mr. Espinosa Calls the hearing to order at 7:07 p.m. He briefly reviews there has been 6 articles drafted to amend the zoning ordinance for medical marijuana facilities and the board has provided an overview of the timeline and procedure for amending the ordinance as well as a proposed warrant article from the town clerk. He asks the board their thoughts on the drafted warrant article from the town clerk.

Mr. Adelman Was uncertain of article 1 being a question, if it needed to be a votable item.

Mr. Stacey Audio is inaudible.

Mr. Espinosa Proposes article 1 be more as a preamble and have the other remaining 5 articles. The final articles they had voted on will be sent to the select board; with an amendment that article 1 will be a summary rather than a votable article. He brings to discussion an email that was sent to him addressing some concerns from someone who wishes to remain anonymous. He asks the board if they would like to proceed with presenting this email.

Mr. Sullivan States if they wish to remain anonymous then the board should not review it. His concern being in general this email relates to a possible accusation of threat that the board should not deal with.

Mr. Stacey Agrees this is public record.

Mr. Adelman Agrees also.

Mr. Espinosa Agrees to move on without reviewing the email and asks the audience for any questions or comments.

Mr. Ryan Asks clarification on a timeline from the select board in determining a date to vote on the articles.

Mr. Espinosa States from what he understands they need to meet the requirements for sending out proper notice.

Mr. J. Stacey A member from the select board answers to this that the select board intends to hold a special town meeting for a town vote as soon as they can.

Mrs. Wright Asks why the board placed caveats on a 1,000 square foot rule rather than going by state regulations, by regulating plant numbers.

Mr. Stacey The board didn't discuss or change square footage for manufacturing or testing for accessory structures. And he clarifies these articles are for accessory structures.

At this time Clifford Krolick joins the board members at 7:20 p.m.

Public Member A gentleman in the middle row asks the board to review each article to help understand them.

Mr. Espinosa Reads article 1, this draft will not be a votable article, however it summarizes the town is opting in to allow medical marijuana facilities including Retail stores, Retail Dispensaries, Testing facilities and Manufacturing facilities Tier 1 & 2. The town is responsible for voting on allowing these facilities and what the planning board has crafted are separate articles for each facility.

Public member A gentleman in the back row asks if this were to be voted "no"

Mr. Espinosa Clarifies the board will remove article one of the "Opt In" and have each facility be a separate vote. So as, for example, the town may vote on which facilities they would like to have in the proposed zoning ordinance and by voting a "yes" on that facility, this allows the town to opt in to zoning that facility in their ordinance.

Public Member A gentleman in the back row asks what would happen to facilities that are already in production, should the article get voted "no"?

Mr. Espinosa There are no facilities by these articles that are currently operating in Parsonsfield. However, there are caregiver's that are operating out of their homes that is approved and regulated by the state. Only these specific opt in articles are what needs to be voted on by the town. He suggests the board can look further into if they need to vote on opting in as a standalone article. There are no other questions on this and he moves forward with reviewing briefly article 2, regarding retail stores in which the planning board has mirrored existing zoning ordinance for regular retail stores that break down the size of the facility of less than 4,000 square feet and over 4,000 square feet. In this, there is a good cause clause included also, where the CEO may have some oversight.

Mr. Ryan Asks if what he is referring to, as far as CEO oversight, is the building process

Mr. Espinosa states this would be like a regular building inspection, yes.

Public Member A gentleman in the middle row asks how the CEO would be monitoring these facilities

Mr. Espinosa This specifically addresses the land use for these facilities.

Mr. Ryan Asks if any stipulations of licensing would be addressed by the select board

Mr. Espinosa States he mentioned licensing in earlier meetings because some other towns have done this by encompassing medical with adult use and recreational all together, however this board is just working on the medical articles for right now.

Mr. Ryan asks clarification, if possibly voted prohibition of one of these articles, would it not affect existing cultivators or adult use laws?

Mr. Espinosa The existing state laws would protect cultivation and adult use.

Mr. Stacey If these are voted down people can still be caregivers or cultivate for medical or adult use, these just pertain to accessory structures such as, retail stores.

Public Member The gentleman in the middle row asks about setting up greenhouses, if these would be classified as retail or manufacturing?

Mr. Stacey States greenhouses would require permits from the CEO as part of the general ordinance, however, pertaining to medical use, a caregiver with a greenhouse can only grow a certain number of plants allowed by the state and per household there can only be two licensed caregivers. Meaning this would allow for roughly up to 60 plants between two caregivers. Or 30 plants for one caregiver. The board intends to work on recreational and adult use at a later time.

Public Member The gentleman in the middle row states his concerns of someone already operating out of a greenhouse.

Mr. J. Stacey States this has been a concern brought to the select board and they have discussed this concern with the contracted deputy sheriff, however, at this time they have reported they cannot do anything with limited guidance at the state level.

Mr. Espinosa Understands the concerns but also wants to keep focus on the medical marijuana drafted articles. He briefly reviews the remaining articles. Retail dispensaries being very similar to retail store articles. Manufacturing is broken down into two tiers for hazards, tier 1 and tier 2 and lastly, there is testing facilities and where the board has chosen the zoning.

Mr. Ryan Suggests putting a use legend in the articles to help explain what they mean for those who may not understand and also, include the good cause clause.

At this point there is a lot of discussion of concerns of people growing marijuana illegally and posing threats to others.

Mr. Espinosa Suggests the town can craft letters to the select board of their concerns where enforcement is lacking, this way the select board may be able to present that to the state as a concern. He asks if there are any other questions. There are none. He explains what the board has drafted will go to the select board. There are no other questions or comments from the board. The hearing is closed at 8:03 p.m.

Draft completed by: Lindsay Gagne

Approved by board, Date: _____

Planning Board Chair or acting Chair name
& Signature