



6 Church Street, Gardiner, ME 04345
Phone (207) 582-4200

Debby Willis, Chairperson
Angelia Christopher, Administrative Assistant

ORDINANCE REVIEW COMMITTEE AGENDA
Monday September 20, 2021 @ 5:00 PM
City Council Chambers

- 1.) **Call the meeting to order**-Chair Willis called the meeting to order at 5pm.
- 2.) **Roll Call**- Committee members-Chair Debby Willis, Rusty Greenleaf, Clare Marron, Mayor Pat Hart, Lois Sigel was not present. City Staff-Kris McNeill- Code Enforcement Officer, Tracey Desjardins- Economic Development Director, Angelia Christopher- Planning and Development Assistant, Mark Eyerman- City Planner. Others present included Patricia Welton- Healthy Maine Communities, and Matthew Murphy.
- 3.) **Review of August 16, 2021 meeting notes**- Chair Willis asks for any corrections or comments- None. Rusty Greenleaf makes a motion to accept the minutes as presented. Pat Hart seconds the motion. No further discussion. All in favor.
- 4.) **Consideration of Remote Participation policy**- Tracey Desjardins reviewed the policy and asked if there were any questions. No. Chair Willis asks if this was advertised as a public hearing- yes. She then opened the public hearing, closed the public hearing as there was no one present to speak for or against it. Chair Willis asks for a motion on the policy. The City is capable of conference calling right now, and will be using federal funds, to improve technology for remote meetings. Clare Marron makes a motion that the committee accept the policy. Rusty Greenleaf seconds the motion. No further discussion. All in favor of approving the policy.

5.)**Finalize accessory solar array standards**-The committee agrees to set the max height for ground mounted arrays that will be used to benefit homes or businesses at 12'. Mark tells the committee that he made a few corrections to typos, but this is ready to go to the Planning Board if passed. Chair Willis asks for a motion. Pat Hart moves that this be sent to the Planning Board. Clare Seconds. No further discussion. All in favor of sending this standard to the Planning Board.

6.) **Review draft of blasting standards**- Mark Eyerman has presented his work on this, which includes notification procedures. There is a provision for when a sign board will be needed that will notify neighbors of blasting work. There is a section that includes the opportunity for property owners to have a pre-blast survey, by an independent 3rd party specialist. Mark has included a section that will require the blasting company to submit a record of what was done for blasting to the city. City resident Matt Murphy is here to review this and tells the board that this draft is what he wanted. This provision will require the blaster to put an ad in the newspaper, notifying the public of blasting work. If a property owner requests, the blasting company would have to call the property owner with a 24-hr notice, each time he blasts. The committee discussed the standard at length and stated that this would go into the Code of Ordinances, not the LUO. Chair Willis asks the committee if they are ready to make a motion for this to go to City Council with the recommendation that they approve. Clare Marron makes a motion that we send this to City Council with the recommendation that it is approved. Rusty Greenleaf seconds the motion. No further discussion. All in favor. Mark will make minor adjustments, and this will be sent to City Council for review.

7.) **Discuss standards for medical marijuana caregiver processing in kitchens**- Caregiver Nate Whittier, called in to give a business owner's perspective of marijuana laws. The state is still working on making changes to the rules. Mr. Whittier, is a processor/grower and states that the two sets of rules, medical and recreational are competing rules. There was a discussion about processing/manufacturing and the rules around those practices. Kris McNeill feels that manufacturing should be broken in three parts-hazardous, non-hazardous, and commercial kitchens. The non-hazardous methods of extraction could all be coined under mechanical manufacturing. The committee feels this would work better.

One area the committee would like to address is odor. It is discussed that the last three weeks of the growing time tend to give the strongest odor, and it can be challenging to hide that. There are carbon filters, and ways to help it and indoor grows can most often be contained. If there is outdoor growing, there is no answer on how to remedy that at this time.

There is no set process yet on what the state is going to do, with lining up adult use and medical marijuana. The legislature has tabled it, because there is such an overwhelming amount of marijuana business in the state. Medical use is not tested by a lab, adult use is. The state is pushing for track and trace testing for all forms of product.

The committee asks for suggestions for changes to the marijuana ordinances. The City should look to merge medical and adult use into one category. Kris McNeill is proposing to have just marijuana cultivation, instead of 2 different ones listed in the LUO. He also would like to see the requirement for the state application for a caregiver's license to be submitted with a City of Gardiner license application dropped. This can be a difficult document to obtain, and it can hold up the licensing process. The committee would also like the exemptions for proximity to schools to be taken out, and just make it 1000'. Another area that should be changed is the retail proximity, which should be changed to 1000'.

There should also be a change in regards to a business is going into an existing building, do they need to go to the Planning Board? The application would need to have a license, which goes before the City Council for approval, so the application would be examined. This would allow the process to be more streamlined, and take out several unneeded steps. Committee members are aware that there can be cultivation for personal use. The City knows that they cannot regulate this, but they could offer some guiding principles for ways for the general public to grow their own marijuana. Kris has been in discussions with an investigator from OMP, and there are reportedly over 100 caregivers in the Gardiner area.

Mark will work on this with these suggestions, and bring it back to the next meeting.

10.) **Other:** not at this time.

11.) **Adjourn:** Kris McNeill makes a motion to adjourn at 6:36pm. Rusty Greenleaf seconds the motion. No further discussion. All in favor.