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Debby Willis, Chairperson  
Angelia Christopher, Administrative Assistant

## **ORDINANCE REVIEW COMMITTEE**

### **Meeting Minutes**

**Monday October 18, 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-** Chair Willis, Clare Marron, Rusty Greenleaf, Pat Hart, Mark Eyerman, Kris McNeill, Tracey Desjardins, Angelia Christopher.
- 3.) Review of September 20, 2021 meeting notes-**Chair Willis asks for any corrections or changes. Clare Marron makes a motion to accept the minutes as written. Pat Hart seconded the motion. No further discussion. All in favor.
- 4.) Blasting (sent back for review from Council)** – There was discussion about how seismographs should be used and how it will be referenced in the ordinance. Kris feels that specifics of seismographs should be dropped, because where the device is placed depends on the area that the blast is happening, which can offer a wide variety of conditions. Water flow tests are usually only done when there is an issue at the blasting site, so that should not be mandatory either. They use three methods of notification prior to a blast. There is a public notice in the area newspaper, certified mail is sent to abutters of the project and they also place door hangers, at each abutter. Most, if not all, blasting companies put up orange signs showing warning signals for blasting projects, at the blast site. The committee agrees to leave the notification requirements as written. The section referring to seismic monitoring will be adjusted slightly. Mark will make changes and bring this back to ORC for approval.

**5.) Marijuana-** Kris McNeill has expressed a need to change a few things in the Marijuana ordinance. One of the biggest areas of concern surrounding marijuana is odor. The general feeling is that most of the odor comes from outdoor cultivations as most of the indoor cultivations have ventilation/filtering systems to keep odor under control. The only thing that can be done to eliminate odor is to not allow outside cultivation. Is this a step that the City wants to take? If an outdoor cultivation was enclosed, i.e. a plastic greenhouse with a filter, it would help the problem immensely. One other area of concern is personal cultivation. The City cannot stop this, but they can lay out a set of rules that should be followed if an individual wants to grow their own marijuana. Kris will work Attorney Jon Pottle in regards to this, to make sure it can be done. Another area that should be reviewed more closely, is the submission requirements for a City of Gardiner Marijuana License. One of the submission requirements is to have the original application for the current caregiver's license. This document can be challenging to obtain. Mark will work on this.

The next area is the proximity distance between marijuana businesses. The committee would like to remove the provision that the PB can change the distance to 500' under certain circumstances. This would make the distance to protected areas 1000'. There was also a discussion about making changes to the Planning Board submission requirements for a Marijuana business applications. Mark Eyerman will work on these changes and bring back to ORC for review.

**6.) Multifamily Subdivision vs. Site Plan (Discussion)** - The state subdivision law states that a property will be considered a subdivision if a property owner creates three or more units or lots. These same subdivisions standards do not deal with buildings on the properties at all. Municipalities can regulate multifamily housing under site plan review. If everything can be reviewed under site plan, not two different applications. If a property is creating 4 separate lots, it would need to have a subdivision review as well. Mark will start working on these changes, and also work with the committee to see if both preliminary and final subdivision plan meetings need to be held.

**7.) Other:** Tracey would like clarification about what items that were discussed at this meeting will be coming back for review. The committee agrees on blasting, marijuana, and multifamily to be on the November agenda. Signs for Libby hill will go to City Council to be recommended back to ORC.

**8.) Adjourn:** Chair Willis asks for a motion to adjourn. Rusty Greenleaf offers a motion to adjourn. Kris McNeill seconds. All in favor. Adjourn at 6:23pm.

ORC approved Meeting Minutes 10/18/2021 AMC