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Debby Willis, Chairperson  
Angelia Christopher, Administrative Assistant

## **ORDINANCE REVIEW COMMITTEE**

### **MEETING MINUTES**

**Monday January 25, 2021 @ 5:00 PM**  
**VIA Virtual Conferencing**

*\*In accordance with An Act To Implement Provisions Necessary to the Health, Welfare and Safety of the Citizens of Maine in Response to the COVID-19 Public Health Emergency, as enacted to read: Sec. G-1 1 MRSA §403-A Public proceedings through remote access during declaration of state of emergency due to COVID-19*

**1.) Chair Willis called the meeting at 5:00 pm**

2.) **Roll Call-** Chair Willis, Planner Mark Eyerman, Mayor Pat Hart, Rusty Greenleaf, Lester Young and Louis Sigel. Clare Marron will not be present for this meeting. Others present included Kris McNeill- Code Enforcement Officer, Tracey Desjardins- Economic Development Director, Angelia Christopher- Planning and Development Assistant. Patricia Buck-Welton- Healthy Maine

**3.) Review of the Meeting minutes from 12/21 /2020-** Rusty Greenleaf makes a motion to accept the minutes as presented. Lester Young seconds the motion. Roll Call vote- Mayor Pat Hart- yes Rusty Greenleaf- yes, Chair Willis- yes Lester Young and Louis Sigel abstain due to not being present for that meeting. Approved.

**4.) Continue- review of amendments to the LUO dealing with marijuana facilities.**

At the last meeting ORC reviewed possible changes to limiting the number of retail medical marijuana and adult-use marijuana establishments that would be able to open in Gardiner. Changes included increasing the separation between retail marijuana establishments and also adding standards for odor control. While ORC was discussing what areas to make changes in, they found two other areas that should be looked at for changes. One area was adding commercial schools to the category, which would allow the separation distance to apply to those schools as well. The other areas that the committee decided needed review was setting a limit for other marijuana establishments, in areas in town where there are residential neighborhoods.

The current ordinance reads that marijuana establishments will be separated from certain uses involving children. The goal was to look into increasing the separation distance, which would decrease areas that a marijuana business could be set up. Mark Eyerman points out that the committee could add daycare centers, nursery schools into that list of uses, which would require separation. They could also change the verbiage in 10.29.1 to read children less than 18 years old and add that this includes all commercial schools, daycare centers, and nursery schools that support children. This would make sure that a marijuana establishment needs to be a minimum of one thousand feet from all property lines of a public, commercial or private school, athletic field or playground daycares and nursery schools. Committee members agree on these changes. .

Mark also broke down where marijuana facilities are allowed in the city.

**Rural** - Marijuana Nursery Cultivation Facility, Medical Marijuana Cultivation-Tier 1 and Tier 2, Marijuana Cultivation- Tier 3 and Tier 4. He asks the Committee if these uses are acceptable in Rural district. All members agree with this.

**PIC** - Medical Marijuana Cultivation-Tier 1 and Tier 2, Marijuana Cultivation-Tier 3 and Tier 4, Marijuana Products Manufacturing, and Marijuana Testing Facilities. He asks the Committee if these uses are acceptable in the PIC district. All members agree with this

**PD** - Medical Marijuana Cultivation-Tier 1 and Tier 2, and Marijuana Testing Facilities He asks the Committee if these uses are acceptable in PD district. All members agree with this.

**MUV** - Marijuana garden store), Medical Marijuana Cultivation-Tier 1 and Tier 2, Marijuana Cultivation-Tier 3 and tier 4, Marijuana Products Manufacturing, and Marijuana Testing Facilities. There are 3 cultivations in MUV right now. Kris McNeill feels that there is at least one of these facilities that is working towards changing over to adult use. Rusty asks what is happening to all the soil from the plants, he hasn't seen any around. Kris explains that most growers are composting it, and reusing that when feasible. There have been a few comments about one grow facility in MUV, but these comments have not been in a negative manner. All members agree with these uses in MUV. *(After going through the zones, it was decided to take Marijuana Cultivation-Tier 3 and tier 4, Marijuana Products Manufacturing out of MUV.) All committee members agree with this.*

**PHD** - Marijuana garden store, Medical Marijuana Cultivation-Tier 1 and Tier 2, Marijuana Cultivation-Tier 3 and Tier 4, Marijuana Products Manufacturing, and Marijuana Testing Facilities. He asks the Committee if these uses are acceptable in PHD district. All members agree to take out Marijuana Cultivation 3 and 4, and Marijuana Products Manufacturing out these uses in PHD. All other uses are fine.

**IT** -Marijuana garden store and Marijuana Products Manufacturing. He asks the Committee if these uses are acceptable in the IT district. All members agree with these uses in IT

\*Patricia Welton states that there will be big changes to Medical Marijuana. They will need to follow the same rules as Adult Retail, will have to report to the Office of Marijuana policy, and will also be subject to tracking. It will be a big adjustment to the Medical marijuana businesses, as they have not had these kinds of rules. When these rules and changes go through, it will help municipalities greatly. There is an effort to stop municipalities from the huge fees. Mayor Hart states that there is so much time in these applications, that the fees are necessary.

Chair Willis asks if ORC wants to review his changes, or send this straight to the Planning Board after he edits it. All members agree they would like to see the changes before sending it to the Planning Board.

Mayor Hart would like to tell the committee about feedback from a resident, about the use of Marijuana. This resident states that the word Marijuana is outdated and needs to be removed. It was stated that it is discriminatory, bigoted and not the proper word. Chair Willis explains that the word comes from the state level, is used in all of their terminology and documentation. She states that their hands are tied in regards to this.

**6.) Review of draft cemetery rules** – Mark would like to know if Rusty has feedback, Chair Willis says that is a good idea. Mark wants to look a little more work on it, get input from Rusty.

**7.) Other:** There is a holiday on the next scheduled ORC meeting. Can committee members meet on 2/22/2021 instead? All agree that this is a good reschedule date. Next meeting February 22, 2021 at 5pm.

**8.) Adjourn:** Chair Willis asks for a motion to adjourn. Mayor Hart moves to adjourn, Rusty Greenleaf seconds the motion. Roll call vote. Lester Young-yes, Louis Sigel- yes, Rusty Greenleaf- yes, Mayor Pat Hart- yes, Chair Debby Willis- yes, Kris McNeill- yes.