



**GARDINER CITY COUNCIL  
AGENDA ITEM INFORMATION SHEET**



<b>Meeting Date</b>	10/28/2020	<b>Department</b>	Planning/Economic Dev
<b>Agenda Item</b>	4.g Consideration to Allow ORC Review of Allowed Uses in the PD Zone/Marijuana Cultivation and Manufacturing		
<b>Est. Cost</b>	n/a		

**Background Information**

As the current marijuana ordinance was drafted, marijuana cultivation was allowed in most zones heading out Brunswick Avenue, but not in the Planned Development (PD) Zone.

Attached are letters from the city's CEO McNeill, Commercial Broke Dennis Wheelock and two marijuana business people.

The request before the City Council is to consider allowing the Ordinance Review Committee to review, as they review the current marijuana ordinance, possible allowed uses in the Planned Development Zone on Brunswick Avenue.

<b>Requested Action</b>	'I move direct the ORC to review possible allowed uses in the PD (Planned Development) Zone, specifically marijuana cultivation and manufacturing, as part of the marijuana ordinance review.'
<b>City Manager and/or Finance Review</b>	The City Manager recommends the above action.
<b>Council Vote/ Action Taken</b>	
<b>Departmental Follow-Up</b>	

<b>City Clerk Use Only</b>	1 <sup>st</sup> Reading _____	Advertised _____	<b>EFFECTIVE DATE</b> _____
	2 <sup>nd</sup> Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____



## Office of Code Enforcement

6 Church Street  
Gardiner, Maine 04345

Phone: 207 582-6892  
Fax: 207 582-6895

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October 20, 2020

City Council,

I would like to give my view regarding marijuana cultivation facilities in the PD Zone. When the Marijuana Ordinance was drafted, we allowed marijuana cultivation in most of the zones heading out Brunswick Avenue but not in the Planned Development Zone. In my opinion, marijuana cultivation facilities generally operate under the radar of the general public. They do not advertise or openly display the fact that they are a marijuana business. They provide jobs, add to the local economy and contribute taxes. The PD Zone contains many buildings that would be ideal for this use, both on Brunswick Avenue as well as in South Gardiner. I suggest that while Ordinance Review Committee is working on revising the Marijuana Ordinance, Council should also direct them to consider allowing marijuana cultivation facilities in the Planned Development Zone.

Sincerely:

Kris McNeill  
Code Enforcement Officer  
City of Gardiner, Maine



## Christine Landes

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**From:** Dennis Wheelock <DWheelock@balfourcommercial.com>  
**Sent:** Wednesday, October 21, 2020 11:59 AM  
**To:** Christine Landes  
**Cc:** Kristopher McNeill; Tracey Desjardins; John Wu; Edward DuGay; Robin Spencer  
**Subject:** PD Zone  
**Attachments:** PD Zone Letter.docx; Letter for Gardiner City Manager\_Wu.pdf

Hi Christine,

I am writing this email as the city's Commercial Real Estate Broker concerning the PD Zone which I feel was inadvertently left out as a zone that would allow Retail Adult Use Cannabis businesses specifically Cultivation & Manufacturing. I know the council is concerned about allowing too many retail stores in Gardiner; however, cultivation & manufacturing is a very different business model with low impact to the neighborhoods. Most cultivators are business professionals who keep a very low profile, spend hundreds of thousands of dollars to renovate the buildings that include improved insulation, lighting, security systems, fences, and odor control air purification systems to mention a few.

By allowing adult use cannabis cultivation & manufacturing in the PD Zone would allow current owners of larger vacant buildings in that Zone the ability to compete with other towns for a piece of the adult use cultivation market which is the largest growing segment in the state. Several building owners have reached out to me and inquired to the status of their buildings and what is allowed. Additionally, I have several cannabis clients who are established in the industry who are looking for adult use cultivation space and would strongly consider Gardiner for their expansion. This is a win/win for the building owners, an emerging cultivation business segment staying and coming to Gardiner and the city itself will benefit by having increased jobs, people moving to live here and continued tax revenue from improved buildings.

I ask that the council approve the zoning change to allow adult use cultivation & manufacturing in the PD Zone.

Please share this email and attached letters with the ORC and the city council. I would be happy to discuss this with the council as well.

Thank you for your time and consideration,  
Dennis

### Dennis S. Wheelock

Commercial & Business Broker  
Cell (207) 242-5588  
Office (207) 774-7715  
[dwheelock@balfourcommercial.com](mailto:dwheelock@balfourcommercial.com)  
[Visit my Website](#)



**KW Commercial-Keller Williams Realty**  
50 Sewall Street, Portland, ME 04102

Hello,

We are medical cannabis caregivers at 563 Brunswick Ave, Gardiner, Maine. We appreciate the support from City Hall and the Planning Board during our application process in June. Being citizens of Gardiner and conducting business here is great.

However, our location being in the Planned Development Zone has excluded us from participating in the adult use program, while other zones (PIC & MUV) within the City do not have such restrictions. Which process can we be part of, to change this prohibition?

When adult use application is permitted in the PD zone, our intentions for the next 12 months include, but not limited to:

1. Bring in 8.9 million dollars of investment as the first phase and create 40 construction jobs.
2. Create 60 full time employment opportunities or more.
3. Create additional tax revenue for Gardiner, Kennebec County, and Maine.

I am looking forward to starting an open dialogue with you and finding out what kind of steps we can take to create more success in the great City of Gardiner.

Sincerely Yours,

John Wu  
857.333.5129



October 21, 2020

Edward R. DuGay  
Harvest Consulting, LLC  
Gardiner 420, LLC  
31 Water Street  
Hallowell, ME 04347

Dear Gardiner City Council Members,

Again, thank you all for voting in favor of my and Medco's licenses for Water Street in Gardiner.

To this date, I am in total support of the statutes, rules, and policies set forth by the Office of Marijuana Policy [OMP] as they contain several compliance controls with a high likelihood to become the most successful Adult Use and Medical Marijuana programs nationwide.

As a lobbyist, I was hired by two dispensaries three years ago to oversee the entire Marijuana legislative process. The program implementation was delayed for almost two years, as the Legislature required further regulatory oversight, but at the end of the day, the marijuana legislation passed in the House and Senate with overwhelming majorities.



I understand your reasoning for placing a moratorium on any further retail store establishments and look forward to participating in revitalizing Water street even more.

You have several larger buildings in Gardiner that present themselves with the perfect opportunity for indoor cultivation of both Medical and Adult Use Marijuana. The cultivation program has several oversight requirements and communities that have allowed for cultivation have no vacant larger buildings as cultivation entrepreneurs are up and running, providing several full-time jobs with a higher than usual payroll.

If you can consider allowing for additional cultivation [not retail] licensees within your zoning, none of your larger buildings will be vacant. There will be additional jobs created, sustaining the economy your downtown district has successfully built and, in most cases increasing employment for the long term.

Again, thank you for the work your Planning Board and City Council have undertaken to date in support of Maine's Marijuana industry.

Sincerely,

Kindest regards,

A handwritten signature in black ink, appearing to read 'Edward DuGay', written in a cursive style.

The Honorable Edward DuGay

cc: Christine Landes City Manager

## Kristopher McNeill

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**From:** Dennis Wheelock <DWheelock@balfourcommercial.com>  
**Sent:** Friday, October 9, 2020 10:31 AM  
**To:** Kristopher McNeill  
**Cc:** Edward DuGay; Robin Spencer; John Wu  
**Subject:** PD Zone

Hi Kris,

Per our previous discussions concerning zones districts that allow Adult Use Cannabis operations in Gardiner (MUV & PIC) I have some clients who have properties in the PD Zone that which to be able to lease space for Adult Use Cultivation. I would like to request that the City allow that use in the PD Zone.

Let me know how I can help.

Thank you,

### **Dennis S. Wheelock**

Commercial & Business Broker  
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