

Town of Waldoboro
Marijuana Committee Minutes
January 27, 2020

1. Call to Order

Attending members at the starting time of 4:15 pm: Surran Pyne, Freeman Zausner, and Max Johnstone for minutes. Because there was a lack of quorum, no motions were allowed.

Attending guests: Katherine Winchenbach, Christine Simmonds (Courier Gazette), and Stan Waltz (guest speaker/ CEO for Waldoboro and Damariscotta).

2. Announcements

Max informed the Committee that Amanda Tavernakis was stepping down as a member because she will no longer be a resident in Waldoboro. Max received a late notice from Renee stating she was unable to attend the meeting. Max said that this meeting would be an information session to learn from Stan Waltz's experience of licensing fees and his work on the recent Damariscotta Marijuana Ordinances.

3. Licensing Fees and Damariscotta's Ordinance (Stan Waltz)

Stan said Damariscotta's fees were based on the first year of implementation and would likely drop by January 2021. Stan said that the cost would cover any equipment and training related to dangers related to marijuana. Freeman asked for the difference between "Tiers"; Stan and Surran said that depended on the size of facilities. Freeman asked if there were fees for medical caregivers (not dispensaries); Stan said he does not believe so and he has tried to discuss with municipalities (Brunswick) that do have licensing fees for caregivers to find out how they are able to contact the caregiver when the State does not provide such assistance; Max said that some municipalities have caregivers marked as "home occupations" instead of their own category. Surran said that caregivers still need to get a license and that some towns (Auburn) have assistants involved. Surann also mentioned that Augusta's ordinance applies to all caregivers (new and existing) to get a license; Max said that it is a matter of getting cooperation from the Office of Marijuana Policy to find the caregivers who are not following the ordinance.

Stan mentioned that the National Fire Protection Agency created a new chapter specifically for Marijuana due to various safety concerns that stem from the equipment that is used. Stan also mentioned that the focus for the State has been on people with the "green cards" that have six (6) plants and are distributing to qualified patients. Freeman said he wants to make sure we do not violate the State law that says we are not allowed to limit/ prohibit caregivers but wants to know what flexibility the Town has on what rules can be placed; Stan said that the only rule is the setback from the school; Max said the State is looking to amend that to reduce the setback. Surran asked if these limits apply to caregivers; Stan said Damariscotta does not. Stan said that we could focus on business hours, odor control, and setbacks; Max said business hours was something Renee claimed could not be done. Stan said the other rules he can think of are for outdoor facilities. Surran believes that home caregivers and storefronts should be ADA compliant since they are meant to be open to the general public; Max said that we should have home caregivers

as their own category since home occupations were meant to be for private home offices that would not be for the general public.

Stan said there are roughly 19 caregivers in Waldoboro and 8 in Damariscotta with the difference relating to the population and land. Max emphasized we can't limit home caregivers, but we are currently an opt-out town for storefronts.

Max asked Stan for a recommendation for licensing fees; Stan said Waldoboro should consider somewhere around \$500—which would be a tenth of Damariscotta's fees—for the storefronts to cover any administrative hours for the past few years. Surran asked about insurance requirements/ liability insurance since the public is invited to people's homes. Surran indicated that Auburn requires licensees to acknowledge the Town is not held accountable for any liability relating to the business/ product, and Waldoboro should have something similar. Katie asked if there is anything in the Ordinance that regulates assistants to caregivers; Stan said that they must be certified by the State; Max said there is nothing in the local Ordinance and we want to make a separate Marijuana Ordinance that is not tied to the Land Use Ordinance.

Freeman asked when the dispensary moratorium will expire; Max said in March, but he will have the Select Board give an extension in February. Christine asked why we are in a moratorium; Max said LD 1539 allows municipalities to opt-out of medical marijuana businesses—except for home caregivers—and the special town meeting vote decided to place the moratorium for 6 months. Max mentioned that moratorium can be extended.

Surran asked that Stan give some updates to Max in relation to Damariscotta's Marijuana Ordinance. Freeman asked what complaints Stan hears about; Stan said the only complaint he ever recalls was an odor complaint on Route 32. Max mentioned that there was a complaint about a sign a home caregiver used that would only be used for storefronts. Stan mentioned that the home caregivers are allowed a small (4x4) green cross to identify their homes for patients; Christine said that most local ordinances do not allow the marijuana plant to be on it or the word "marijuana".

Freeman stated that any recommendations/ ordinance that Waldoboro creates should be neutral at face value and not limit the number of caregivers; Surran said that what Cumberland did to create an overlay district does not limit caregivers; Stan mentioned that Damariscotta only "limits" the marijuana businesses by prohibiting them from operating within 1,000 feet of the educational facilities' property lines. Max emphasized that whatever is decided on will need an attorney to confirm it is acceptable before it is voted on.

4. Next Meeting

February 17 is President's Day, which is a federal holiday and the Town office will be closed. The next available day for the meeting would be February 24 at 4pm. Freeman mentioned that he will not be able to attend the next meeting. Max pointed out that all three remaining members (Surran, Renee, and Ted) would need to attend for a quorum.

ADJOURN