

Town of Waldoboro  
Marijuana Committee Minutes  
August 11, 2020 held Remotely via Zoom

1. Call to Order

Attending members at the starting time of 2:15 pm: Surran Pyne, Freeman Zausner, Renee Grover, Susan Szwed, and Max Johnstone for minutes.

2. Minutes

**Freeman-Renee motioned to approve the July 28<sup>th</sup> minutes as presented. Motion passed 4-0.**

3. Marijuana Ordinance Outline (New Business)

Freeman provided an outline for a potential Marijuana Ordinance that was based on other municipalities. Surran asked if there how the perimeters for odor management under the General Section are determined; Max said there were nuisance standards in the Land Use Ordinance, so the items would be redundant unless they are more restrictive. Freeman asked what items could be removed; Max said the display of paraphernalia and signs could be removed or reference the State language. Surran asked if there was any standards regarding lit signs; Max said exterior lit signs can't impair the vision of neighbors or those passing by, meanwhile, interior lit signs are not allowed to be animated unless displaying certain information (time, public information, meetings, etc.). Surran pointed out that Freeman's draft says the signage will conform with the Home Occupation standards; Max said all signs must be approved by Stan Waltz, and the sign requirements are more restrictive than for non-Home Occupation businesses.

Max said the odor and debris items can be removed since they fall under the State's nuisance control legislation. Max also said that the disposal item is another General Performance. Surran asked if the Marijuana Ordinance would apply to the Land Use Ordinance standards; Max said that the General Section of the Marijuana Ordinance can include language saying that Marijuana Establishments are still applicable to the Land Use Ordinance standards.

Surran asked if the water body language should be strengthened to include the Resource Protection areas; Max suggested changing the language to just say the Shoreland Zone since the Great Ponds, Rivers, and the Resource Protection zone.

Surran asked about the security requirements; Renee said that businesses are required by the State to have an alarm system, lighting, and recordings to be preserved for 72 hours. Renee said most businesses have at least one camera at the primary egress and one at the grow facility. Surran asked if a camera is required for where there are interactions; Renee said that is not required. Surran said it did not make sense that one requirement has recordings for 72 hours while a different one is for 30 days; Renee said that it is for security reasons. Susan asked what the purpose of the recordings are; Renee said the type of people who can view the recordings are the very limited and she has never heard of any cases from the Office of Marijuana Policy for reviewing the security recordings. Surran said that there had to be some justification for the State to have this rule; Renee said that non-marijuana businesses have security systems as well, and the inclusion of the recordings in the rules were likely made as a safety precaution in the early days of this becoming a permitted use.

Renee pointed out that there are caregivers who only follow the minimum requirements based on their clients and available resources. Renee said that she personally goes beyond the minimum requirements because she considers her clients and wanted to take precaution.

Surran asked if there was a square footage requirement for medical marijuana; Max and Renee said that it is based on the number of plants grown (36 mature plants are maximum). Surran wanted to consider parking; Renee said that the employees do not have to be licensed caregivers, but the State does have to approve them. Recently, the State removed the cap on employees. Surran suggested capping the number of employees at these businesses; Max cautioned against that action. Susan agreed with acting because there are no longer residential requirements for cultivation facilities, and the industry has completed changed from what it was originally passed as; Renee said that the passage of recreational marijuana has made those changed.

Renee wants to remove the restriction on growing marijuana indoors only. Renee argued that if she is growing in a rural area a significant distance away from neighbors, then she should be allowed to grow outside. Freeman asked if we can allow outdoor cultivation in specific districts; Max said yes, but the screening and odor management are important items that other towns have been having issues with. Surran did not think it was necessary to include since people are not likely to grow it during the winter; Renee said that there is a great expense with growing indoors, safer, and that the cultivation is seasonal; Susan asked how it is safer since it opens the risk of vandalism; Renee said that it is safer because there is no need to purchase high voltage equipment, and outdoor cultivators will install cameras with a fence because they don't want to lose their product. Renee also pointed out that people can personally grow up to 6 plants for themselves, and that other businesses produces a different type of odor that are not given a tight restriction. Surran asked Max to find a way to incorporate a type of perimeter for odor, like Waldoboro does have a measurement for the brightness of lights (lumens).

Surran wanted to discuss liability insurance since there was a risk with medical products being given to clients; Max asked if that item was included because of a different municipality's ordinance or if this is unique to Waldoboro; Surran said she does not recall. Freeman said that there is liability with the type of product that is being offered to patients. Max said that he will write up the draft that will address the item, but what is written will not be finalized and can be changed.

4. Ordinance on the Warrant (New Business)

Surran asked what would happen if this Ordinance is not on the November warrant; Max said that it likely would be placed on the June 2021 warrant. Surran wanted to know what the Ordinance timeline is; Max said that he can show the bullet points to the Select Board first to see if they are fine with what will be in the Ordinance or he can write something up based on the outline and have it presented to the Select Board later. Max said that he does not want to rush the Ordinance. Surran asked Max to aim for the November warrant; Max said the Select Board will need to approve the warrant by September 22<sup>nd</sup>, which is possible if the Committee approves the first draft on September 8<sup>th</sup>. Surran asked that Max create the draft early and have it circulated to the members ahead of time for review.

5. Next Meeting

September 8<sup>th</sup> at noon to discuss the draft Marijuana Ordinance.

**ADJOURN**