

Dresden Planning Board
P. O. Box 30
Dresden, Maine 04342
Meeting minutes for Monday, July 19, 2021

Present – Jeff Pierce (Chairman), Dan Hanley (Vice Chairman), Jay Cummings, Patty Stewart, Peter Elvin Steve Stone and our newest member, Dawn Pallis.

Others present – Michael Stewart (applicant), Dan Stewart (property owner) Roger Gray, Drew & Sue Pilgrim, Gerald Hatch, Susan Southard (abutters) , Robert MacMahan and Shari Lilly (recording secretary).

NOTE: As per order of the CDC and the Governor, relaxed CoVid-19 guidelines are being applied.

Meeting was opened at 6:30 p.m. by the Chairman. The Pledge of Allegiance was recited.

Jeff then welcomed our newest member to the Board, Dawn Pallis. She introduced herself and gave a brief personal history of living in Dresden.

ITEM #1 – Review minutes of June 21, 2021 – No meeting on July 05. Dan motioned to approve the minutes; Peter second. The motion was passed with one (1) abstention.

ITEM #2 – Michael Stewart – Public Hearing/Application Final Review - Proposed Medical Marijuana Retail Sales at new location- 353 Patterson Road – Map R06, Lot 074 – The Board has just completed the public site walk at the location proposed. We will now conduct the public hearing for the abutters and others to give their comments, concerns or questions. Jeff did ask Mr. Stewart to give a brief summary of his qualifications and plans. Mr. Stewart began by stating he is a registered caregiver wanting to open a medical marijuana retail sales facility at the location just visited.

Board member, Patty Stewart, did notify all that she is related to the applicant and wants to know if the Board feels she should recuse herself from this proceeding. All members are in agreement that Patty can continue as they feel she would be fair and impartial.

Mr. Stewart continued by saying that according to his State license he can have one cultivation facility, one manufacturing facility and one retail sale facility. He has updated his caregiver license to the new location and has all the State requirements fulfilled. Now he needs to get approval from the PB.

Jeff will let the Board members begin with any questions or comments for Mr. Stewart. Then the public will be given the opportunity to speak. At this time, the Board members do not have any questions, etc.

Jeff began by saying the parking would be on the west side of the building and would possibly accommodate four (4) vehicles. Asking if he intends to have a business sign, Mr. Stewart said it would probably be a 4'x4'. Asked if it would have any type of lighting, Mr. Stewart said it would not. It would just be a plain sign. (He has provided a proposed picture in his project packet.) Jeff continued by noting that as the State DOT right of way is there, Mr. Stewart may need to check with them before putting up his sign.

Security – When asked what he would have for security to make sure there are no problems, Mr. Stewart said he would have security cameras and a security system as required by the State MOP. He will be the only person there. The entrance will have a waiting room with a desk for check-ins who will need to show proof with a medical card. He plans to have one-on-one with the patients to assess their needs. He also has 'trip-tickets' for any products that are transported. His products will consist of some that are smoked and some that would be digestive, such as gummies, flour, concentrates, etc. It also can be with non-euphoric. Dan Stewart added that Michael will be very diligent about the security.

Jeff asked what the procurement process would be – Mr. Stewart said no product will be made on site. He will get them from other licensed caregivers. When asked if he will be manufacturing any, Mr. Stewart said no, he will just get them from others and retail them at his business.

Sue Southard asked if he would have any buffering at the parking area for the privacy of the patients. Mr. Stewart replied he would not at this time. She then asked, if they are medical, are they covered under HIPPA. The reply was yes. Jeff added that he will need to mark the area for the parking.

Jeff asked for any public questions. None at this time. Jeff then referred to the town ordinances for permissible uses for Commercial Business in regard to the districts; i.e. Village, Rural, etc. as given on pages 17 & 18

stating that “retail is allowed in all districts & water resource”. Also Agricultural processing is allowed in all districts.

Jeff continued by explaining the process for the public hearing. He will first ask for anyone who wishes to speak in favor of the project, next anyone to speak against. then anyone to speak for/against the project.

Public Hearing was then opened at 6:50 p.m.

>Anyone wishing to speak in favor of the this project – No one.

>Anyone wishing to speak against this project – Steve mentioned that the Board has been given a list of written concerns from Sue Pilgrim and he wanted to make sure her concerns were heard. Many of those listed have been discussed, but *Jeff* noted that Ms. Pilgrim is here so if she has anything, she is more than welcome to comment further. Members just want to make sure her issues have been addressed.

>Anyone wishing to speak for/against this project – Sue Southard wants to know if a neighbor can require a buffer be done after a year or so. *Jeff* replied that they can't after a year has passed. Dan Stewart, owner of the property, said that if a neighbor ever has an issue they can address it to him and see what they can work out. If there are any questions or concerns from the neighbors, just contact him to resolve them.

With nothing further, the public hearing was closed at 6:55 p.m.

In asking all the Board members for their input, *Jeff* gave each one the opportunity to comment.

Steve said he was all set.

Patty wanted to make sure that the concerns in the letter had been addressed and that issues such as agricultural, etc. are all allowed. *Jeff* replied that they are.

Dan would like to see the parking defined. To make sure the visibility of the traffic is good.

Peter said that in regards to the buffer, he doesn't see any problem at this time, but is pleased to know the landlord is willing to work with the neighbors to address any issues.

Dann feels the applicant has presented a well-written plan.

Jay is in agreement with all.

Jeff wants to make sure all issues are covered. Dan did mention the sign again. *Jeff* suggested that Mr. Stewart work with the CEO to make sure the sign is put in the appropriate area.

Sue Southard asked about lighting for the parking at night. *Jeff* explained that they discourage lighting as it can be distractive to other drivers on the road.

Conditions for Mr. Stewart's Conditional Use Permit:

We have three standard conditions that would apply along with any others imposed by the Board.

- Federal, State, Local laws, rules & regulations

- All DEP Best Management Practices

- Dresden Recycles.

Additional conditions:

- Parking spaces must be defined and labeled

- Work with CEO on sign placement for proper visibility and pull-out for other vehicles

- Buffering between parking area and neighbor TBD by property owner & neighbor

- No lights on sign unless in downward position for security, but nothing bright.

Mr. Stewart is already required to abide by the State OMP regulations. The buffer will be determined by the neighbor and property owner. *Jeff* suggested they discuss this soon. Dan Stewart said he has been talking to Roger Gray who is the nearest neighbor. Steve asked the size of his parking spaces. Mr. Stewart said probably 8' x 20' each. Steve indicated his concern with safety of vehicles pulling out of the parking area, especially with the road, but he was assured that the area is big enough to prevent any issues.

Jeff made a motion to approve Smooth Remedies with the conditions outlined for his business at 353 Patterson Road, Map R-06, Lot 074. Peter seconded the motion. Dan then asked if Mr. Stewart has a plan in place for the possibility of having more cars than he should. Mr. Stewart said he would make sure to keep it at the allowed amount. It was mentioned that he could possibly do parking down behind the building. With nothing further, the motion to approve was passed as a 'Minor Project' by a show of hands of all those present and voting. His CUP will be ready on Thursday.

ITEM #3 - Old Business - a.) Discussion on Dresden Land Use Ordinances - We'll discuss these later.
b.) Draft of Proposed Mobile Home Park Ordinance – Proposed by the Select Board. We will look this over and check it out for the next meeting.
c.) Board vacancy & member terms – We welcomed Dawn Pallis to the Board. Shari passed out copies of the term limits for all members.

ITEM #4 - New Business – a.) Robert MacMahan is here to discuss the property that his daughter is considering purchasing on Cedar Grove Road. Jeff told him he would have to go to the CEO first. Mr. MacMahan is looking to get a variance on the property, but Jeff told him that the PB doesn't issue them. However, he did give him his phone number so he can call Jeff so he can explain it to him.
b.) Election of Officers – Chairman - Dan nominated Jeff. All members approved.
Vice Chairman – Jeff nominated Dan. All members approved.
Board Secretary – Dan nominated Patty Stewart. All members approved.
Recording Secretary is a hired position. (Board Secretary fills in when recording secretary is absent.)

ITEM #5 – Other Business – a.) Jeff informed the members that James Davis wants to amend his CUP for Kaleb's Way (off Calls' Hill Road) from a Minor to a Major at our next meeting. Jeff wasn't sure if he wants to make it an amended or a new application, but he suggested that he make out a new one. Jeff did notify the Board that he has been working with Mr. Davis and will probably recuse himself.
b.) Dan asked how the folks are doing at the 'Calista Vista' subdivision. Jeff said they were unable to use the new name they had chosen as it is already taken. They have been doing some work, but they want to get all the parcels put back together to discontinue the subdivision all together. They are in the process of getting a surveyor.

ITEM #6 - Adjournment – Steve motioned; Jay seconded. So voted at 7:30 p.m.

Respectfully submitted,
Shari Lilly (Recording Secretary)