

Dresden Planning Board
P. O. Box 30
Dresden, Maine 04342
Meeting minutes for Monday, October 05, 2020

Present - Jeff Pierce, Peter Elvin, Linda Biden, Jay Cummings and Dan Hanley.
Steve Stone and Russell Peckham were absent.

Others present - James Davis (applicant), Dennis & Tracy Meehan (applicants), Shirley Storkson, Erica Atkinson, Gorham Lilly, Daniel Lilly (residents), Hailey Bryant (LCNews) and Shari Lilly (recording secretary).

NOTE: As per order of the Governor due to the CoVid-19 pandemic, the social distancing restrictions and face covering suggestion have been applied and enforced.

Jeff opened the meeting at 6:30 p.m. The Pledge of Allegiance was then recited.

ITEM #1 - Review minutes of Sept. 21, 2020 - Motion to accept by Dan; Jay seconded. Motion passed by show of hands of those present and voting.

ITEM #2 - Public Hearing - James Davis (d.b.a. Kazzy LLC) - Map 08, Lot 13 (RLD) - Property located on 'Old County Road' - **Proposed 3 - lot subdivision** - Jeff notified all those present that he has done business with Mr. Davis and would recuse himself if the Board members felt he should. All those present were in agreement that Jeff would be able to provide fair and impartial involvement so it would be acceptable for him to participate.

Mr. Davis has 42 acres on the Old County Road. He wants to take 4 ½ acres to divide into three (3) 1.45 acre lots. He has gotten approval from the Select Board to put power on the County Road which would begin at the Calls' Hill Road down to the end of the last lot in his subdivision. County Road is a town rangeway and is not maintained by the town. Maintenance would have to be done by the inhabitants on the road. Mr. Davis plans to start work around December 15. When he sells the lots, the purchasers will be shown a contract stating the power will be in by the first of 2021. If not, they will get their deposit back.

Jeff has now opened the floor up for the public hearing. He provided all those present with the protocol of the hearing by explaining he would ask for those wanting to speak for the project, then those wanting to speak against the project and finally to those who want to speak either for or against.

Anyone in support of the project? - No response.

Anyone against the project? - No response.

Anyone for or against the project? - No response

Jeff then closed the public hearing at 6:50 p.m. He now asked if the Board members have any questions.

Linda - Seeing as the road is private, who will maintain it? Mr. Davis said he has been so far, but the idea is to have a HOA (Home Owners Association) and split the cost with the three properties. Linda then asked if their ends up being more homes, will they all share? Mr. Davis said yes, but he's not sure if or when that may happen.

Mr. Davis then asked the Board that as the road coming in from Calls' Hill to the subdivision will be 18', but the road going down isn't, would the HOA within the rangeway be able to widen the road to make it easier for two vehicles to pass safely. Jeff said he would have to ask the Select Board as it would probably be treated the same as the one on Common Road. He feels it would

behoove the town to allow it. Mr. Davis realizes it would be at his expense. Jeff also mentioned that the town would NOT take over maintenance.

Jeff then proceeded by saying that any Conditional Use Permit has three (3) standard conditions which include DEP Best Management Practices, Dresden Recycling and all Federal, State, Local and Town ordinances and laws must be applied and followed. He added that he would also like to see a maintenance agreement for Kaleb's Way to be a part of the HOA.

With that, Jeff asked for all those in favor of approving the subdivision for Kaleb's Way. The Board approved unanimously by a show of hands of all those present and voting. Jeff will have the C.U.P. for Mr. Davis on Thursday.

ITEM #3 - Public Hearing - Dennis Meehan - Medical facility (medical marijuana) - 1011 Gardiner Road - Map 02, Lot 59A (RLD) - Mr. Meehan has provided copies of the plot plan for Nature's Summit as requested. He hopes to build six (6) greenhouses staggered by 1 or 2 per year. Each one would measure 60' x 120' on the crest of an area so they are not an eyesore. He will start from the front area behind the barn and build back. No pesticides will be used, only regenerative plant food. He feels this is the best fit in Dresden because of the agricultural aspects. He hopes to have a well, but the logs and materials that are used do retain a lot of water. He has dealt with microbiologists and his son is working in that area. This is a 12 acre parcel of land and he thinks he can get all six greenhouses in two acres. Jeff reminded him that one of the conditions imposed for any project is the DEP Best Management Practices.

Mr. Meehan noted that both he and his wife, Tracy, have medical licenses for cannabis for extracting and producing oils, tinctures, rubs, etc. They are required to get different licenses for the different types of products they produce. When asked what a tincture is, Mr. Meehan explained it is to put on or under the tongue to give quick response to pain.

On the application, Jeff said he had put 7 a.m. - 10 p.m. and asked if he would be open those hours or if he would see what will work. Mr. Meehan said they would probably adjust it in the future. He mentioned that they have different 'stations' for the edibles and that the State does check the kitchen and the food. Mr. Meehan said they create their own cannabis genetics. Many that are specific to certain medical conditions whether it be stress, severe pain or others. They also provide consulting about the product. They have massaging and other healing practices besides the cannabis.

Jeff then asked the Board members if they have any questions for Mr. Meehan.

Jay said he was wondering if they do the consultation and if people can just come in to talk to them. Mr. Meehan said yes, that is a big part of what they do. Also, he noted that cannabis doesn't work the same for everyone, just as everyone is different in many ways.

Peter said that on his plan there are a number of red X's and was wondering what they're for.

Mr. Meehan said that is where the greenhouses will be located.

Dan stated that the ordinances say he must be 1500' from a Daycare. Resident, Erica Atkinson, said the Eastern River Daycare is 3/10 of a mile from here. It was noted that it would then be more than the 1500' distance.

Jeff then opened the public hearing for this project at 7:03 p.m. Once again, he gave the protocol for those present - (Anyone for, anyone against, anyone for or against).

Anyone wanting to speak for the project - No response.

Anyone wanted to speak against the project -

Mrs. Atkinson is a teacher at Dresden Elementary and would like to speak about her concerns.

1.) The building is the first place that people see when coming into Dresden from Pittston. She is concerned that any specific advertising would not be the best representation for our town which is known for being a good place to live and a wonderful farming industry. She doesn't want us to be

known for a marijuana business.

- 2.) The daycare is located quite close, so she is concerned of the effects the business could have on that.
- 3.) There are these types of medical facilities in Richmond and Gardiner so she wonders why we would need one here.
- 4.) Although medical marijuana doesn't give a high, people do have licenses to grow, but they also grow the recreational and sell it. She doesn't want that to be what Dresden is known for.

Jeff assured her that we have to go by the ordinances and that it shouldn't affect this because we do not allow recreational marijuana sales in Dresden.

Peter asked Mrs. Atkinson if she might have some suggestions that would make her more comfortable with the project and that the applicants would be able to address for her concerns.

Jeff mentioned that Mr. Meehan has already said the sign would be the one already there but would just have the name of his business which is Nature's Summit.

Mrs. Atkinson said she would prefer to see the positive signs and would not like to see specific 'flags' that would market their product. Mr. Meehan said they are not the kind of people that are flashy. They have no plans to do specific advertising that would promote their product.

Shirley Storkson (neighbor)- Her family lives across the road from the former Meetinghouse which is near the proposed project. She stated this is not her first choice of a business near her, but life goes on and things change. Her concern is if there would be an increase in traffic. Mr. Meehan said he has provided a letter from the police chief from where his business was in Gardiner. It states that there has not made any significant impact on traffic and Mr. Meehan said he doesn't expect it will here. Mrs. Storkson also questions about any downside such as having police in and out or other bad situations for the area. Mr. Meehan does not feel there would be any problem that way. Especially since their products are medical and not recreational. Plus the security he will have in place. *Jeff* said that since he is controlled by the State regulations, that helps for a lot of the issues. Mrs. Atkinson asked how many customers they project. This could help people understand a little better. Mr. Meehan said it varies. It could be a dozen or, some days, it could be more. It hard to predict. *Jeff* explained that when it was approved as the Auction House, the Board and the State looked at the traffic pattern because of the amount of cars coming there, but especially, when cars were leaving, so this issue has been taken into consideration. Mr. Meehan added that they want to be good neighbors. Whereas there are no more questions, etc., *Jeff* closed this public hearing at 7:25 p.m.

Peter commended them for their work and past history, plus the planning that has been done. He can imagine that with all the hoops they have to go through, they are very well policed and that should be a comfort to the community, but they will be looked at carefully in the future by the townspeople.

Linda likes the idea of the positive signs that aren't doing any advertising, so she wonders if we can legally tell them how to do their sign. Should they sell out to new owners in the future, the new owners may want to advertise big time, but *Jeff* said new owners would have to come before the PB to make the change.

Dan noted that in this location it isn't like being across from the police station in Gardiner so he assumes they will have a good security system in place. He asked if they will be processing at their location and, if so, will there be an aroma that could affect the neighbors. He asked if we should put a condition on in regard to that. Mr. Meehan said it would be done inside and it shouldn't be a problem.

Jeff then proceeded by listing the following conditions to be applied to the C.U.P.

- 1.) NO recreational marijuana or marijuana products to be sold in Dresden.
- 2.) Have a plan in place for DEP Best Management Practices for pesticides, storing & containment.
- 3.) DEP Best Management Practices for erosion control.
- 4.) All State Medical Marijuana licenses to be displayed in a visual place.
- 5.) All State, Local & Town ordinances to be adhered to.
- 6.) Dresden recycles.

All those in favor of Nature's Summit Medical Facility located at Map R-02, Lot 59A. So voted unanimously by all those present and voting.

Mr. Meehan will need to get permits for all the greenhouses.

ITEM #4 Old Business - None.

ITEM #5 - New Business - Preliminary Review - Daniel Lilly - 1095 Middle Road - Small Engine Repair Business - Mr. Lilly is applying to open a business where he can do general repair and maintenance on items such as generators, snow blowers, tillers, lawnmowers, etc. He may also do some wiring for lights. There will not be any large amounts of automotive fluids or hazardous waste. He said he will probably just have small amounts of used oil from the engines he will repair, but doesn't expect it to be any more than ten (10) gallons kept on site prior to taking it to a recycling facility. He also doesn't expect to have any more than five (5) gallons of old gas, but will keep it in a plastic gas can until he can properly recycle it. There will not be any fuel changes as he isn't financially set to do large quantities.

Mr. Lilly explained that, at this time, he is trying to clean up the bad conditions on the property that was left behind by a previous resident. He has had DEP on the property due to a large fuel spill that had gotten into the ground. He has a letter from DEP stating that it has been cleaned up and there is no more contamination. He does have a number of junk cars that were left there, but he is working to get them taken away.

Jeff told Mr. Lilly that the Board will take the time to read over the paperwork he has presented at this meeting and asked Mr. Lilly to prepare a plan to bring to the next meeting, including all paperwork such as the property deed, letter from DEP, etc. He will need to have nine (9) copies to be given to all 7 of the Board members, the project packet and the recording secretary. He can leave them at the town office on the Thursday prior to the next meeting which will be on Monday, October 19. Plus, he will need to pay the site plan application fee when he goes to the town office. Jeff told him to make sure he has copies of the DEP letter and he will put Mr. Lilly on the agenda for the next meeting.

ITEM #6 - Other Business - Linda told the Board members that she and her husband, Jeff, have sold their house here in Dresden and will be moving to Richmond until they have the chance to rebuild back here. She wants to know if she will have to resign from the Board due to moving out of town. Jeff told her that, unfortunately, if she was going to be gone for more than a month, she would have to resign as only Dresden residents can be Board members. He told her she can give us notice within a reasonable length of time so we can find someone else. Linda can bring a letter to the next meeting.

ITEM #7 - Adjournment - Dan motioned; Linda seconded. So voted at 8:15 p.m.

Respectfully submitted,
Shari Lilly (Recording Secretary)