

**Town of Turner, Maine
Planning Board Minutes
December 16, 2020**

1 CALL TO ORDER

Called to order at 6:01 pm by Mr. Bill Bullard, Chairman. Those Members present were, Mr. Bill Bullard, Mr. R. Edward Morris, Ms. Shirley Twitchell, Donny Hinkley, Brian Emmons and Mr. Richard Lee. Those Absent Kelvin Youland. John Cleveland, Town Planner and Mr. Kurt Schaub, Town were also present.

2. VERIFICATION OF QUORUM

Mr. Bill Bullard stated that there were 6 Board Members in attendance which constitutes a Quorum.

3. PLANNING BOARD MINUTES FROM November 18, 2020.

Mr. Morris made a motion to accept the November 18, 2020 minute and seconded by Mr. Emmons (6 ayes)

4. PUBLIC HEARING:

None

5. OLD BUSINESS

Retail Recreational Adult Use Marijuana Facilities

Mr. Cleveland reviewed the updates he made to the proposed Ordinance. The Board reviewed the Town's Zoning Map in Turner to get a better understanding on where proposed shops would be able to open. He stated that because there are multiple zones that are the same zone spread out throughout Turner it would be difficult to try to put a limit the number of Storefronts in those areas. He included a map with the 1000 ft radius shown for the Board to get a better understanding where those storefronts could be.

Mr. Schaub also provide a map that also displayed the schools, daycares and churches in the Town.

Mr. Norm Rattey questioned on why the Board would not look to set a retroactive date that would be effective 12-31-2020. This would require all those applicants to have had a Medical Marijuana Storefront permit prior to 12-31-20 in order to apply for a Recreational License for the proposed 4 spots open.

Mr. Schaub stated that he can see the benefit in looking into a retro active date and that the businesses would need to have a review prior to 12-31-2020 which would protect those who currently have licenses.

Mr. Hinkley stated that he would like to see if looking into the zones and the proposed 1000ft setback. He believes that the Board should also looking into giving preference to those who are in good standing in the town already. He stated that people move into the Town for the school system and a good place to live with a family so having a large number of Retail Recreational Storefronts and Medical Storefronts that are currently in the Town.

Mr. Emmons stated that it was his understanding that there is a difference between Medical and Adult Use Marijuana Storefronts. He is questioning on why the Board is looking to set a cap now instead of treating them differently.

Mr. Hinkley stated that having a cap would be beneficial because the experts who have come to speak at the meeting with the Board have stated there is a difference but for \$30 you can get a medical license. He stated that at the end of the day it ends up being the same storefront and he would like to see a cap. He stated that maybe the free market is the answer but there seems to be more.

The Board decided they would look into have a total of 10 storefronts with only 4 being able to be Adult Use Retail Recreational. The Board also discussed if an owner would be able to have Adult Use Storefront and a Medical Storefront.

Mr. Cleveland stated that he has put a section in the ordinance that would not allow an owner to have a Medical Storefront and Retail Recreation Storefront. The Board would also look into setting up a lottery system to be able to able for a Recreational Storefront.

Mr. Hinkley stated that he would not see a problem with a business getting a Recreational Storefront and Medical Marijuana Storefront.

Mr. Cleveland stated that if one business has a Medical and one has a Recreational license it won't make a big difference. He has drafted in the Ordinance that if you have a Recreational license you have to operate for at least 6 months in that year and cannot get a license to just hold.

Mr. Emmons questioned on if this Ordinance would need to be updated every year where this is a new law and would the Board need to keep coming back to update the same.

Mr. Cleveland stated that he has drafted language in the Ordinance that would allow the Board to be able to turn down an applicant if they are not meeting State guidelines. Towns can be more restrictive but not less restrictive.

The Board looked into giving preference to those looking to switch their licenses to Adult Use Recreational and giving up their Medical Marijuana license. The Board will look into drafting the language that will state the number of Retail Recreational Storefronts will equal the number of Storefronts allowed to sell Alcohol Spirits in the Town.

The Board will allow for a total of 10 Storefronts with up to 4 being Recreational and those who currently have a medical license will be able to exchange their license for a recreational license for the first round in the lottery. If they wish to have a Medical License they would need to reapply for the same.

The current guidelines do not allow for a member to own a Recreational License and a Medical License.

The Board will look into a cap and restricting the zones to be in Commercial 1 and Commercial 2 Marijuana Store Fronts.

Mr. Hinkley questioned on how the Town can monitor the odor in the Town and how those complaints and licenses would be taken care of. This could be dealt with that the Code Enforcement Officer could go out to the business with the complaint and there could be a note in their file so when they come up for renewal the note would be on file and could be addressed at that time.

The Board will look into setback for cultivation and grow facilities that would help cut back on the odor in the Town. The Board will put in language for them to be 1000 ft apart. The Board will also allow for outside grows. The Board will keep the provision in the current ordinance for the manufacturing and extraction of the product. While the owners tend to be concerned about security, they often forget to look into workers comp insurance or loss prevention. The Board will also add testing to be allowed in Industrial Ag.

Mr. Cleveland asked the board to please look into a few things he added into the Ordinance such as a safe for product to be put into and a lock box for the Fire Department. The Board stated that they did not see a need to require a safe and if there is a fire in the building the Fire Department would find entrance. Mr. Cleveland questioned on if the Board would like a draft of the application process drafted for the Board to be able to follow through on.

Mr. Cleveland will make those changes for the next meeting. Mr. Cleveland also stated he will extend his time with the Board to ensure the ordinance is written accordingly.

6. New Business

None

7. Other Business

None

8. REPORTS

None

9. PUBLIC COMMENTS

Mr. Schaub stated to the Board that the Town has hired a new planner with a 1-year renewable contract. The Planner will start on January 1, 2021.

10. ADJOURNMENT

Mr. Lee made a motion for adjournment and it was seconded by Mr. Emmons and the Board unanimously accepted. The meeting adjourned at 8:15 pm.

Respectfully submitted by, Megan L. Ricker, Secretary.