

# Edgecomb Planning Board

Edgecomb Ordinance Review Committee

Minutes, October 19, 2017

## 1. Call to Order

Barry Hathorne called the meeting to order at 6:40 p.m.

## 2. Roll Call

Members present were David Boucher, Gretchen Burleigh-Johnston, Barb Gibson, Barry Hathorne, Pat Jeremiah, David Nutt, and Skip White. Sue Carlson and Jack French were absent.

## 3 Approval of October 5, 2017 minutes

Skip White moved to approve the minutes as written. Vote 6-0-1.

## 4. Preparation of required marijuana ordinance

Skip White said it appeared that the State statute gave the municipalities power to do nothing or completely ban all uses. MMA recommended that Edgecomb either declare a moratorium or pass an ordinance banning everything until it is clear what the State is going to do. In that way, the Town is protected from applications being made before an ordinance is passed. Barry Hathorne said the Select Board had taken care of that by issuing a letter saying no applications would be accepted. The legality of that was questioned.

David Boucher said the state may continue the moratorium until the end of 2018 in order to rewrite the whole recreational marijuana law; however, that should be verified.

David Nutt said the committee should look ahead and be ready when the State acts. Any decisions made can be modified when the State moratorium ends. The Town can always be stricter than the State.

David Nutt advised taking the questions separately to the voters at Town Meeting for a binding vote on the warrant. There was a consensus that the vote be taken by written vote; however, discussion will be necessary and it may be possible to discuss the ordinances on Saturday and still have a written vote.

Skip White reviewed the survey results and said he thought unless the ordinances were strict enough, they would be shot down by the town. Barry Hathorne said the public hearings should provide enough discussion.

David Nutt moved that the Board/Committee has the intent of presenting five ordinances at Town Meeting related to retail sales, cultivation, manufacturing, testing and retail clubs at Town Meeting. Vote 7-0-0.

If the marijuana ordinances were part of the Land Use Ordinance, setbacks, building sizes, location, emissions, etc. would be covered. Since agriculture is allowed in all districts, growing marijuana would have to be a separate line item with district restrictions.

There was discussion on the pros and cons of locating any of the marijuana uses in the various zoning districts. Skip White recommended the group decide on where each of the marijuana uses should be allowed.

The first ordinance could be the prohibition of marijuana social clubs which would require only the addition of a line in the land use chart showing that they are prohibited in all districts.

#### 5. Other Business

The moratorium on floating structures expired in September. It was not clear whether the selectmen had renewed it. It was the consensus of the group to find out if the moratorium had been renewed, if it could be renewed, or if a new moratorium could be enacted. Attorney Jenny Villeneuve had not provided any further information on the subject from the DEP.

#### 6. Adjournment

David Nutt moved to adjourn the meeting at 7:55 p.m.