

OFFICIAL MINUTES: Business Meeting

Eliot Cannabis Committee

Eliot, Maine 03903

DATE: December 20, 2018

Approved
1/23/18

Officers:

Chair: Brigham Pendleton

Vice Chair: Jessica O'Donoghue

Secretary: Hughes Pope

Alternate: Fred Poisson

RECEIVED

JAN 24 2019

ELIOT, MAINE

1. The Meeting was called to order at 7:04pm
2. In attendance: Dana Lee, Fred Poisson, Brigham Pendleton, Jessica O'Donoghue, Hughes Pope
3. Public Attendees: Bob Pomerleau and Jim Tessier
4. Review and approve past minutes: 12/20/18
5. Line 25 change "action to active"
6. Hughes said it would be nice for subtitles to pop up if somebody couldn't hear, or to move the mic to
7. center of table.
8. Brigham makes a motion to approve minutes
9. Jess seconds.
10. Dana assists with protocol for meetings telling all that an alternate member cannot vote and is 11. encouraged to participate.
12. Brigham mentions timeline and how the committee can divide and conquer regarding sorting of
13. literature.
14. Dana prepared a timeline "with the end in mind."
15. Spoke with town clerk. December of 2018. Rules for Rec Adult use may come out April or May. Not
16. realistic to have ordinance by June. Lots of people need to be involved and the town would like to
17. see us take our time. Asked Wendy if we could have vote in November, clerk needs final signed
85. board of selectman signed ordinance as it will appear on ordinance 70 days prior, technically 60 days
19. prior. Be finished in 8 months., essentially wrap up by August.
20. Jess says other towns have done it faster, agrees it would be nice to slow it down and give residents
21. time to hash it over.
22. Dana would like to see it go faster and reminds everybody of the limitations with timeframe. June
23. vote..lost may and April... gives Jan- Feb and march. These are Dana's budget meeting months and
- will 24. not have as much time to focus on this topic.

25. Brigham notes: Having been to previous planning board meeting recalls that PB will be shooting for
26. political ordinance by June. Suggests we align with them. No opt in before ordinance.\

27. Dana reminds that the "ordinance defines how we opt in". "written actual language in your code 28.
that 25. defines parameters of town. Who can do it, where it can be done, etc."

29. Hughes asks again for clarification of opting in.

30. Dana reminds Hughes and members that the ordinance comes first. Begin with the end in mind.

31. Vote in Nov. Required public hearing 10 days in advance of actual vote. Signed warrant goes to town

32. clerk. This is a 60-day window. Before that the select board votes to submit to town clerk. Meeting

33. is once every 2 weeks. Final report (draft ordinance) goes PB and SB and will want a workshop or 34.

joint public hearing. Going to want to submit for legal review. Before finalizing report or ordinance

35. the PB will want to review

36. Jess agrees

37. Dana says PB will want their stuff reviewed by legal council

38. Brigham asks about legal council

39. Dana says that Bernstein Shur has in house council we have access to.

40. In order to write 1st draft of report should be a actual ordinance.

41. Jess agrees.

42. Dana reminds us that the PB likely wants us to draft ordinance and have legal look at it.

43. Brigham asks about Planning Board's overlap. Says they are writing ordinance, mentions that they

44. are embracing South Portland's basis for framework.

45. Dana thinks this is a good idea. He also mentions town of Paris and a few articles regarding town 46.

concerns. Example: Is acceptance merit based? Is acceptance granted by lottery. Can a medical be

47. converted?

48. Jess thinks this is what they are deciding now.

49. Dana agrees.

50. Brigham discusses Colorado's considerations for licensing being issued. Who is capable of following

51. through with business?

52. Hughes suggests merit based,

53. Jess mentions decisions. Who makes the decision who is accepted?

54. Dana suggests we consider proximity to schools, churches etc. route 236 only? Administrative

matter, 55. how do we handle it? Planning board can handle zoning

56. Dana suggests input from SB, planner, Fire Chief, police force, etc. Form of report? Short executive

57. summary? Work with PB to help Draft ordinance which will then go to Select Board?

58.Brigham reminds all Jan. 8th workshop will help clarify input and direction for order and desire of 59. needs of committee.

60.Dana tells group about absentee ballots and timing briefly. Committee meeting to serve multiple 61. purposes so long as it is advertised beforehand. Planning board and Select board, all town officials 62.can be involved in one meeting and hosted elsewhere if need be.

63.Dana says we; likely won't have more than 20 to 25 people.

64.Brigham suggests RSVP

65.Dana says no.

66. 7:23pm at this point.

67. 7pm Jan. 8th workshop work with planning board to get a ordinance ideally by June. Start reading!

68. Jess says Paris has applicants going to planning board to discuss land use.

69.Dana reminds they have oversight and can change from villager district to rural etc. If 70. recommendation was given to PB to allow Rec Cannabis how many retail shops would you allow?

71.Brigham reminds all that we do not have to allow all, although we could ie. Cultivation, processing, 72. retail store front, testing,labs

73.Dana mentions indoor and outdoor growth and security. Lighting, fencing, security was mentioned.

74.Brigham mentions odor control

75.Hughes mentions plant botanical extracts that are emitted into the air to offset cannabis odor 76. outdoor and can be used indoor as well. Used in big agriculture

77.Brigham mentions charcoal and ozone.

78.Hughes mentions it used indoor more often. Wants to encourage people to be outside or in a 79. greenhouse.

80.Brigham. Roof is impermeable.

81.Dana pay fee for impermeable

82.Brighsam wants to discuss it more

83.Hughes mentions recycling water. Rain water

84.Jess agrees

85.Dana mentions 17,000 cars a day on rt.236. Traffic impact?

86.Brigham mentions MA stores and unsure if traffic long-term. Spiked traffic in the beginning for first 87. year then tapering down

88.Dana mentions first town will likely bring more traffic

- 89.Brigham mentions Kittery. Will they be the end all? How many licenses will be passed out and when?
90.50 licenses at once? 1 or 2 passed out?
- 91.Dana suggests getting input from the public and reiterates inviting the police chief, priests, 92.
teachers etc before we plan too much. Get the publics input with a pretty name on it "public forum"
93.but technically a public hearing
- 94.Beigham reminds us to consider facilitation and not getting off topic.
- 95.Hughes suggests folks send in letters, so we can encourage more feedback.
- 96.Eliot online was suggested. Some folks on this and some not.
- 97.Brigham talked to Wendy about getting a special blog set up for the opportunity for town to be
98.more involved specifically to share input on cannabis in Eliot.
- 99.Dana mentions some people being receptive discussing street lamps etc.
- 100.Dana suggests cannabis survey on town site.
- 101.Brigham tells us about Kittery and their towns inputs and likely similarities with Eliot
- 102.Dana suggests Monday the 28 or Tues the 29th of January and jokes about hobbies and life.
- 103.All agree Tuesday 29th at 7pm in January would be a good date for a community forum (sounding
104.more approachable) with food and drink . Dana recaps list of people to invite based on impact.
Town 105.clerk, religious leaders, police, fire fighters, etc.
- 106.Brigham suggests conservation committee
- 107.Jess says likely not a good idea
- 108.Brigham says they may have input down the road
- 109.Hughes suggests again that we should offer opportunity to write letters if not able to attend
- 110.Jess suggests Mark Lawrence and Jay Meyers and cannabis attorney Justice Rines.
- 111.Hughes reminds committee he works with Justice Rines and that he is a well versed in the topic
- 112.Dana suggests monthly meeting and concerns about select board and holiday scheduling and
113.budget and planning board meetings. Wednesdays are better.
- 114.Jess suggests more than once a month and a timeline we need to consider. Food and beverages
115.would be nice.
- 116.Dana suggests doubling up the 8th meeting suggesting it will not take 2 hours maybe hour and
117.half. Use 30 minutes on what we discussed and what we want to discuss next.
- 118.Jess suggest we get together on Jan 2nd to prepare for PB workshop Jan. 8
- 119.Hughes and Jess converse reiterating what we need to consider for next meeting. Articulate the
120.things we discussed tonight. Recommendations for PB regarding storefronts and grows.

121. Jess and Brigham reiterate importance of reading South Portland 's ordinance.
122. Dana echoes this reminding everybody to highlight important points.
123. Fred asks if rt.236 is the only space for retail?
124. Dana explains why this is the only space or in C/I zone.
125. Brigham reminds all that not all facets of operation need to be on rt.236 perhaps the store, not
126. necessarily the grow or processing.
127. Dana suggests just sale on 236. Grow outside 236?
128. Fred wanted clarity on retail. What about accessibility? Access to transportation is limited.
129. Jess where is retail more accessible?
130. Jess would want it in more trafficked area for business and safety where it is already policed.
131. Brigham mentions non-binding specified business district
132. Dana mentions that there is table of land use. Growing elsewhere? Maybe okay with farming. Retail
133. will definitely be C/I
134. Jess asks Fred for more thoughts.
135. Dana suggest talking to PB about table of lands uses. Discuss putting a lab on 236 only. No social
136. clubs. Suggests this is a bad idea
137. Jess and Fred remind everybody that a social club is no different than a bar.
138. Social clubs removed from law anyhow.
139. Bob Pomerleau reminds all that the categories are: Sale, cultivation ,manufacturing ,testing
140. Dana suggests outlier is cultivation/growing. The others realistically kept on rt 236.
141. Brigham suggests traffic concerns.
142. Hughes suggest less traffic with cultivation. More co2 drop offs. Retail sales likely driving traffic.
143. Dana asks about waste and pollution
144. Hughes suggest a closed loop system with gray water systems and composting vs. hydroponic
145. systems better for community.
146. Septic systems dana asks? Waste from solvents?
147. Hughes suggests that some can be reused.
148. Bob Pomerleau suggest south Portland notes in literature.
149. Hughes suggests more waste with hydroponic materials. rockwool etc. More recycling station
150. visuiots with cardboard. Local markets will pick up.

151. Electricians, plumbers, HVAC specialists, tree services, nurseries etc.
152. Dana suggests ordinance in Howell Paris and Fairfield for fast tracking and potentially leaving
153. opportunity for poor rules.
154. Brigham mentions some of the benefits. With local economy. Other than permitting fees. Not
155. much available for the town. Local tax option was removed.
156. Jess suggests if there is nothing for Eliot we shouldn't consider it. Sales tax ideally. 501-3c was
157. mentioned.
158. Dana reminds all there will be costs to town. PB review costs, police, etc
159. Hughes suggests the entity pay all fees
160. Dana mentions Fairfield's annual fees for Rec Cannabis businesses
161. \$ 1500 retail store
162. product manufacturing \$1500
163. testing \$1500
164. cultivation facilities:
165. tier one: 500sq ft. \$ 1500
166. tier 2: 2000sqft \$2500
167. tier 3: 7ksftq \$3500
168. tier 4: 20ksqft \$4500
169. Brigham mentions impact fee as means to collect more money for town.
170. Dana says they are complicated. 1988 or 89 he attended a seminar on impact fees and a particular
171. city in Texas was only time he recalls hearing of this theory working. The town had their own dept.
172. dedicated to tracking impact fees.
173. Dana says South Portland's fees were far less.
174. Fairfield 20k sq ft is \$15,000 fee
175. Brigham suggests he saw max licensing fees.
176. Jess questions this with application fees
177. Dana says these are not one-time fees. These are annual. Merit based clearance to transfer
178. ownership. Check state law and South Portland. Suggests highlighting good points.
179. Brigham reminded by PB to ask CannaComm about looking into a law or tax structure in place that
180. addresses specific portions piece-mealing the cannabis business in Eliot vs. approving all facets of
181. business? Is there more money in cultivation vs retail with the town renewal fees etc?

182.Dana says originally with the citizen initiative there was money for hosts towns. Dana reminds us
183.that there is not incentive.

184.Brigham says it's very little

185.Bob Pomerleau discusses northern Maine missing out on the big picture. No revenue sharing.

186.1% of excise tax goes back to towns...

187.Group uncertain of language with excise.

188.Dana tells us it was 3% of total 10% towards for social impacts.

189.Brigham says we should clarify that.

190.Bob Pomerleau says there was another revenue comment and uncertain of what it was called.

191.Brighasm mentions 501 3c. bill gates foundation. Legal opinion with" negotiated exactions."

192.Concerns about bidding wars. Merit based for instance. Not who will pay the most.

193.Dana suggests giving town more based on % of gross. Audit books and show town. Money for
194.seniors and kids, keeping taxes down on residents.

195.Brigham mentions CO having success collecting taxes for towns.

196.Dana talks about how we need local tax and how difficult it has been in the past for local tax option
197.and hopes new governor will change the language.

198.Brigham mentions governor's new candidate for cannabis in Maine.

199.Dana will ask legal advisor about Charitable foundations.

200.Town should decide how to use the funds.

201.8:14pm

202.Dana suggests something notably good for kids and seniors.

203.Brigham suggests meeting at January 2nd at 7pm

204.Jess mentions senator Katz and his involvement with the cannabis laws. Open container law
205.imposed for smoking cannabis in public.

206.Jess says 1 out of 4 people people in USA are imprisoned.

207.Brigham reminds all to read South Portland and State Law.

208.Dana asks all if we want to meet for 30 minutes after Jan8th PB meeting.

209.Bob Parmerleau mentions a group with opposing views that was well written and moderated
hosted 210.by the Coalition for Healthy Living in York, ME. Representatives from CO and ex DEA.
Suggests a 211.moderator for the future meetings be aware of the age group as the median age is mid
40's.

212.Dana offers his services as moderator for a community forum. If permitted would like to facilitate.

213.Brigham asks for motion to adjourn.

214.Jess seconds motion

215.End of meeting 8:21