



# TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Representatives of Cannabis Establishments  
 From: Jeff Brubaker, AICP, Town Planner JSB  
 Cc: Planning Board  
 Michael Sullivan, Town Manager  
 Other Town Employees and Members of the Public  
 Date: January 31, 2023  
 Re: Planning Board approvals and local licensing for marijuana establishments and medical marijuana establishments in relation to Eliot Town Code Section 11-6.1 – Maximum number of local marijuana licenses

Dear Cannabis Establishment Representative:

As you may know, on November 8, 2022, Eliot voters approved amendments to the Town Code establishing maximum numbers of local licenses that may be active at any one time for certain marijuana establishments and medical marijuana establishments.

The maximums are shown in the following table. Some establishments are grouped together under the same maximum, and marijuana testing facilities are exempt.

<b>Establishment type or group</b>	<b>Maximum</b>
Marijuana Store	8
Marijuana Cultivation Facility or Marijuana Products Manufacturing Facility	13
Medical Marijuana Caregiver Retail Store or Medical Marijuana Dispensary	4
Medical Marijuana Cultivation Facility or Medical Marijuana Products Manufacturing Facility	3

The Select Board is not able to issue a local marijuana license when the maximum number of active licenses has been reached for a particular marijuana type or group. The maximums were developed to account for adult use and medical marijuana establishments that were, as of August 2022 (the month the ordinance amendments needed to be finalized for the ballot) either in operation or at some stage of the Planning Board, building permit, or license review process.

Along with this letter, I am publishing statistics to show how many of each establishment is operational, licensed, or at some stage in the review process, at the time of the writing of this letter. You can also see how the numbers of active local licenses compare to the maximums.

*Current medical marijuana establishments are strongly encouraged to apply for a local license. Medical marijuana establishment representatives should take note of Section 11-6.1(e)(4):*

The Town finds that the requirements for medical marijuana licenses were added to this section after some medical marijuana establishments had begun operation and that a grace period is warranted to allow medical marijuana establishments to obtain a local marijuana license pursuant to this chapter. Medical marijuana establishments that have been approved by the Planning Board, are in operation as of the effective date of this ordinance amendment, and are in good standing with respect to the Maine Medical Use of Marijuana Program Rule (18-691 Code of Maine Rules, Chapter 2) and the Town Code shall be given until May 15, 2023, to apply for a local marijuana license for their existing operation and shall be given priority order with respect to subsection (b) of this section.

As the amendments were being reviewed by the Planning Board and Select Board, the boards heard concerns from cannabis business representatives regarding certain wording or possible interpretations. Those concerns will be considered, as the Planning Board is beginning to review ordinance amendments related to marijuana licensing and land use regulations, anticipated to be considered for placement on the ballot for the June 2023 Town Election. Any further input you may wish to provide is welcome.

If you have any questions about licensing, please contact Town Manager Michael Sullivan at [msullivan@eliotme.org](mailto:msullivan@eliotme.org), or if you have any questions about land use approvals, please contact me at [jbrubaker@eliotme.org](mailto:jbrubaker@eliotme.org).

*Referenced attachments/ documents published concurrently*

- Town of Eliot Marijuana Establishments – Planning Board Approval and Local and State License Tracker
- Town of Eliot Marijuana Establishments – Planning Board Approval and Local and State License Summary
- Certified Copy of November 2022 Town Code Amendments