

**MINUTES
PLANNING BOARD MEETING
TOWN OF BOWDOINHAM
13 SCHOOL STREET-KENDALL ROOM
MARCH 23, 2023 – 6:00 P.M.**

DRAFT – to be APPROVED – April 27, 2023

MEMBERS PRESENT: Nate Drummond (Chair)
Tracy Krueger (Vice Chair)
Richard Joyce
Reeve Wood

MEMBERS ABSENT: Justin Schlawin and William Shippen

STAFF PRESENT: Matthew James, Code Enforcement Officer; Yvette Meunier,
Director of Planning and Development

1. REGULAR MEETING - CALL TO ORDER AND DETERMINE QUORUM

On Thursday, March 23, 2023, a meeting of the Bowdoinham, Maine Planning Board was held in the Kendall Room at the Town Office. Chairman Drummond called the meeting to order at 6:00 p.m.

It was determined that a quorum was present.

2. APPROVAL OF THE MINUTES FROM THE JANUARY 26, 2023 AND FEBRUARY 23, 2023 MEETINGS

January 26, 2023

Motion was made by Mr. Wood, seconded by Mr. Joyce, with Mrs. Krueger abstaining, and it was

VOTED

To approve the minutes of the January 26, 2023 meeting as written.

February 23, 2023

Motion was made by Ms. Krueger, seconded by Mr. Joyce and it was

VOTED

To approve the minutes of the February 23, 2023 meeting as amended.

(Amendments included: Pg. 2, 3rd par. from bottom change “0 years ago” to “ten” years ago. Pg. 5, 4th paragraph down to read: “At 8:44 p.m., motion was made, seconded, and it was unanimously **VOTED** that the Board approved the letter as written. Pg. 5, 3rd par. from bottom, change “Kruger” to “Krueger.”, Pg. 5, under Adjourn Meeting, add “**VOTED**” after “unanimously” and before “to.”

There was a discussion whether it was necessary for Board member signatures to be added to the end of the minutes after they are approved, or if approving them at a future meeting would suffice. In the past, signature lines were included with each set of minutes. It was agreed to research this question for future sets of minutes.

Chairman Drummond noted there was a few minutes before the start of the 6:15 Public Hearing and suggested that Board members review the proposed changes to the ordinance.

PUBLIC HEARING – (Scheduled for 6:15 p.m.)

3. PROPOSED AMENDMENTS TO THE LAND USE ORDINANCE – CONSIDERATION OF LD 2003 AND ACCESSORY DWELLING UNITS

The Public Hearing was declared open at 6:15 p.m.. There being no one present wishing to speak at that time, Chairman Drummond said he would keep the Hearing open for a few minutes in case someone might enter the meeting late.

All proposed changes/corrections to the ordinance were typed in red ink for easy identification. Board members reviewed the proposed changes and during discussion agreed that Footnote 6 on page 5 should be included in Footnote 5. And that the word “dwelling” should be added to the definition of Accessory dwelling on page 2 under #1: “1. Accessory dwelling – an independent **dwelling** unit that has been added.

Following a lengthy discussion, it was unanimously agreed that under Article 4. Performance Standards, Subsection B) Accessory Dwelling #1 be amended to limit the gross square footage of an accessory dwelling unit to 1,600 sq/ft instead of using a ration related to principal structure.

With no one wishing to comment on the proposed amendments to the Land Use Ordinance regarding LD2003, the Public Hearing was declared closed at 6:38 p.m.

CONTINUING BUSINESS

4. DISCUSSION OF PROPOSED LAND USE ORDINANCE CHANGES

Motion was made by Mr. Wood, seconded by Ms. Kreuger, and it was unanimously

VOTED

To approve the amendments to the Land Use Ordinance as amended and to forward the amendments to the Select Board with a recommendation for inclusion on the warrant for the upcoming Town Meeting.

NEW BUSINESS

5. SITE PLAN REVIEW – TIER II APPLICATION – JOHN WALTON (OLD SCHOOL GUY OF MAINE) IS PROPOSING TO ESTABLISH AN IN-HOME MEDICAL CANNABIS CARETAKER BUSINESS BY APPOINTMENT ONLY AT 333 MILLAY ROAD, TAX MAP R02-051-B

Chairman Drummond explained that the site plan review usually takes two meetings. The first meeting consists of a review of the application to make sure it is complete and then the Board goes through the Performance Requirements. The Board may also consider a site walk if warranted.

Applicant is John Walton (Old School Guy of Maine), 333 Millay Road. Mr. Walton came to the podium and reviewed his proposed project. He is proposing to operate a medical cannabis caregiver business out of his home. A sign will be proposed which will meet ordinance requirements of the Town. A light will be installed over the driveway entrance to the home along with a sign. There is adequate parking along the side of the driveway and room for vehicles to turn around without having to back out of the driveway. A medical cannabis flag will be displayed on the tree at the end of the driveway. An "Open" sign will be lit on the inside of the building from a window on the side of the entrance door when the shop is open. Mr. Walton included photographs of the room where the office will be located and showed a closet where the locked cannabis products will be stored for now. Plans are to purchase a large safe to ensure proper storage and safety. Smell proof containers were included in which the cannabis will be contained. It was noted that there are no plans to grow, extract or manufacture any marijuana. No structural changes to the dwelling will be made; just the inclusion of appropriate furniture.

Mr. Walton noted the walkway from the parking area to the front door to be of flat concrete making the walkway both safe and visible. Mr. Walton said that smoke detectors and carbon monoxide detectors are up to date within the home and office areas. He is currently in the process of obtaining a Medical Cannabis Caregiver License and currently has an Associate Caregivers License. Once the license is obtained, Mr. Walton plans to apply for a business loan to establish the business. All State of Maine laws will be adhered to. Mr. Walton said he plans the hours of operation to be between 10:00 a.m. and 8:00 p.m. and by appointment only. Only one to two appointments per hour are planned. There are no employees planned at this time and if ever are needed, Mr. Walton will come back before the Planning Board.

It was noted that a dumpster will be placed at the end of the driveway. The dumpster will be locked to deter from people looking for any empty containers with cannabis remnants and residue. A camera will be placed at the end of the driveway facing the dumpster to monitor any activity.

A letter is in file from Dean Beckwith and Andrew Curtiss, owners and co-landlords of the property at 333 Millay Road, dated March 1, 2023, giving John Walton and Heather Kiedaisch permission to use the property for sale, and distribution of medical cannabis and other cannabis products while operating as a Medical Cannabis Caregiver.

Following Mr. Walton's presentation, the Board reviewed the Submission Requirements noting a signed application. The site plan will go on file for public review and Mr. Walton will be asked to make changes as requested by the Board. For example, mark on the plan what the scale of the drawing is. The Board asked for a signed statement that the Old School Guy of Maine, LLC is actually Mr. Walton. Concern was expressed that Mr. Walton has no protection from the owners of the property changing their mind in allowing the business. Applicant was asked to obtain an amendment to the lease, signed by all involved, granting permission for the business prior to the next meeting. The Board asked for an approval block on the plan that Board members can sign.

On March 3, 2023, Mr. Walton signed the following: “By signing this application, as the foresaid applicant:

- I certify that I have read the completely understand the application;
- I certify that the information contained in this application and its attachments are true and correct;
- I understand that all information provided on this form and all other documents submitted as part of my proposal is a matter of public record;
- I understand that copies of this information am be supplied upon request to an interested party;
- I understand that additional funds may be required through the course of review for special studies, legal review costs, and/or engineering review;
- I understand that it is my responsibility to know and pay for any tax penalty that may result from said project;
- I understand that the information contained in this application is background information and some applications may require additional tests, maps, documentation or submissions as required by the Planning Board.”

Motion was made by Ms. Kreuger, seconded by Mr. Wood, and it was

VOTED

That the Board finds the application of John Walton, Old School Guy of Maine, to be complete. (The vote was 3 in favor with one abstention [Mr. Joyce]).

At this point the Board reviewed the Submission Standards/Conditions of Approval. A discussion ensued on whether the applicant should be asked to install a fence around the dumpster. The Board usually asks businesses to install a fence around dumpsters but where this is a small enterprise it was decided if members of the public express concerns about the dumpster at the Public Hearing, then the Board will ask that a fence be installed.

Regarding a fire extinguisher, the applicant will look to the Fire Chief for his requirement for this business. The Board asked for “Storage Maintenance and Smell Plan”. It was agreed that due to the scale and nature of the business, additional buffering will not be required. The Board also asked for a “Security Plan”. Town staff are also to inquire with municipal services about any concerns with the project.

Chairman Drummond asked if the Board felt a Public Hearing and a site walk will be required. The Board unanimously agreed that a Public Hearing will be required but not a site walk. A Public Hearing will be scheduled for the next meeting of the Board.

OTHER BUSINESS

- 6. FUTURE MEETING DISCUSSION** – No action taken.

7. **ADJOURN**

Motion was made, seconded and it was unanimously

VOTED

To adjourn the meeting at 7:45 p.m.

_____	_____
_____	_____
_____	_____
_____	_____