

**Site Plan Review – Tier 2
Five Buds Farm LLC**

Zoning District: Village District II

Dimensional Requirements for non-subdivision lots:

- Minimum Lot Size – 30,000 sq ft
- Maximum Residential Density – N/A
- Minimum Road Frontage - 100 feet
- Minimum Setbacks for Buildings¹ – (A) Front Yard - 30 feet (B) Side Yard - 10 feet (C) Rear Yard - 10 feet
- Maximum Building Height – 35 feet

Use: Marijuana Cultivation Facility

Review Authority: Planning Board/Site Plan Review – Tier II Article 10,B),2),c),(v)

Site Plan Review General Performance Standards

1) <u>Vehicular Access</u> –	<u>Staff Findings</u>
a) <u>Adequacy of Road System</u> - Vehicular access to the site must be on roads which have adequate capacity to accommodate the additional traffic generated by the development. A Traffic Impact Study may be required by the Planning Board if deemed necessary by the Director of Public Works or the Road Commissioner.	Three employees; anticipating 2 on site at a time during operation.
b) <u>Access into the Site</u> - Vehicular access to and from the development must be safe and convenient.	Using existing driveway
(i) Any driveway or proposed street must be designed so as to provide the minimum sight distance according to the Maine Department of Transportation standards.	No change
(ii) Points of access and egress must be located to avoid hazardous conflicts with existing turning movements and traffic flows.	No change
(iii) The grade of any proposed drive or street must be not more than 3% for a minimum of forty (40) feet, from the intersection. The Planning Board may require a greater distance if deemed necessary by the Public Works Director.	No change
(iv) Where it is necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, the applicant shall be responsible for providing turning lanes, traffic directional islands, and traffic controls within public streets.	Proposed traffic (2-3 vehicles entering/exiting per day) is consistent with the approved plan
c) <u>Accessway Location and Spacing</u> -	

¹ The setback shall be the minimum horizontal distance from a lot line to the nearest part of a building, including porches, steps and decks. Except that, ramps needed for disability access into a principle dwelling shall be exempt from the minimum setbacks.

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<p>(i) Private entrances/exits must be located at least fifty (50) feet from the closest unsignalized intersection and one hundred fifty (150) feet from the closest signalized intersection, as measured from the point of tangency for the corner to the point of tangency for the accessway. This requirement may be reduced if the shape of the site does not allow conformance with this standard.</p>	<p>No change</p>
<p>(ii) Private accessways in or out of a development must be separated by a minimum of seventy-five (75) feet where possible.</p>	<p>No change No change</p>
<p>2) <u>Internal Vehicular Circulation</u> –</p>	
<p>a) All roadways must be designed to harmonize with the topographic and natural features of the site insofar as practical by minimizing filling, grading, excavation, or other similar activities which result in unstable soil conditions and soil erosion, by fitting the development to the natural contour of the land and avoiding substantial areas of excessive grading and tree removal, and by retaining existing vegetation during construction. The road network must provide for vehicular, pedestrian, and cyclist safety, all season emergency access, snow storage, and delivery and collection services.</p>	<p>Will use existing driveway – no change</p>
<p>b) Proposed developments that will be served by delivery vehicles must provide a clear route for such vehicles with appropriate geometric design to allow turning and backing for the largest expected vehicles.</p>	<p>No change</p>
<p>c) Clear routes of access must be provided and maintained for emergency vehicles to and around buildings and must be posted with appropriate signage (fire lane - no parking).</p>	<p>No change</p>
<p>d) The layout and design of parking areas must provide for safe and convenient circulation of vehicles throughout the parking lot.</p>	<p>No change</p>
<p>e) Off-street parking must conform to the following standards:</p>	<p>No change</p>
<p>(i) Parking areas with more than two (2) parking spaces must be arranged so that it is not necessary for vehicles to back into the street.</p>	<p>No change</p>
<p>(ii) All parking spaces, access drives, and impervious surfaces must be located at least ten (10) feet from any side or rear lot line, except where standards for buffers require a greater distance. This requirement may be reduced if the shape of the site does not allow conformance with this standard.</p>	<p>No change</p>
<p>(iii) No parking spaces or asphalt type surface may be located within five (5) feet of the front property line; standards for buffers may require a greater distance.</p>	<p>No change</p>
<p>(iv) Parking lots on adjoining lots may be connected by accessways not to exceed twenty-four (24) feet in width.</p>	<p>No change</p>
<p>(v) Parking stalls must conform to the following standards:</p>	

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	Parking Angle	Stall Width	Skew Width	Stall Depth	Aisle Width	
	90°	9'-0"	-	18'-0"	24'-0" – 2-way	No change
	60°	8'-6"	10'-6"	18'-0"	16'-0" – 1-way	
	45°	8'-6"	12'-9"	17'-6"	12'-0" – 1-way	
	30°	8'-6"	17'-0"	17'-0"	12'-0" – 1-way	
(vi) In lots utilizing diagonal parking, the direction of proper traffic flow must be indicated by signs, pavement markings or other permanent indications and maintained as necessary.						No change
(vii) Parking areas for nonresidential uses must be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles. Double stack parking may be permitted for resident parking in conjunction with residential uses if both spaces in the stack are assigned to the occupants of the same dwelling unit.						No change
(viii) Provisions must be made to restrict the "overhang" of parked vehicles when it might restrict traffic flow on adjacent through roads, restrict pedestrian or bicycle movement on adjacent walkways, or damage landscape materials.						No change
(ix) Parking areas must be designed and landscaped to create a pedestrian-friendly environment. A landscaped border must be created around parking lots. There must be at least one (1) island for every twenty (20) spaces. Landscaping must screen the parking area from adjacent residential uses and from the street.						No change
(x) Parking lots should be located to the side or rear of the building. Parking should not be located between the building and the street.						No change
(xi) Whenever the area between the street and the front of the building is used for parking or vehicle movement, a vegetated buffer strip must be established along the edge of the road right-of-way. This buffer strip must soften the appearance of the site from the road and must create defined points of access to and egress from the site.						No change
(xii) Any establishment which caters to and/or offers its goods, facilities or services to the general public shall maintain at least one of its required parking spaces as an accessible space for handicapped persons.						N/A & No change

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(xiii) At least one parking space shall be provided for each employee per shift.	No change
3) <u>Pedestrian Circulation</u> –	No change
a) The site plan must provide for a system of pedestrian ways within the development appropriate to the type and scale of development.	
b) This system must connect the major building entrances/exits with parking areas and with existing sidewalks, if they exist or are planned in the vicinity of the project.	
c) Where an existing or planned public sidewalk is interrupted by a proposed project driveway, the sidewalk material must continue to be maintained across the driveway, or the driveway must be painted to distinguish it as a sidewalk.	
d) The pedestrian network may be located either in the street right-of-way or outside of the right-of-way in open space or recreation areas.	
e) The system must be designed to link the project with residential, recreational, and commercial facilities, schools, bus stops, and existing sidewalks in the neighborhood or, when appropriate, to connect with amenities such as parks or open space on or adjacent to the site.	
f) The system shall be safely separated from vehicular traffic through landscape buffers and curbing.	
4) <u>Municipal Services</u> –	
A letter shall be requested from the appropriate Town Officials to address that the development will not have an unreasonable adverse impact on municipal services, including municipal road systems, fire department, solid waste program, schools, open spaces, recreational programs and facilities, and other municipal services and facilities.	Select Board minutes from September 14, 2021 show that the board voted unanimously that the project would not have unreasonable adverse impact on municipal services.
5) <u>Visual Impact</u> –	
a) When a proposed development is located on a hillside that is visible from a public street, road, water body, or facility, the development must be designed so that it fits harmoniously into the visual environment when viewed by the public from public areas. In predominantly natural environments, site clearing must be minimized and vegetation must be retained or provided to minimize the visual intrusion of the development. In developed	Only change is addition of a dumpster in an area where there are already several.

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environments, the appearance of the new development, when viewed by the public from public areas, must be compatible with the existing visual character in terms of scale, massing, and height to the maximum extent reasonable.	
b) When a proposed development is located within the viewshed of an identified view from a public street or facility, the development must be designed to minimize the encroachment of all buildings, structures, landscaping, and other site features on the identified view.	The proposed development is going in to an existing building.
6) <u>Lighting</u> – All exterior lighting will be designed to avoid undue glare, adverse impact on neighboring properties and rights-of-ways, and the unnecessary lighting of the night sky.	Proposing adding motion activated security lights at both front and rear doors of Suite B.
a) Building facades may be illuminated with soft lighting of low intensity that does not draw inordinate attention to the building. The light source for the building facade illumination must be concealed.	
b) Building entrances may be illuminated using recessed lighting in overhangs and soffits, or by use of spotlighting focused on the building entrances with the light source concealed (e.g., in landscaped areas). Direct lighting of limited exterior building areas is permitted when necessary for security purposes.	
c) The proposed development must have adequate exterior lighting to provide for its safe use during nighttime hours, if such use is contemplated.	The applicant states that operation will mostly be between 7AM and 6PM
d) Lighting may be used which serves security, safety and operational needs but which does not directly or indirectly produce deleterious effects on abutting properties or which would impair the vision of a vehicle operator on adjacent roadways. Lighting fixtures must be shielded or hooded so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings and so that they do not unnecessarily light the night sky. Direct or indirect illumination must not exceed 0.5 footcandles at the lot line or upon abutting residential properties.	Lighting must be shielded or hooded or otherwise not exposed to view offsite – applicant should clarify
e) All exterior lighting, except security lighting, must be turned off between 11 P.M. and 6 A.M. unless located on the site of a commercial or industrial use which is open for business during that period.	On commercial site; light will be motion activated
f) Wiring to light poles must be underground.	N/A
7) <u>Signage</u> – The proposed signage will not detract from the design of the proposed development and the surrounding properties and will not constitute hazards to vehicles and pedestrians.	The applicant should clarify if they are proposing any signs, and if so, provide details.

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<p>a) Signs should be placed at right angles to the street so as to be viewed from both directions. Simple, geometrically shaped signs set low to the ground must be used.</p>	
<p>b) Signs may be illuminated only by shielded, non-flashing lights. Any sign illumination must be turned off from 10 p.m. to 6 a.m., except if the business is open then the sign illumination may remain on during the hours of operation. No internal or flashing lights shall be permitted.</p>	
<p>c) Business/Institutional name signs shall be permitted, provided such signs shall not exceed two (2) signs per property, except for a property which contains more than one business.</p>	
<p>d) Properties which contain one business or institutional use.</p>	
<p>(i) No name sign shall be greater than fifteen (15) square feet.</p>	
<p>(ii) The total area of name signs on the property shall not exceed twenty-five (25) square feet.</p>	
<p>e) Properties containing more than one business or institutional use.</p>	
<p>(i) May have a directory sign, which contains a name sign for the complex, as well as name signs for the individual businesses or institutional uses. The name sign for the complex shall not exceed fifteen (15) square feet and the name signs for the individual businesses or institutional uses shall not exceed six (6) square feet. The total square footage for the directory sign shall not exceed sixty (60) feet.</p>	
<p>(ii) Each individual business or institutional use may have a name sign not to exceed fifteen (15) square feet.</p>	
<p>f) No free standing sign shall extend higher than twenty (20) feet above the ground.</p>	
<p>g) The business/institutional name sign must be located on the same property as the business.</p>	
<p>8) <u>Buildings</u> – The proposed structures will relate harmoniously to the terrain and to existing buildings in the vicinity, so as to have a minimally adverse effect on the environmental and aesthetic qualities of the neighboring areas.</p>	<p>No change</p>
<p>a) New buildings should be compatible with the neighborhood such that they reflect the overall building bulk, square footage, dimensions, placement of the building on the lot, and rhythm of buildings and spaces along the street edge and minimize the visual impact on the neighborhood. The visual impact of a building shall be measured by its relationship to other buildings on the lot, design of the front of the building, and the rhythm of buildings and open spaces along the street. The Planning Board may require additional buffering to the road or abutting properties if the proposed building is not compatible with the neighborhood.</p>	

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<p>b) The architectural design of the building shall be consistent with the New England vernacular and shall include such features as pitched roofs, vertical rectangle windows, and the appearance of brick, stone, log, clapboard or shingle .</p>	
<p>(i) The proposed development could be exempt from this standard if the development will be screened so that it is not visible from the road and abutting properties; or</p>	
<p>(ii) Depending on the tier of the application, either the Planning Board or the Code Enforcement Officer may require additional landscaping and/or screening to the road and abutting properties.</p>	
<p>c) Where there is a reasonably uniform relationship between the front walls of buildings and the street, new buildings must be placed on a lot in conformance with the established relationship. For buildings on corner lots, the setback relationship of both streets should be maintained.</p>	
<p>d) The main entrance to the building should be oriented to the street unless the parking layout or the grouping of the buildings justifies another approach, and should be clearly identified as such through building and site design, landscaping, and/or signage.</p>	
<p>e) In rural, uncongested areas buildings should be set back from the road so as to conform with the rural character of the area. If the parking is in front, a generous, landscaped buffer between road and parking lot is to be provided. Unused areas should be kept natural, as field, forest, wetland, etc.</p>	
<p>f) The site design should avoid creating a building surrounded by a parking lot.</p>	
<p>g) The building height shall not exceed 40 feet.</p>	
<p>9) <u>Landscaping</u> – The proposed development will provide adequate landscaping in order to define, soften, and/or screen the appearance of parking and developed areas as well as to enhance the physical design of the buildings and the overall development.</p>	No change
<p>a) Landscaping must be provided as part of site design. The landscape plan for the entire site must use landscape materials to integrate the various elements on site, preserve and enhance the particular identity of the site, and create a pleasing site character.</p>	
<p>b) The landscaping should define street edges, break up parking areas, soften the appearance of the development, and protect abutting properties.</p>	
<p>10) <u>Buffering</u> – The proposed development will provide for the buffering of adjacent uses where there is a transition from one type</p>	No change

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of use to another use and for the screening of mechanical equipment and service and storage areas.	
a) Buffering must be designed to provide a year-round visual screen in order to minimize adverse impacts. It may consist of fencing, evergreens, berms, rocks, boulders, mounds, or a combination thereof.	
b) Exposed nonresidential storage areas, exposed machinery, and areas used for the storage or collection of discarded automobiles, auto parts, metals or other articles of salvage or refuse must have sufficient setbacks and screening to provide a visual buffer sufficient to minimize their impact on abutting residential uses and users of public streets.	
c) All dumpsters or similar large collection receptacles for trash or other wastes must be screened by fencing or landscaping.	The applicant should clarify if they will be placing a new dumpster or relying on an existing dumpster, and if it will be screened.
d) The Planning Board may require buffering from impervious areas located adjacent to residential uses.	
11) <u>Utilities</u> –The development must be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project. New utility lines and facilities must be screened from view to the extent feasible. If the service in the street or on adjoining lots is underground, the new service must be placed underground.	The applicant states that the electric was recently upgraded to dedicated 200 amp service for this unit. The applicant should clarify if any new utility equipment is visible
12) <u>Water Supply</u> –	
a) If the project is to be served by a public water supply, the applicant must secure and submit a written statement from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source or distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.	The applicant anticipates needing 10g/day of water and is planning to use the existing well source. This amount of use is consistent with the current approval.
b) The proposed development shall connect to public water, unless the applicant can show that it is economically unfeasible.	The applicant states that a recent study by Pine Tree Engineering in 2017 (provided) assessed the cost of extending the public water to 112 Pond Road at \$270,000. The

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	applicant states that the cost would be more than 50% to the start up cost and make it impossible to start operations.
13) <u>Sewage Disposal</u> –	
a) The development must be provided with a method of disposing of sewage which is in compliance with the State Plumbing Code and the Subsurface Wastewater Disposal Rules.	The applicant states that no sewage disposal is needed
b) When two (2) or more lots or buildings in different ownership share the use of a common subsurface disposal system, the system must be owned and maintained in common by an owners' association. Covenants in the deeds for each lot must require mandatory membership in the association and provide for adequate funding of the association to assure proper maintenance of the system.	No change. There is an existing septic and the applicant states there is a shared restroom for the business park.
14) <u>Fire Protection</u> – The proposed development will have adequate fire protection as determined by the Fire Chief and State Fire Marshal's Office.	No change
15) <u>Capacity of Applicant</u> – The applicant meets the following criteria:	
a) <u>Right, Title and Interest in Property</u> – The applicant must demonstrate that they have the right, title and interest in the property.	The applicant submitted a current lease agreement with the property owner.
b) <u>Financial Capacity</u> – The applicant must demonstrate that they have the capacity to carry out the project in accordance with this ordinance and the approved plan.	The applicant submitted an itemized cost estimate for the project totalling \$49,900. and a letter from Key Bank dated as of September 9, 2021 stating that Taber Newton has a minimum of \$50,000 available in his accounts at KeyBank.
c) <u>Technical Ability</u> – The applicant must demonstrate that they have the technical capacity to carry out the project in accordance with this ordinance and the approved plan.	None of the applicants have a history of incomplete projects or project violations. The applicant should state why they believe they will be able to carry out the project in accordance with the ordinance and the approved plan.

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16) <u>Special Resources</u> –	<u>No change</u>
a) <u>Shoreland</u> – The proposed development will be in compliance with the Shoreland Zoning provisions of Article 5 and 7 of this ordinance if located within the Shoreland Zone.	
b) <u>Floodplain</u> – If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site must be consistent with the Floodplain Management provisions of Article 8 of this ordinance.	
c) <u>Wetlands & Waterbodies</u> – The proposed development will not have an adverse impact on wetlands and/or waterbodies, to the extent that is practicable.	
(i) The development must not adversely affect the water quality or shoreline of any adjacent water body, to the extent practicable. The development plan must provide for access to abutting navigable water bodies for the use of the occupants of the development as appropriate.	
(ii) When a proposed development is immediately visible from a great pond, river, or stream, the development must be designed so that it fits harmoniously into the visual environment when viewed from the water body. In predominantly natural environments, site clearing must be minimized, natural vegetation must be maintained adjacent to the shoreline to soften the appearance of the development, and vegetation must be retained or provided to minimize the visual intrusion of the development. In developed shoreland environments, the appearance of the new development when viewed from the water must be compatible with the existing visual character in terms of scale, massing, and height to the maximum extent possible. Storage and service areas must be screened or landscaped to minimize their visual impact.	
(iii) Activities within 250 feet of vernal pools shall meet requirements set by Maine Department of Environmental Protection’s Natural Resources Protection Act.	
17) <u>Historic & Archaeological</u> –	<u>No change</u>
a) If any portion of the site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.	
b) Proposed developments which include or are adjacent to buildings or sites on the National Register of Historic Places, Maine Historic Preservation Commission or when the	

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<p>Comprehensive Plan has identified as being of historical significance, shall be designed in such a manner as to minimize the impacts on the historic features. When the historic features to be protected include buildings, the placement and the architectural design of new structures shall be similar to the historic structures. The Board may require the applicant to seek the advice of the Maine Historic Preservation Commission.</p>	
<p>18) <u>Groundwater</u> –</p>	
<p>Projects that involve on-site water supply or sewage disposal systems with a capacity of two thousand (2,000) gallons per day or greater must demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Maine.</p>	<p>N/A</p>
<p>19) <u>Wildlife Habitat</u> –</p>	<p>No change</p>
<p>a) If any portion of a property lies within areas identified and mapped by the Department of Inland Fisheries and Wildlife, the applicant shall demonstrate that there shall be minimal impacts on the habitat and species it supports. The plan shall provide for protection of the identified resource in a manner acceptable to the Maine Department of Inland Fisheries and Wildlife or in accordance with the recommendations of a wildlife biologist with demonstrated experience with the wildlife resource being impacted and approved by the Board. In the latter situation, the report prepared by the wildlife biologist shall assess the potential impact of the development on the significant habitat and adjacent areas that are important to the maintenance of the affected species and shall describe appropriate mitigation measures to ensure that the development will have minimal impacts on the habitat and the species it supports. These areas include:</p>	
<p>(i) Habitat for species appearing on the official state or federal lists of endangered or threatened species;</p>	
<p>(ii) High and moderate value waterfowl habitats, including nesting and feeding areas; or</p>	
<p>(iii) A high or moderate value deer wintering area.</p>	
<p>20) <u>Natural Areas</u> –</p>	<p>No change</p>
<p>a) If any portion of the property is located within an area designated as a unique natural area by the Comprehensive Plan or the Maine Natural Areas Program, the plan shall indicate appropriate measures for the preservation of the values which qualify the site for such designation, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation. The Board</p>	

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may require the applicant to seek the advice of the Maine Natural Areas Program.	
b) The Planning Board may require a survey from a qualified professional of the area in question if it has not been previously surveyed.	
21) <u>Environmental Impact</u> –	No change
a) The landscape will be preserved in its natural state to the extent that is practical by minimizing tree removal, disturbance of soil and retaining existing vegetation.	
b) Extensive grading and filling must be avoided as far as possible.	
c) The proposed development will not cause a reduction in the land’s capacity to hold water so that a dangerous or unhealthy condition results.	
22) <u>Solid Waste Management</u> – The proposed development will provide for adequate disposal of solid wastes. All solid waste must be disposed of at a licensed disposal facility having adequate capacity to accept the project’s wastes.	The applicant should clarify where the dumpster will be located.
23) <u>Hazardous, Special & Radioactive Materials</u> –	No change
a) Hazardous, Special and Radioactive Materials - The handling, storage, and use of all materials identified by the standards of a federal or state agency as hazardous, special or radioactive must be done in accordance with the standards of these agencies.	
b) No flammable or explosive liquids, solids or gases shall be stored in bulk above ground unless they are located at least seventy-five (75) feet from any lot line, or forty (40) feet in the case of underground storage. For the purposes of this section, bulk storage shall be considered one thousand (1,000) gallons or greater. All materials must be stored in a manner and location which is in compliance with appropriate rules and regulations of the Maine Department of Public Safety and other appropriate federal, state, and local regulations.	
24) <u>Air Quality</u> –	The applicant states that exterior odor mitigation and interior air quality will be managed by carbon filters. “We will be utilizing an interior scrubbing system consisting of 2 Can-Filter 600cfm filters with Can-Fan 10” fans. With this interior scrubbing system we do not anticipate

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	external odors to be a problem”
The proposed development will meet the Maine Department of Environmental Protection and U.S. Environmental Protection Agency standards.	
25) <u>Water Quality</u> –	
a) No proposed development shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwater so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.	The applicant should clarify how wastewater will be disposed of.
b) All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials, must meet the standards of the Maine Department of Environmental Protection and the State Fire Marshall's Office.	
c) If the project is located within the direct watershed of a ‘body of water most at risk from development’ or ‘a sensitive or threatened region or watershed’ as identified by the Maine Department of Environmental Protection (DEP), and is of such magnitude as to require a stormwater permit from the DEP, the project must comply with the standards of the DEP with respect to the export of total suspended solids and/or phosphorous. If the project does not require a stormwater permit from the DEP, it must be designed to minimize the export of phosphorous from the site to the extent reasonable with the proposed use and the characteristics of the site.	
26) <u>Stormwater</u> – Adequate provisions must be made for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces, through a stormwater drainage system and maintenance plan, which must not have adverse impacts on abutting or downstream properties.	No change
a) To the extent possible, the plan must retain stormwater on the site using the natural features of the site.	
b) Unless the discharge is directly to the ocean or major river segment, stormwater runoff systems must detain or retain water such that the rate of flow from the site after development does not exceed the predevelopment rate.	
c) The applicant must demonstrate that on- and off-site downstream channel or system capacity is sufficient to carry the flow without	

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adverse effects, including but not limited to, flooding and erosion of shoreland areas, or that he/she will be responsible for whatever improvements are needed to provide the required increase in capacity and/or mitigation.	
d) All natural drainage ways must be preserved at their natural gradients and must not be filled or converted to a closed system unless approved as part of the site plan review.	
e) The design of the stormwater drainage system must provide for the disposal of stormwater without damage to streets, adjacent properties, downstream properties, soils, and vegetation.	
f) The design of the storm drainage systems must be fully cognizant of upstream runoff which must pass over or through the site to be developed and provide for this movement.	
g) The biological and chemical properties of the receiving waters must not be degraded by the stormwater runoff from the development site. The use of oil and grease traps in manholes, the use of on-site vegetated waterways, and vegetated buffer strips along waterways and drainage swales, and the reduction in use of deicing salts and fertilizers may be required, especially where the development stormwater discharges into a gravel aquifer area or other water supply source, or a great pond.	
27) <u>Sedimentation & Erosion Control</u> –	No change
a) All building, site, and roadway designs and layouts must harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible, such that filling, excavation and earth moving activity must be kept to a minimum. Parking lots on sloped sites must be terraced to avoid undue cut and fill, and/or the need for retaining walls. Natural vegetation must be preserved and protected wherever possible.	
b) Soil erosion and sedimentation of watercourses and water bodies must be minimized by an active program meeting the requirements of the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, dated March 2003.	
28) <u>Noise</u> –	No change
a) Noise levels on a site abutting any residential use shall be kept to a minimum between the hours of 9 p.m. and 6 a.m.	The applicant states that peak business hours are between 7am and 6pm
b) The Planning Board may specify an activity or business’s hours of operation to address the level of noise, if necessary.	

Use- Specific Performance Standards:

21) Marijuana Establishments –

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a) The establishment shall have and implement an odor mitigation plan that is sufficient to eliminate the smell of marijuana so that it is not be detectable offsite, i.e., must not be detected at premises that are not under the custody or control of the establishment.

- See findings of fact under “Air Quality” above

b) Buffering or other measures may be required to address the establishment’s impact on abutters and the public.

- The applicant should clarify where the dumpster they will be using is located, and if it will be adequately buffered from the abutters and the public

c) All marijuana and marijuana products shall be in a secured facility that meets state requirements for the registered or licensed premises under Title 22, Chapter 558-C or Title 28-B, as applicable. Any outdoor area approved for marijuana cultivation under this ordinance must be enclosed and equipped with locks or other security devices that permit access only by a person authorized to have access to the area. The municipality shall keep confidential any security plans that are submitted as part of the application process.

- The applicant states that they will be installing a full security system and that processed and packaged product will be locked separately within the processing room.

d) The establishment may not be located within 500ft of a school

- the proposed location is not within 500’ of a school

e) The signage for the establishment may not contain any graphics of marijuana or marijuana accessories.

- The applicant should clarify if they are proposing any signs, and if they meet this standard.

f) No drive up/through service shall be allowed.

- No drive up/through service is proposed