

From: [Allison Baird](#)
To: [Jennifer Curtis](#)
Subject: I strongly oppose the marijuana facility
Date: Thursday, September 23, 2021 6:44:10 AM

You don't often get email from allisonkerrybaird@gmail.com. [Learn why this is important](#)

I agree with everything in this article:

<https://www.pressherald.com/2021/09/21/bowdoinham-group-opposes-plans-for-monstrosity-of-marijuana-store-in-town-center/>

I cannot voice my opinion better than this. This facility would be terrible for the town. Please do not approve it.

Allison Baird
Psychiatric Nurse Practitioner
14 Ridge Rd

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Allison Baird Psychiatric NP LLC
allisonkerrybaird@gmail.com
6 Federal Street - Unit E Brunswick ME 04011
phone: 207-295-3051
fax: 207-352-2010

September 20, 2021

To Jennifer Curtis

and the Bowdoinham Planning Board

Please don't make the mistake of allowing a marijuana growhouse and retail store to be established in that ugly green building beside our town office.

I feel such a business should not be allowed in the center of town, or in any existing neighborhood.

Please consider the entire town would suffer from the odor, traffic and parking problems at our town office, town hall and library.

Sincerely,

Jean W. Briggs
49 Lucas Lane
Bowdoinham

From: [Mary Bussey](#)
To: [Jennifer Curtis](#)
Subject: Proposed Marijuana Facility a cross from Town Hall
Date: Tuesday, September 21, 2021 10:25:04 AM

You don't often get email from meb4116@gmail.com. [Learn why this is important](#)

To: Jennifer Curtis

Dear Ms. Curtis:

I am a retired pediatrician and an inhabitant of Bowdoinham. I would like to share with you my concerns about the proposed marijuana establishment planned for the partially constructed warehouse across from the town hall.

First I completely support the legalization of marijuana for recreational use in adults, those over the age of 21. Adult use is no different from alcohol use and should be legal and accessible. However, it is well known in the pediatric literature that both alcohol and marijuana have serious damaging effects on the developing brain. Therefore I advocate all efforts to prevent use in those under 21.

The establishment of a marijuana growing and sales facility in the shadow of the Town Offices and Town Hall in the middle of the densest residential area in Bowdoinham would be a serious error. The damage is further compounded by the use of Town land for parking. Other communities have wisely chosen to prohibit marijuana facilities from residential areas to insulate young people from the draw of exciting adult pleasures complete with candy and other sweets. To place such a facility in the front yard of the library (and town offices) where young people spend a great deal of time indicates an alarming lack of judgment. And the use of Town land to improve accessibility sends the message that this is a town approved activity. Aside from the safety issue, on a pragmatic level this kind of action by the Town is not likely to attract young families to settle in Bowdoinham.

I urge you to work to prevent this facility from being established in this location.

Sincerely yours, Mary Emily Bussey, MD

Bowdoinham Church of the Nazarene
7 School Street
Bowdoinham, Maine 04008

September 21, 2021

Town Planning Board
Town of Bowdoinham
13 School Street
Bowdoinham, Maine 04008

To the Town Planning Board:

This is to inform the Town Planning Board that our church has an existing Sunday School on its property. The Sunday School has run continuously from the summer of 2012 until March 2020 when we were required to suspend it due to the shutdown. As churches were allowed to open, we continued to restrict gatherings to help limit the potential for spread. We have gradually reintroduced our fellowship opportunities as the vaccines have made social events safer, and we began talk over the summer of resuming the Sunday School as well. Our date to resume is October 10, 2021.

Sincerely,



Rev. Christina Couch
Pastor, Bowdoinham Church of the Nazarene

*Jan DeBlieu
55 Wallentine Road
Bowdoinham, ME 04008*

September 23, 2021

Bowdoinham Planning Board
Town Hall, 13 School Street
Bowdoinham, ME 04008

Dear Planning Board members,

Thank you for this opportunity to provide comments about the proposal by Scott Gallant to open a marijuana growing and processing facility on School Street. It is my opinion that the proposal does not meet town guidelines for development in the Village 1 district, and that the applicant's request for a change of use for the property should be denied.

I am opposed to this change of use for numerous reasons. My understanding is that the applicant has applied for state permits that would enable him to devote a total of 2,500 square feet to growing marijuana. This is far too large a commercial operation for the location of the applicant's property in a largely residential district, with only the current Town Hall, the old town hall, and a church as non-residential buildings. The nursery across Spring Street on property with an occupied home fits well with the other old structures in the neighborhood, but this commercial use will not.

My reasons for opposing this project stem from its lack of compliance with the town's Land Use Ordinance. Specifically:

- The building's size and height are out of scale with the surrounding structures, as required in C) Approval Criteria 5 and 8. The existing building is already out of compliance with the scenic and natural beauty of the area, and it does not relate harmoniously to the terrain or existing buildings in the vicinity. Far from it. It is my understanding that the existing structure exceeds the square footage specified by the building permit received by the applicant some years ago, and that the height of the building exceeds what is permitted under the height restriction included in the deed for the land. Nor is there space on the property for the buffering requirement stipulated in Criteria 10.
- It is my understanding that the building as it already exists is out of compliance with local and state stormwater control requirements, and it is doubtful that there is room on the property to bring the building into compliance. If so, the proposal should be denied under C) Approval Criteria 17 e.
- Because the building is already out of compliance with the Land Use Ordinance as required in C) 19 and cannot be brought into compliance if it houses 2,500 feet of marijuana production, the applicant's request should be denied.
- The building is also already out of compliance with C) 20, which stipulates that the proposed development be consistent with the intent of the Town's plans for the community.
- Under D) General Performance Standards, it is questionable whether the applicant can meet the criteria for general parking and traffic circulation. Isn't the driveway specified on the application as a parking area—which would not provide for adequate parking or

circulation—owned by the town, with the applicant granted permission for access to his home?

- Under D) Visual Impacts, it is clear that the building is already out of compliance with the standards set forth.
- Finally, it is questionable whether the applicant has the resources to carry out the proposal as specified by Approval Criteria C: 15, given his failure so far to complete the bed and breakfast and knitting shop for which the “addition” to the original structure was approved.

I have not had the opportunity to track down the permit that the applicant received a few years ago for the “addition” to the historic home that originally stood on the property. But I need to ask: Would that permit have allowed for 2,500 feet of commercial use? Would the “addition” have been able to accommodate such use, if it had been built as permitted? If not, then the application should be dismissed out of hand.

In closing, I would like to relate a previous experience as a reason for my vigorous opposition to this project. I am new to Bowdoinham, here for only three years so far, and do not presume to know exactly how this community should grow. But I offer this:

For 32 years my husband and I lived on the North Carolina Outer Banks, which at the time of our arrival were known for their small villages and towns, with buildings very much in scale with the natural contours of those sea islands. Now those same settlements are a crowded, polluted, suburbanized mess, with rows of beachfront mansions the size of the structure in question here.

A main reason the Outer Banks became so over-developed, and so quickly, was the failure of town and county officials to require developers to abide by the standards so clearly spelled out by their own land use ordinances. Letting one builder fudge on the rules opens precedent for all others to do the same. So please act wisely by refusing to approve the applicant’s requested change of use.

Thank you for your time.

Sincerely,



Jan DeBlieu

September 23, 2021

Public Comment on the Application of Scott Gallant

Dear Members of the Planning Board,

We are writing to register our disapproval of the proposed business at 17 Stone Hill Place. As abutters to this proposed business, the library and its patrons stand to be affected by the business as do other users of our municipal offices and town meeting spaces. One cannot park and use our library without seeing the current building, its access road, and proposed retail entrance and parking. The previous building application for this same address lapsed due to inactivity and now the applicant has a new and different business proposal. It is unfortunate that the current building shell was ever allowed in the first place. We have concerns about the current application as they relate to the following aspects of our land use ordinance: location of an active marijuana processing and retail operation, financial capacity, and aesthetics.

1. Location of a marijuana facility

If the applicant is successful in completing his proposed business, receiving permission from the town boards as well as licensure from the State to operate an adult-use marijuana retail store, our library patrons will have no way to avoid the smells and the visuals associated with that marijuana business. No amount of buffering, landscaping and air filtering will completely mask the existence of this business from our patrons. Without taking any position on the use and sale of marijuana, the library board objects to the location of this proposed operation. It is our library's mission to serve community members of all ages. In addition to our Storytimes for preschoolers and our popular summer reading programs, we host school field trips, homeschool groups and weekly tutoring sessions. When our land use ordinance was written to restrict marijuana facilities from within 500 feet of a school, we believe that the spirit of that restriction is at the heart of our current objection. Please do not approve a business of this type and scale in such a small, public location, so close to municipal services and a local library. We urge you to reject any application where a person's choice to avoid exposure to a business of this type is removed.

2. Financial Capacity of the Applicant

We have looked out our library windows for over 6 years at three unfinished projects belonging to the applicant; a pizza oven, a stone tea house and the three story building shell. To us, these unfinished projects represent a pattern of starting and not finishing building projects. If this pattern represents financial hardship, then the burden of proof lies with the applicant to prove his ability to fulfill the current proposed business. It is unclear to us from the application who is currently included in the business LLC. If the LLC does not include Kathy Gallant and her realty business, the applicant must prove his own financial capacity to complete and operate the proposed project. Several tax liens and one foreclosure are on record with Sagadahoc County related to this property. Insufficient financial capacity could result in another unfinished project, wasted time for our town staff and boards, and another eyesore to the public.

3. Aesthetics

The current construction is in clear violation of our current land use ordinance as it pertains to aesthetics. While subjective in nature, we have gathered public consensus regarding the size and location of the building. Since the day the third level was added to the structure, we heard daily comments about how the building completely blocked views of the Cathance River. Patrons expressed sadness that they could no longer view fireworks from the town parking lot as they had because the building now blocked that view. People who paddle the Cathance upriver or cross the bridge on Bay Road now see the applicant's green unfinished building and not the historic Town Hall cupola that previously graced the skyline. It is our opinion that the presence of this building has changed not only the "viewshed" but has diminished the historic nature and ambience of the historic public and residential buildings on our hilltop.

We urge the Planning Board and the Board of Selectmen to not only deny the current application, but do whatever it can to correct the intrusion of the current, unfinished structure on the citizens who enjoy our historic hilltop.

Thank you for the countless volunteer hours you have spent, and the many more you will spend, in service to this town we love.

Sincerely,

Staff and Board members of the Bowdoinham Public Library

Mr. Chair, members of the Planning Board,

My name is Jeremy Cluchey. I live on Brickyard Way and serve as Vice Chair of the Select Board. I'm here tonight on behalf of the Select Board, which in turn represents the interests of the Town of Bowdoinham, in the Town's capacity as an abutter to this project.

I want to be very clear: the Select Board and the Town are neither supporting nor opposing this project. It's our responsibility rather to focus on the impact of proposed projects on municipal services. In this case, we have articulated a number of concerns in our Municipal Impact Statement, which you've all received. Given that the Town has an additional role here in the form of neighbor and abutter, we decided it would be appropriate to attend tonight's hearing and present those concerns in that context.

At this stage, the Select Board's concerns on behalf of the Town revolve primarily around questions of parking, particularly as they relate to the access easement granted by the Town to Mrs. Gallant in 2009. I've provided a copy of that easement for you all tonight as well.

First, we want to point out that the easement very clearly does not include the right to park within the easement area -- only to "access" the property, or travel in and out. The specific language relating to the access easement is as follows: "This easement is for the purpose of constructing, establishing, and maintaining a driveway to be used as access from School Street to the premises."

Accordingly, if the Applicant were to make use of the easement area for parking, it would exceed the scope of the easement. Said another way, the applicant does not have sufficient "right, title, and interest" in the easement area to use it for parking.

I appreciate that this Board, like many municipal boards, has expressed a reluctance to interpret deeds and easements. Last night, the Select Board consulted with the Town Attorney, who noted that historically, as long as an applicant presents some basic evidence of "right, title, and interest" in the property they want to use, municipal boards typically will not try to interpret deeds or easements. However, our attorney explained that a recent case out of Maine's Law Court changes how towns and boards approach the law relating to "right, title, and interest."

In the recent case *Tomasino v. Town of Casco*, the Law Court held that if there is a disagreement between the parties regarding the proper interpretation of an easement, then the Applicant cannot meet the right, title, and interest requirement. Rather, the Applicant would have to seek and obtain a judgment from a court to determine the proper scope of the easement before the local board could find sufficient right, title, and interest.

Therefore, to the extent that the Applicant wishes, as part of their project, to park cars within the easement area, the Select Board, representing the Town in its capacity as an abutter, objects to that and respectfully requests that any approval include an express condition that would preclude parking in the easement area.

We would also like to note that Article 10, Heading D, Section 2, Subsection e, Paragraph ii of the Land Use Ordinance requires that “[a]ll 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.” The fact that the easement is the Town’s property means that any parking within it would NOT meet the 10 foot setback from the lot line. This is another reason why parking cannot be allowed in the easement area.

Finally, the Board wanted to note its concern about the Applicant’s ability to meet the landscaping criteria in Article 10, Heading C, Section 9, which reads as follows: “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.”

It is our understanding that, at present, the proposed landscaped buffer is actually located on the Town’s property, not the Applicant’s. Currently, the Town is developing design plans to improve the layout and safety of the Town Office, which is likely to include reconfiguring its parking area, potentially including the currently landscaped area. This could leave no landscaped buffer between the properties, as required by the Land Use Ordinance. We therefore request that any and all landscaping relied upon in support of the application be located on the Applicant’s property, and not the Town’s.

The Town Office, Town Hall, and the municipal complex here is the property of the people of Bowdoinham. In a very real sense, we are all abutters of this project, and it’s important that we ensure the Town’s interests are represented and protected. Thank you for keeping these concerns in mind as you move through your process.

Statement from Debbie Ludwig of 17 Spring Street taken by Planner Curtis on September 23, 2021:

“I am not feeling well and am unable to attend, but have the following to say about Scott Gallant: He is a difficult person to work with and engages in a variety of unsavory business practices. He has a very poor reputation around town. Scott is a bully and I have heard him yelling at the neighbors from his roof. Scott is known to be a felon and I believe is not supposed to be around drugs.

The building has had multiple liens on it. Scott regularly hammers day and night – through the night sometimes. He doesn’t seem to have any regard for the neighbors. The odor from a marijuana shop can travel hundreds of feet away. There are regularly kids walking around the area. The traffic and parking is already tight here.

He’s the type of person that when you give him an inch, he’ll take a yard. He’s not the type of person you can trust.”

Statement from Debbie Ludwig taken by Planner Curtis

17 Spring St. Bowdoinham

"I am not feeling well and am unable to attend, but have the following to say about Scott Gallant: He is a difficult person to work with and engages in a variety of unsavory business practices. He has a very poor reputation around town. Scott is a bully and I have heard him yelling at the neighbors from his roof. Scott is known to be a felon and I believe is not supposed to be around drugs.

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He's the type of person that when you give him an inch, he'll take a yard. He's not the type of person you can trust."

From: [Ray](#)
To: [Jennifer Curtis](#)
Subject: 17 School Street opposition
Date: Thursday, September 23, 2021 5:53:10 PM

[You don't often get email from 2raybenjamin@gmail.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

I'd like to express my strong opposition to the site plans for 17 School St. today. This site purpose, design, Aesthetics, and especially the location is not in line with the neighborhood, residential area, children's skate park, narrow streets, and right residential area is counterintuitive to property values as well.

Ray Benjamin
Property abutter.
Railroad ave.
Bowdoinham ME

Sent from my iPhone

From: [Rigby, Anna L](#)
To: [Jennifer Curtis](#)
Subject: Attn Jenn Curtis: Concerned resident
Date: Thursday, September 23, 2021 3:37:35 PM

You don't often get email from anna.rigby@td.com. [Learn why this is important](#)

Good afternoon Jenn & Planning Board Members:

I am writing to voice my concern regarding the Gallant Cannabis proposed retail and manufacturing operation in our quintessential and historic town – a place my husband and I have called home for some 20 years.

I am hard pressed to improve upon Lara Pertel-Ashouwak's eloquent letter found in the Portland Press Herald (if you had not read for comprehension please do so).

<https://www.pressherald.com/2021/09/22/letter-pot-shop-in-town-center-could-ruin-bowdoinhams-character/>

As a resident within 500 feet here's why the Pot House is world class horrible idea:

- =>It's a sleepy little road with little traffic – we don't need more here in our bedroom community - people live her for the quiet and calm
- =>It's a nuisance for the very close elderly and retired residents and neighbors
- =>It's a very steep hill with zero parking
- =>It's a few feet from a children's community library
- =>It could bring crime and violence to our village
- =>It prevents us from enjoying our evening walks on the "side" streets
- =>It's will be dangerous for kids and adults alike to walk with the added traffic and ride bikes – our dogs and people could very well get run over and injured or die
- =>It's hardly prime retail space and not zoned as such
- =>There are a million of these shops already in Maine, the market is quite saturated and there is one just up the street near the post office – why do we need one more?
- =>What is the benefit to the townspeople?
- =>What's the deal with the bait and switch – I heard it was to be a fabric shop...this seems like a GREED play. Why did you approve the build in the first place – it is atrocious!
- =>How would the waste water be taken care of and what about the sound; the smell – already the rubble and debris on this half-assed built eye sore of a structure has created a danger on our roads.

I urge you to listen to the residents of our idyllic town and shut this crap idea down.

Thank you for your time,

Anna L. Rigby
3 Spring Street
Bowdoinham, ME
207.666.3076

Internal

From: [Jo Werther](#)
To: [Jennifer Curtis](#)
Subject: Fwd: Our Comments and Concerns About Scott Gallant's Proposal U01-017 to Develop a Marijuana Establishment at 17 School Street, Bowdoinham
Date: Thursday, September 23, 2021 4:07:51 PM

You don't often get email from jojohoney7@gmail.com. [Learn why this is important](#)

To: Town of Bowdoinham Planning Board, Attention Jennifer Curtis
From: Jan Marks and Jo Werther
17 Center Street
Bowdoinham, Maine 04008

Date: September 23, 2021

Re: Scott Gallant's Proposal U01-017 to Develop a Marijuana Establishment at 17 School Street, Bowdoinham

We are writing to express our significant concerns regarding this proposal and our respectful request that it be denied. At the very least, we wish to state our strong support for placing a moratorium of at least 180 days on any decisions regarding this proposal to allow time to sufficiently research and address the concerns raised herein as well as to identify and address any additional unforeseen implications of this project for our town.

Our concerns are as follows:

- 1. Traffic in the village:** Both School Street and Spring Street are residential roadways. They are narrow with significant blind spots. It is already difficult to safely exit the town office/library parking lot. These streets are not equipped to handle the additional traffic that will be going to/from Mr. Gallant's proposed business. As well, this business will inevitably result in increased traffic in the village overall. This increased traffic will also impact Center Street, which is already overrun with vehicles using it as a cut-through, thus compounding the noise and safety concerns its residents (especially those with animals and/or children) have already expressed.
- 2. Parking:** the lack of adequate parking for customers of Mr. Gallant's proposed business is obvious. We believe it is inevitable that his customers will have no choice but to avail themselves of either the town parking lot, unsafe places along the road, or both. The town parking lot is already sometimes full to

capacity. And in general, we object to the use of town property for private business.

3. **Odor:** any marijuana processing facility, especially of the size proposed, will inevitably cause odor to pervade surrounding air both outside and inside nearby buildings and dwellings. Odor is already a problem on the Post Road near the marijuana processing facility there. Such odor would also likely decrease the property value of any proximate dwellings as well as adversely impact visitors to the town office, library, and town hall.

5. **Public safety:** the town of Bowdoinham lacks the equipment necessary to address a fire 17 School Street due to the height of the building. Traffic concerns (see #1 above) are also public safety concerns.

6. **Location:** Mr. Gallant's proposed business - "to grow, process, dispense, and sell marijuana" - is not appropriate for a residential area nor for any area less than 1000 feet from any pre-existing public or private school, municipal building, or library. Whereas Maine's Adult Use Marijuana Regulation Law states (a) "Marijuana stores may not operate as a medical marijuana dispensary or primary caregiver at the same location as the adult use marijuana store" and (b) "Marijuana stores may not use a delivery service," Mr. Gallant's proposal includes both an adult-use marijuana store and "a medical delivery driver to accommodate our most vulnerable clients on an as-needed basis."

7. **Esthetic:** We strongly agree with everyone else who has expressed outrage at the size and height of the structure at 17 School Street, at the fact that it was allowed to exceed (by an absurd number of feet) any previously ordinances height restrictions, at the fact that it has remained unfinished for more than 5 years, and at its visual ugliness and the affront it represents to the charm of Bowdoinham's village and to the beauty of Bowdoinham overall.

In conclusion, we would like to reiterate our strong recommendation that this proposal be denied or at least placed under a moratorium of no less than 180

days so that our concerns (and countless others) can be thoroughly researched and satisfactorily addressed before the Planning Board renders a final decision on Mr. Gallant's proposal.

Thank you for your time and attention.

Sincerely -

Jan Marks & Jo Werther
17 Center Street
Bowdoinham, Maine 04008

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www.jowerther.com - Get a grip, get a plan, and get the life you want with *The New Plan A*

***"Feelings come and go like clouds in a windy sky. Conscious breathing is my anchor."* Thich Nhat Hanh**