

**TOWN OF ORONO  
COUNCIL COMMUNITY DEVELOPMENT COMMITTEE MEETING**

**THURSDAY, SEPTEMBER 20, 2018 AT 6:00PM  
COUNCIL CHAMBER – MUNICIPAL BUILDING**

**MINUTES**

**1. Roll Call**

Present: Sam Kunz (Community Development Committee Chair), Cindy Mehnert, Tom Perry, Cheryl Robertson, Laurie Osher, Tom Spitz, Town Manager Sophie Wilson, Parks and Recreation Director Mitch Stone, Community Development Director David Milan and Town Planner Kyle Drexler.

**2. Brief Parks and Recreation Update on Gould's Landing**

Parks and Recreation Director Mitch Stone stated that new signs for parking and swimming warnings have been installed at Gould's Landing. He reported on police enforcement of parking at Gould's Landing and positive comments received by local residents. **Mr. Stone stated that the next step will be to pave and stripe the parking lot and put up more signage.**

**Ms. Wilson noted that the paving will take place next spring with FY18 funds from Parks and Recreation to help pay for it.**

**3. Proposal: Orono Paddlers Project for Brownie's Beach**

Ms. Wilson introduced Jeff Owen, President of Orono Paddlers. She explained that the Orono Paddlers (a private non-profit membership organization) are requesting to build a structure (post and beam with a roof) at Brownie's Park to serve as a covered meeting space and to provide canoe/kayak storage in collaboration with the Town.

Mr. Owen spoke of his love of the water and the group's desire to give back to the community and expand the use of the Town's beautiful resource, the Stillwater River. He spoke of recreational education and opportunities on the water with canoes and kayaks.

Ms. Wilson stated that staff has looked at the area and agrees it is a good use for the area. Ms. Wilson explained that this type of agreement should be done through a lease that defines the expectations, requires the Paddlers to provide insurance coverage with the Town listed as an additional insured, and expressly provides for terms of termination of the agreement. In moving forward, the Council would hold a public hearing before allowing this use.

**Ms. Wilson stated that the next step is for Mr. Stone and Mr. Owen to work out details of the lease and have the Town Attorney draft out the lease agreement that would be brought back to the Committee. The Committee agreed.**

The Committee discussed concerns about the safety of Bennoch Road near Brownie's Park. Mr. Perry noted that a flashing speed sign helps during the summer months. Ms. Mehnert suggested constructing a connecting path or bridge from the parking lot to the path.

Mr. Owen stated that he would bring CAD design drawings to the next meeting.

### **3. Parks and Recreation (Chapter 26) Ordinance Revision**

Ms. Wilson stated that the proposed Ordinance would repeal and replace the current Parks and Recreation Ordinance. She noted that the ordinance attempts to address no hunting/trapping and other activities (within the no firearms area) on Town-owned recreation property and open spaces, including the trails. The Ordinance attempts to provide more uniform regulations across all properties - with the exception of Nadeau Savoy Memorial Park (Gould's Landing) which has some unique attributes.

The Committee discussed the issues of dogs on leashes (including the trails), pet waste expectations and establishing recreational drug free safe zones (which would enhance the penalties).

**Ms. Wilson stated that she would take the proposed Ordinance to legal counsel for review. The Committee agreed.**

### **4. Brief Parks and Recreation Update**

- **Marden Park Complex**

Mitch Stone reviewed the concept plan of redeveloping Marden Park to include a playground, pump track, perimeter trail and improved ballfield. Mr. Stone noted that Olver Associates has agreed to donate \$14,000 of the \$15,000 cost of engineering and design of the park. Olver Associates projected the cost of the park to be estimated at \$350,000 (including a drainage and stormwater system).

**The Committee agreed to spend \$1,000 to have Olver Associates to do the engineering and design for the Marden Park Complex.**

Recognizing that the Marden Park pump tract will take a few years, the Committee discussed a request to put in a smaller pump track by the ice rink near the Orono High School which would be done by volunteers and used by school kids and others. Mr. Perry noted that it would be important to have the support of the school.

**Ms. Wilson stated that the first steps would be to discuss it with the School Superintendent and to have Council discuss it at their workshop.**

- **Trails**

Mr. Stone explained that some private landowners along the trail system have voiced concerns about misuse of the trails (i.e. dog waste and dogs running at large). Mr. Stone stated that signs have been posted regarding respectful use of the trail system and dog waste stations will be in place.

Mr. Stone spoke of the importance of having agreements (revocable license) in place with private landowners for the use of trails across their properties. Ms. Wilson stated that staff will draft a template agreement/revocable license for Council to view. At the next meeting, staff will present the trail loop (GIS with trail parcels) and which pieces need to agreements/licenses.

- **Municipal Pool**

Mr. Stone noted that it was a great summer at the pool and acknowledged the wonderful efforts of the Pool Director Linda Costello. He noted that revenues were up \$800 and 4,818 people visited the pool. Mr. Stone presented additional details of the municipal pool.

## **5. Regulating Marijuana Establishments**

Council previously reviewed adult use marijuana law as well as some of the public health aspects of recreational marijuana. Town Planner Kyle Drexler provided a presentation detailing the different types of marijuana establishments and what could potentially be expected in terms of impact from each of these types of establishments. Aside from providing various positive and negative examples of the different marijuana establishments that Council may elect to regulate, staff also reviewed the regulations that other communities have put in place regarding recreational marijuana establishments to develop a comprehensive best practices list of items to consider. **The Committee reviewed the information.**

Ms. Wilson stated that there will be a Council Workshop on September 24<sup>th</sup> to review the information before proceeding to the Council Meeting.

## **6. Brief Town Manager's Update**

Ms. Wilson provided a brief Town Manager's update on the following items:

- Board of Assessment Review hearings by The Avenue and The Reserve being appealed to the State Board and Ms. Szillery's hearing is being appealed to Superior Court.

## **7. Adjourned at 8:36 p.m.**

Minutes are summary only. An audio recording of the meeting is available on the Town's website at [www.orono.org](http://www.orono.org) under Agendas and Minutes.

Respectfully submitted,  
Nancy W. Ward  
Executive Assistant

# Marijuana Establishments

Best Practices and Potential Issues

- Regulatory framework
- Operational requirements
- Security and safety
- Environmental considerations



# Overview

- Marijuana establishment types
- Potential issues
- Land use best practices
- Going forward

# Cultivation Facility Operating Requirements

- May cultivate only for sale and distribution to manufacturing facilities, stores, and other cultivation facilities
- Cannot sell marijuana, immature plants, or seedlings to consumers unless a separate marijuana store license is obtained
- Cannot engage in manufacturing of marijuana concentrate by extraction
- Cultivation facility can be shared for adult use and medical marijuana if licensee is also a registered primary caregiver or dispensary
  - though areas must be kept separated
- Will adopt rules in future regarding the security and public visibility of outdoor cultivation areas

# Cultivation Facilities

- Growing facility in Orange County, NY
  - 3 acres
  - \$25 million facility
- Master plan for facility in Arizona
  - 47.6 acres
  - Office space, cultivation facility, on-site housing



# Testing Facility Operating Requirements

- May develop, research, and test marijuana and marijuana products for:
  - That facility
  - Another licensee
  - Any person who intends to use the marijuana or product for personal use
  - A qualifying patient, primary caregiver, or registered dispensary





# Testing Facility Operating Requirements

- Must be certified by the Dept of Health and Human Services, Maine Center for Disease Control and Prevention
- A person cannot have an interest in a testing facility and also be a primary caregiver or have an interest in a registered dispensary, marijuana store, cultivation facility, or manufacturing facility



# Product Manufacturing Facility Operating Requirements

- May only sell and distribute to marijuana stores and manufacturing facilities
- Cannot sell to consumers or cultivate without separate license
- Can be shared for adult use and medical marijuana if licensee is also a registered primary caregiver or dispensary
  - Equipment cannot be used for both types simultaneously
- May engage in marijuana extraction using a solvent, chemical, or chemical process that is not and does not involve an inherently hazardous substance
  - Will adopt a list of acceptable solvents and chemicals
- Must meet all packaging and labeling requirements
- Must obtain a commercial kitchen license

# Product Manufacturing Facilities

- Cottage Grove, Minnesota
- 24 acres in city's Business Park
- 50,750 sf building
- Complex features
  - Surrounded by wrought-iron fence
  - 24-hour surveillance
  - Filtration system to eliminate any odor issues

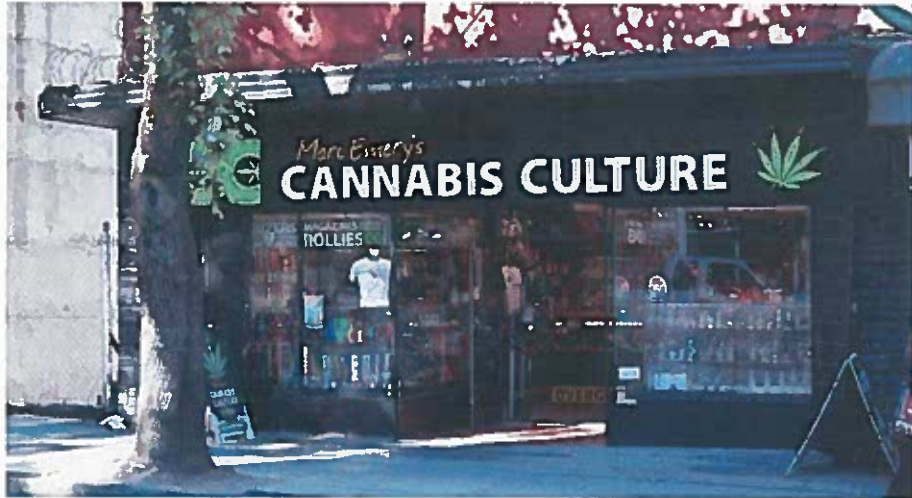


# Marijuana Store Operating Requirements

- May sell adult use marijuana, immature plants and seedlings, consumable products not containing marijuana, and apparel and marijuana-related products
- Cannot give away adult use marijuana, marijuana products, or plants
- Cannot sell using vending machines, drive-through windows, internet-based sales platforms, or a delivery service
- Products must meet packaging and labeling requirements
- A marijuana store licensee that is also a primary caregiver or a registered dispensary may not sell adult use marijuana and products within the same facility that the licensee also sells medical marijuana to qualifying patients

# Marijuana Stores

## Common Perception Storefront in Canada



- Visible paraphernalia or products
- Obtrusive signage
- Contrasts local community character

## Potential Storefront in Waterville, ME



- No visible marijuana products from exterior
- Design and architecture matches surrounding area

# Marijuana Stores: *Additional Examples*



San Diego, CA



Aurora, CO

# Potential Issues

- Odor control
- High-intensity lamps at cultivation facilities
  - Lighting and fire concerns
- Security concerns
- Large-scale home growing operations
  - More establishments provide easier access
- Unappealing storefronts
  - Visible products
  - Obtrusive signage
  - Doesn't fit community character

# Land Use Best Practices

- Minimum proximity from a marijuana retail store or dispensary to certain uses including schools, playgrounds, rec centers, child care facilities, libraries.
- Minimum proximity from one marijuana store to another
  - Portland, OR: 1,000 ft buffer between retail marijuana businesses
- Allow certain marijuana establishments in certain zoning districts
  - Denver, CO: cultivation facilities in any location where plant husbandry is a permitted use and manufacturing facilities in any zone where food preparation and manufacturing are permitted
  - Denver, CO: prohibits marijuana retail stores in any residential zone
  - Aurora, CO: no cultivation, manufacturing, or testing facility within 300 feet of an existing residential use



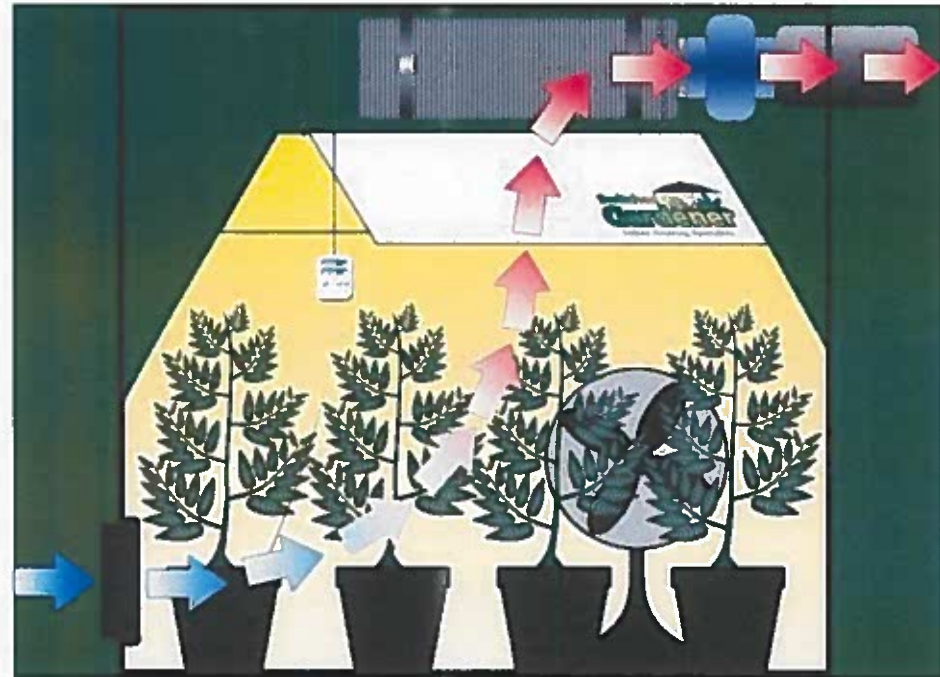
# Zoning Example

	F&A	LDR	MDR	HDR	VC	C-1	C-2	EDZ	IND
Cultivation Facility	S					S			S
Product Manufacturing Facility						S		S	S
Marijuana Store						S			
Testing Facility						S		S	S

**\*Example, NOT recommendation\***

# Land Use Best Practices

- Ventilation systems to prevent odors from leaving premises
  - Bangor, ME: requires cultivation facilities to install ventilation systems and recommends retail stores adopt best practices in mitigating odor
  - Aurora, CO: requires cultivation facilities to provide a ventilation and filtration plan when submitting the plan for development



# Land Use Best Practices

- Surveillance
  - Bangor, ME: 24 hour, 7-day per week surveillance of all plants and entirety of exterior for all marijuana establishments
- Appearances
  - Aurora, CO: activities related to the cultivation, production, processing, distribution, storage, display, or sale of marijuana and products cannot be visible from exterior of business
  - Bend, OR: no visible marijuana, plants, products, or paraphernalia from exterior of building



## Going Forward

- Recognizing that these 4 establishment types are very different in nature and should not necessarily all be lumped together
- There can be a host of standards and restrictions put in place to positively guide the development of these establishments in terms of land use to avoid potential issues and nuisances
- Starting restrictive and scaling based on feedback is an option, this does not have to be an all or nothing decision

# Questions?

# Marijuana Establishments

## Best Practices and Potential Issues

- Regulatory framework
- Operational requirements
- Quality control
- Public health and safety



# Questions?