

Guilford Planning Board Minutes
Hearing on Adult Use Marijuana Ordinance
Guilford Town Office
February 5, 2020

Attendance: Matt Holland, Chairman; Richard Panciera; Martha Ward; and Lou Sidell, Secretary.

Also, in Attendance: David Wilson, Town Manager; and Keith Doore, Code Enforcement Officer

Call to Order: A quorum being present, the hearing was called to order at 5:30 P.M. by Chairman, Holland.

There was no public participation.

Town Manager, David Wilson gave a brief historical overview of Maine's efforts to implement the 2016 Question 1 initiative, An Act to Legalize Marijuana. He explained that Guilford's moratorium on marijuana establishments expired after 180 days and efforts to adopt regulations or extend the moratorium fell short. The ordinance proposed is similar to the one adopted by the Town of Howland and was drafted in part by Eaton/Peabody Law Firm out of Bangor, Maine. Without a local ordinance, the town would be subject to the minimum standards of state law and would have no local say in the establishment of marijuana facilities in Guilford.

He suggested that he and Matt Holland, Chairman of the Planning Board discussed a fee system based on a percentage of the state fees which would range from a few hundred dollars to up to \$30,000 for a cultivation establishment.

Member Sidell recommended a Permit and Fees section be inserted into the proposed ordinance between Section H and I. He expressed a concern for establishing a local fee based upon the state fees of up to \$30,000. He was concerned that excessive local fees may be hard to justify in court if there is no justification for the town's cost of processing such a facility. He recommended a lesser flat fee more in line with the town's cost of processing the permit. He also suggested there be an annual renewal fee in light of the fact we require annual fees for those keeping chickens in town. He made a motion to set a fee of an initial application fee of \$35 with an annual renewal fee of \$10. The motion did not receive a second and thereby died on the table.

After considerable discussion and permitting requirements such as site plans and parking requirements it was recommending that additional standard should be dealt with at a later date so as not to delay action on the ordinance pending. It was agreed to move the ordinance on the Selectmen and Town Meeting.

Member Ward, moved to establish a Permit and Fee section between Section H and I, with an initial application fee of \$25 and an annual renewal fee of \$10. Member Panciera seconded the motion. The motion carried unanimously.

Member Sidell moved to recommend approval of the ordinance as amended and Member Panciera Seconded the motion. The motion carried unanimously

Member Ward moved to adjourn and Member Panciera seconded the motion. The motion carried unanimously

Adjourn at 6:30 P.M.

Respectfully submitted,

Lou Sidell, Secretary