

**MINUTES OF MEETING  
PHIPPSBURG PLANNING BOARD  
June 7, 2022**

**MEMBERS PRESENT:** Mark Hawkes, Clifford Newell, Ashley Thayer, John Totman, Jr., and Marie Varian, Chair.

1. **[0:25:09]** The meeting was called to order by Ms. Varian at 5:23 pm at the Town Hall. Ms. Varian reported that there was a quorum and full board.

2. **[0:25:35]** **Consider the minutes of May 10, 2022, regular meeting.**

Mr. Newell moved to approve the minutes as written. Ms. Thayer seconded the motion, which was passed unanimously.

3. **[0:25:55]** **Jonathan Billings and Lauren Douglas, 786 Main Road, Map 07, Lot 20 – Discussion/Application, Home Business of selling medical marijuana products.**

Business described as: medical cannabis caregiver office by appointment only; sale of garden supplies, clothing, souvenirs, thrift items, firewood, art.

Mr. Hawkes reported that he has worked for the applicants to update their driveway so that they had room for off-street parking on their site. He stated that it was up to the Board to determine whether this work constitutes a conflict of interest requiring him to recuse himself. Consensus of the Board was that it was prudent to ask him to recuse himself to avoid any potential of a conflict.

*Mr. Hawkes stepped down. Ms. Varian appointed Robert Smith, an Alternate on the Board, to take Mr. Hawkes' place, which he did.*

Ms. Douglas, a medical cannabis caregiver in the State of Maine, stated that she is asking the Town to allow her and Mr. Billings to put signage in front of their home that advertises that they conduct business by appointment only and identifying the items that are available for sale—with the exception of the medical marijuana which would not be mentioned in the signage. Any business operated would be by appointment only. She stated that they would see one patient at a time, scheduled in half-hour increments, so parking would not be an issue.

Ms. Varian asked Ms. Douglas to describe the operation of their marijuana business. Ms. Douglas stated that they would grow the marijuana used in their business. They would be contacted by and make appointments with patients who are licensed in the state of Maine. All marijuana sold would be for medicinal purposes to persons who are permitted by the state to purchase marijuana.

Ms. Douglas' state license as an Individual Caregiver, Maine Medical Use of Marijuana, was included in the application submitted. The license must be renewed every year. The license authorizes the applicants to grow marijuana under a 500 square foot canopy/60 immature plants.

Ms. Varian noted that Ms. Douglas' registration certificate for a retailer is in the name of Lauren Gates. The Board needs a copy of this registration certificated with Ms. Douglas' current name,

consistent with the name on the Individual Caregiver license and the business. Ms. Douglas said that she would provide a certificate with the correct name.

Ms. Varian explained, for the benefit of the public, that allowing this proposed business does not require the Town to “opt-in.” The Town cannot prohibit this type of business. It can, according to current state law, place conditions on any business, including this type of business, but it cannot prevent such a business from operating in the town.

Mr. Billings stated that there will be 4-5 parking spaces available for customers/patients.

Hours of operation are anticipated to be 1:00 pm to 8:00 pm. These wouldn't be publicized or fixed, since all visits would be by appointment. The hours could change if they learned that patients prefer morning appointments. It was suggested that the completed application include any possible hours, so that whatever they ended up doing would be allowed without their having to return to the Board to expand their hours.

There was discussion about legal restrictions about advertising using the words, “cannabis” and “marijuana.” The applicants reported that they would not have either word in their signage.

An abutter asked for clarification about customers coming without an appointment. Ms. Douglas responded that no one can come into the property if anyone else is already there, whether a patient or a customer interested in some of the other products for sale. Therefore, it wouldn't happen that more than 1 or 2 cars would be on the premises at a time. Also, it is to be expected that notifying people driving by that an appointment is needed would discourage people from attempting to drop in.

Ms. Thayer asked whether a person could make an appointment without having received a medical marijuana card. Ms. Douglas responded that they could make an appointment and meet with them, but they couldn't sell marijuana to anyone who does not have a card.

The abutter asked about security. The applicants responded that there would be security and, also, that one of the applicants would usually be present on the property.

Ms. Varian asked the Board members whether they believed a site walk was necessary. Consensus was that it would be—particularly to see how cars would enter, turn around, park, and exit the site. A site walk was scheduled for June 26<sup>th</sup> at 9:00 am, and a public hearing was scheduled to be held on the same night as the July regular meeting on July 12<sup>th</sup>. The public hearing would start at 5:00 and the regular meeting would start immediately after.

*Mr. Smith stayed in the meeting, and Mr. Hawkes did not return to the meeting.*

#### **4. [1:24:39] Set starting time for summer meetings.**

Ms. Thayer moved to change the starting time for the summer meetings to 5:30 pm. Because the July meeting will start immediately after the public hearing, the change will not occur until the August meeting. Mr. Smith seconded the motion, which passed unanimously.

5. [1:26:25] **Other Business.** None.

6. [1:27:03] **Announcements.** None.

7. [1:34:06] **Adjourn.** Mr. Newell moved to adjourn. Mr. Smith seconded the motion, which was passed unanimously. Meeting was adjourned at 6:32 pm.

Respectfully submitted,

A handwritten signature in blue ink that reads "Channa A. Eberhart". The signature is written in a cursive style.

Channa A. Eberhart

Secretary