

Union Planning Board Minutes
Thursday, June 10, 2021, 6:30 p.m.
William L. Pullen Municipal Building Downstairs Meeting Room

Present: Gerald S. Brooks, Jr. (“Jerry,” Chair), Dale Flint, Robin Milliken, John Mountainland, Michael Johnson

Others Present: CEO Grant Watmough, Sarah Hewitt

- 1. Meeting called to order:** 6:30 p.m. by Jerry Brooks.
- 2. Medical marijuana growing facility -- Map 15 Lot 8 -- Elliptical Management/James Black:**

Jerry established no conflict or bias, and a quorum. The Planning Board has jurisdiction under the Land Use Ordinance.

Applicant Sarah Hewitt has standing as the designated agent of property owner James Black. A completed application was received, and all fees paid.

Sarah gave a brief overview: this is a small 10-acre farm on North Union Road that has been growing berries, hemp, etc. The request is for three medical marijuana plots, one for herself and two to let. She submitted a drawing with proposed plots as well as security procedures developed with authorities, noting similarities between hemp and cannabis.

There was discussion about the costs and benefits of security vs. game cameras. Sarah pointed out that exterior lighting as called for by the ordinance is not practically possible, as lights on at all times would stress the plants; however, motion-sensitive lights could work. A consensus was reached that the ordinance focuses on indoor plants whereas these plots would be a hybrid.

Discussion turned to who is in charge of the lease of the three plots. In answer to Jerry’s questions, Sarah said each caregiver will have their own license and will have access to their own space including the entry gate. She would have access to hers and a second where she’s hired as an assistant, clarifying that by state law no one is allowed to enter another caregiver’s space without being designated a caregiver assistant. She thinks it could be done for a \$50 fee.

It was determined that Sarah is applying for all three for now, and in answer to Grant’s question the Planning Board is comfortable with reviewing this as a whole.

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Jerry noted this goes back to Sarah being James Black's designated rep and authorization to sublet. She is applying for a whole then going to sublease. She currently holds the lease with the property owner, then it's up to her whether to sublease or not.

Robin noted her lease allows subletting. John said he is comfortable with this being all her responsibility.

Dale asked if she's limited on the size of a plot. Sarah said there is a plant limit – 30 plants under caregiver program.

Dale asked what if we get into a situation where you exceed the plant limit; how does that work?

Jerry said it's not our enforcement, but the big question is how many facilities are we looking at? 90 plants...

Sarah said it's not necessarily limited by plant count. Five, six, or seven caregivers can share common areas. Highbrow is one, they have three owners, three caregivers, and some people under them also have caregiver cards so they can have a higher plant count.

Jerry said the ordinance is geared to brick and mortar; this is three units, outside.

Dale asked if she's limited on plants then she can represent the other two growers?

Grant said yes for us, no for the state. Our ordinance doesn't limit or specify plant counts.

Dale, John, & Mike are comfortable with it. If Grant needs to deal with a violation he'd go to Sarah, and she'd deal with the sublease.

Sarah said by state rules, each caregiver has to have their own LLC or DBA for tax purposes.

Jerry asked about a limit for sublets; Grant said yes, her application asked for three.

Jerry said we have a consensus to move on. Moving to specific requirements, he went step-by-step through Performance Standards for Marijuana Cultivation Facilities.

Highlights included:

Sarah said she is in the process of license application. Grant said this has to happen before a state license.

More discussion about cameras, SD cards, subscriptions.

Confirmation this is not retail.

Confirmation no cash stored on site.

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More discussion about exterior lighting (motion sensor vs. constant).

Not open to the general public.

No marijuana or paraphernalia visible from outside.

Plot 1 is essentially inside, Plots 2 and 3 outside. Abutters a good 300' away.

They're looking into places to do drying and trimming, and don't anticipate having to do that on site. Discussion ensued about an enclosed structure for drying, etc. equipped with carbon filtration; high tunnels; temperature and humidity variables; inclined to waive the last five requirements using common sense.

Jerry noted this is new territory for us. Grant noted the Marijuana Cultivation section of the ordinance came in by petition, so legally we could not even correct typos in it. Consensus is we can do better. We need something more relevant. We should add something about outside growing.

Regarding waste disposal, Sarah said they would compost.

Jerry announced completion of performance standards.

The board requires three conditions:

- 1 State license.
- 2 Lighting at plots 2 and 3.
- 3 If dry, curing, trimming or packaging on this property it will be done in an enclosed structure.

Motion by: John Mountainland to accept with the above three conditions.

2nd by: Dale Flint

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3. Accept minutes of April 8, 2021:

Tabled.

4. Adjourn: 7:38 p.m.

Motion by: Dale Flint

2nd by: John Mountainland

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Respectfully submitted,

Sherry Abaldo
Secretary