



## Town of Windham, Maine

Code Enforcement Department

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Zoning- Building Inspections- Code Enforcement

### Memorandum

DATE: August 11, 2022

TO: Town Council

FROM: Jonathan Rioux, Code Enforcement Director

CC: Barry Tibbetts, MBA, Town Manager

RE: 8 Heathwood Dr\_ Application for a new Marijuana Manufacturing Facility, Public Hearing #22-146

A handwritten signature in black ink, appearing to read "JR".

The following information is provided to aid in your consideration of the above referenced license.

#### **Background:**

On July 18, 2022, Joseph B. Ferri, Owner (Kind & Co) applied for a Marijuana Manufacturing Facility license, the property is located at 8 Heathwood Drive. This property is in the Commercial District I (C-1); Marijuana Manufacturing Facility<sup>1</sup> is a permitted use in the Commercial District I.

The Owner currently operates a licensed Medical Marijuana Caregiver Retail Store and Cultivation Facility (Tier 3) known as Kind & Co, located at 8 Heathwood Dr.

#### **Permit History:**

On 12-06-218 building permit # CADD-18-2583 was issued to renovate the existing kitchen area and to add a commercial kitchen.

#### **Inspection History:**

On 01/30/2019 a Certificate of Occupancy was issued for 8 Heathwood Drive adding the commercial kitchen use.

On 8/10/2022 a re-inspection conducted by the Code and Fire Departments; no major outstanding land use violations were identified.

#### **Application Submission Requirements:**

The proposed application was reviewed by staff and complies with Section §128-6, requiring evidence of all land use approvals (including permitting and certificate of occupancies) to operate the Marijuana Business.

#### **Recommendation:**

Per Section 128-4, this application shall be reviewed and may be approved by the Town Council after public hearing.

#### **Conclusion:**

In addition, all the necessary reviews: approvals, building permits and certificates of occupancies to operate a Marijuana Manufacturing Facility were issued to 8 Heathwood Dr.

Staff has no outstanding land use violations, issues, or concerns with regards to this application and foresees no problems with recommending approval of the license application.

<sup>1</sup> Marijuana Manufacturing Facility. (1) a registered tier 1 or tier 2 manufacturing facility, as designated by state law, or a person authorized to engage in marijuana extraction under 22 M.R.S. §2423-F; or (2) a facility licensed under M.R.S. 28-B, Subchapter 2 to purchase marijuana from a cultivation facility or another products manufacturing facility; to manufacture, label and package marijuana and marijuana products; and to sell marijuana and marijuana products to marijuana stores and to other products manufacturing facilities.

## Town of Windham – Marijuana Businesses For Town Use Only

Joseph Ferri

Name of Business: Kind & Co. Marijuana Manufacturing Facility & Heathwood Drive  
Date of Application: 7/21/2022 Date Application Fee Paid: \$3,500.00

Fire Chief      Approved      Yes ✓ By: B. Zgibilly  
                    No

Comments: \_\_\_\_\_

Comments: \_\_\_\_\_

Code Officer Approved Yes ✓ By: J. P. K.  
No \_\_\_\_\_

Comments: \_\_\_\_\_

Health Inspector      Approved      Yes  By: C. D. Smith  
                            No

Comments: