

06/07/2019

Members of the Windham Town Council formed the Adult Use Research Committee on December 26th, 2018

The Windham Town Council assigned the committee the following charge:

- To review applicable state laws and administrative rules, the Town of Windham's zoning map, Land Use Ordinance and regulations with regard to retail adult use and medical marijuana establishments.
- To make recommendations about to the town's zoning map, Land Use Ordinance, and /or other regulations as to where the various types of adult use and medical marijuana establishments and operations may be conducted and under what conditions and standards.

The members of the committee include:

- Chairperson Maggie Terry
- Second Chair Joel Pepin
- Chip Boehm Secretary
- David Nadeau Council Member
- Mike Duffy Long Range Planning Committer Representative
- David Whitten
- Shaw Dwight
- Christopher Hanson Code Enforcement & Zoning Director
- Charles Daigle Code Enforcement Officer
- Kelsey Luce Code Enforcement & Zoning Admin Assistant
- Charles Hawkins Resigned 06 03 2019

The Committee did the following:

- Read and reviewed the Citizen's Initiative and proposed legislation
- Reached out to various communities, associations and government entities in various states to see if they would share their own experience
- Contacted various State resources to learn more about the Citizen's Initiative and proposed legislation
- Held numerous conference calls with state, city and county leaders both in and outside the State of Maine to learn from their experience with commercial marijuana operations
- Read various state and municipal ordinances and zoning documents
- Conducted extensive online research of news articles and state and local government websites

- We have met as a committee 11 times, every other Monday since January 14th, 2019.

Maine Marijuana Facts

- Medical Marijuana has been legal in Maine since 1999. The state legalized the recreational use of Marijuana by adults 21 and over in November 2016. Each adult can grow up to three mature plants and six immature plants for their own personal use, up to twelve mature and twelve immature per parcel. The committee's work did not address any aspect of this as this is state controlled.

The Town of Windham currently has approximately 100 plus state License registered care providers including nine medical only retail store fronts. These providers are allowed to sell marijuana to clients with a State issued medical marijuana card issued from a licensed physician or Nurse Practitioner. The Committee did not address the current aspect of the licensing of home providers as that is currently governed by the State except for zoning, setbacks and other sensitive issues such as odor to an extent the town is allowed to control and to be addressed by this committee

The state of Maine issued on June 5th, 2019 the provisionally adopted rules for Maine's Adult Use Marijuana Program. The rules now go to the Office of Policy and Legal Analysis for review and the Legislative Council for official acceptance beyond the usual deadline and Revisor of Statutes for language review. The rules then go to a legislative committee for consideration, and a second public hearing, before a vote by the full Legislature.

The committee did focus on implementing a strategy to deal with other aspects of the Marijuana industry.

These aspects include:

- The difference between medical and adult use of marijuana
- Proposed zoning for future medical use storefronts and Adult Use Storefronts. Discussed setbacks from schools, day cares, churches etc.; security lighting; ventilation requirements; wastewater treatment; waste handling; fire cords, electrical codes. Building codes; lot size, setbacks and parking.
- Discussed the number of each storefront unit if the Town of Windham chooses to "Opt in"
- Brought in speakers and reviewed concerns from Windham Public Safety; Windham Fire and Rescue; and Windham Police
- Brought in speakers and reviewed concerns from RSU #14 Windham Raymond School officials along with School Resource Officer and Dare Officer. Discussed ways for how we can work together to protect our kids.
- Brought in speakers and reviewed concerns from "Be the Influence" coalition. Discussed ways for how we can work together to protect out kids.
- Reviewed types of business and town concerns for allowing Manufacturing of Marijuana products
- Reviewed types of businesses and town concerns for allowing Marijuana Testing facilities within town limits

- Reviewed the sizes and conditions regarding cultivation of marijuana both inside a building and outside in a field.
- Reviewed ordinances and conditions from communities in Maine that have “opted in “to all or part of the available options.
- Discussed fees and financial benefits to the Town of Windham
- Reviewed the Commercial indoor grow hazards in residential buildings
- Reviewed the impact on marijuana odor and property values.

Moving forward the committee will be doing the following:

- Review the new Adult Use regulations as they move forward in legislature, including LD 538 that now allows visiting qualifying patients to have access to cannabis that was signed into law June 8th.
- Review LD 335 which is an act to require the state to distribute 25 Percent of Adult Use Marijuana Retail Sales and Excise Tax Revenue to Generating Municipalities which is currently sent for concurrence for further legislative review.
- Continue work on the framework for 3 workshop sessions times for a public forum so as they may have their voices heard and participate with the process. Planned roll out for this is September.
- Meet with Windham Economic Development and Local Chamber to discuss current and future Economic Impact to Windham.
- Bring in speaker from the state marijuana Office Policy to discuss with group the new rules.
- Discuss ways or options on how Windham cannabis community can contribute to aiding in the safety of underage persons.
- Bring in speaker John Burke of Summit Cannabis Consultants who has provided ordinances for Scarborough.
- Fine tune Ordinances, Land Use and Zoning
- Put together final presentation to for Council by mid end of November.

As a committee we are well aware that there are concerns that committee is primarily made up of industry members as no one volunteered that was opposed. As a result, the committee has tried to reached out to citizens of whom may have concerns to share them with us, which have not been many. Prior to delving deeper, into all the necessary aspects and to focus the Committee’s energies it would be extremely helpful to obtain guidance from the individual members of the Windham Town Council to be able to educate them on the pros and cons of each of the marijuana concerns and categories that they are interested in pursuing. It our hope that the leadership of Windham listen, hear and understand how important this opportunity to Windham residents should be looked at with open minds and see this as a win- win for Windham.

Please see attached grid that currently shows the status of local communities around us that have made their decisions to opt in.

Thank you for your time and we look forward to your feedback and presenting you a sound and safe policy way for Windham to Opt in.

The Marijuana Tasks Force