

**POLAND PLANNING BOARD**  
**MINUTES OF PUBLIC HEARING**  
**February 12, 2019**  
**Approved on 2/26, 2019**

**CALL TO ORDER** – Vice Chairperson Porter called the meeting to order at 7:00pm with Members Mark Weinberg, George Greenwood, Stephanie Floyd, CEO Scott Neal, and Sarah Merrill present.

Member Greenwood moved to open the Public Hearing on the CLUC Changes 2019 at 7:02 pm. Member Floyd seconded the motion. Discussion: None    Vote: 4-yes 0-no

Items indented, in bold, in a larger font size, underlined, and italicized are the motions made by the Board.

**CLUC Changes 2019**

**Article ?** To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code** – Chapter 14 Definitions “Repair”? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)*

**Chapter 14 Definitions:**

**Repair:** ~~To take necessary action to fix normal damage or storm damage.~~ To restore by fixing normal damage or storm damage i.e. 49% or less is being changed.

- **Member Greenwood moved to approve the amendment. Member Weinberg seconded the motion. Discussion: None    Vote: 1-yes 3-no**

**Article ?** To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code** – Chapter 14 Definitions “Replace”? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)*

**Chapter 14 Definitions:**

**Replace:** to put something new in place of i.e. 50% or more is being changed.

- **Member Greenwood moved to approve the amendment. Member Floyd seconded the motion. Discussion: None    Vote: 0-yes 4-no**

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**Article ?** To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code** – section 508.18. L.3.? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at polandtownoffice.org, and will also be available at Town Meeting.)*

L.3. Signs in Street Right-of-Ways - No sign except traffic, and similar public safety signs, erected in accordance with this Section, Official Business Directional Signs erected in accordance with Section 508.18.K, and publicly erected information kiosks or sign boards, and temporary noncommercial signs of any type meeting the requirements of 23 M.R.S.A. §1913 – A(1)(L) shall be located in the public right-of-way of any street or highway.

- **Member Greenwood moved to approve the amendment. Member Weinberg seconded the motion. Discussion: None Vote: 0-yes 4-no**

4 yes 0 no

**Article ?** To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code** – Chapter 14 Definitions "Agriculture"? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at polandtownoffice.org, and will also be available at Town Meeting.)*

**Chapter 14 Definitions:**

**Agriculture:** the production, keeping, or maintenance, for sale or lease, of plants and/or animals, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and green house products. Agriculture does not include forest management, timber harvesting activities, or confined feeding operations, or marijuana stores, marijuana production manufacturing, marijuana cultivation, marijuana processing, or marijuana testing, etc.

- **Member Greenwood moved to approve the amendment. Member Floyd seconded the motion. Discussion: None Vote: 4-yes 0-no**

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**Article ?** To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code**. Section 1100 "Amendments to Building Standards"? (A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at polandtownoffice.org, and will also be available at Town Meeting.)

**CHAPTER 11 - BUILDING STANDARDS** 109

**1100 SHORT TITLE** - This Chapter shall be known and may be cited as the "Building Code Standards for the Town of Poland, Maine" in conjunction with the Building Code Standards and Adoption of the 2015 International Building Code (IBC), 2015 International Residential Code (IRC), 2015 International Existing Building Code (IEBC), 2015 **2009** International Energy Conservation Code (IECC) and 2009 International Mechanical Code (IMC), all of which are hereby incorporated by Reference. The following standards have also been adopted E-1465-2006 **2008**, (Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings), ASHRAE 62.1 – 2007 **2013** (Ventilation for Acceptable Indoor Air Quality) ASHRAE 62.2 – 2007 **2013** (Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings) ASHRAE 90.1 —2007 **2013** (Energy Standard for Buildings except Low-Rise Residential Buildings) editions without addenda. <sup>1</sup>

- **Member Greenwood moved to approve the amendment. Member Weinberg seconded the motion. Discussion: None Vote: 4-yes 0-no**

**Article ?** To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code**. Section 304.3 "Appeal Procedure"? (A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at polandtownoffice.org, and will also be available at Town Meeting.)

**304.3 Appeal Procedure**

- A. In all cases a person aggrieved by a decision of the Code Enforcement Officer or an appealable decision of the Planning Board shall commence an appeal within forty-five (45) **business** days of the decision being appealed. The appeal shall be filed with the Board of Appeals on forms approved for that purpose, and the aggrieved person shall specifically set forth on the form the grounds for the appeal.
- B. Following the filing of an appeal, and before taking action on the appeal, the Board of Appeals shall hold a Public Hearing on the appeal within thirty (30) **business** days of receipt of the appeal. The Board of Appeals shall notify the Code Enforcement Officer and Planning Board at least ten (10) **business** days in advance of the time and place of the hearing, and

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shall publish notice of the hearing at least five (5) business days in advance of the hearing in a newspaper of general circulation in the area.

- C. The Board of Appeals shall notify by Certified Mail the appellant and the owners of property within five hundred (500) feet of the property of which the appeal is taken, at least ten (10) business days in advance of the hearing. For the purpose of this Section, abutting property owners shall include properties directly across a street from the property for which the appeal is made.
1. The owners of property shall be considered to be those against whom taxes are assessed. Failure of any property owner to receive notice of the Public Hearing shall not necessitate another hearing or invalidate any action by the Board of Appeals. <sup>1</sup>
  2. It is the property owners' responsibility to keep the town Tax Assessor's Office informed of their current mailing address for the purpose of administering any portion of this Code. Failure on the part of the landowner to inform the town of such shall not delay or vacate any board or town officer action or decision.
- D. At any hearing, a party may be represented by an agent or attorney. Hearings shall not be continued to other times except for good cause.
- E. The Code Enforcement Officer or designated assistant shall attend all hearings and may present to the Board of Appeals all plans, photographs, or other material deemed appropriate for an understanding of the appeal.
- F. Within twenty (20) business days of the Public Hearing, the Board of Appeals shall reach a decision on an appeal and shall inform, in writing, the appellant, the Code Enforcement Officer, the Planning Board and the Municipal Officers of its decision and its reasons therefore.

- **Member Greenwood moved to approve the amendment. Member Floyd seconded the motion. Discussion: None    Vote: 4-yes 0-no**

**Article ?** To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code**, Section 304.4 "Reconsideration"? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at [polandtownoffice.org](http://polandtownoffice.org), and will also be available at Town Meeting.)*

**304.4 Reconsideration** - The Board of Appeals may reconsider any decision reached within forty-five (45) business days of its prior decision. A request to the Board to reconsider a decision made by anyone other than a member of the Board must be filed within 10 business days of the decision that is to be reconsidered. A member of the Board may make a request for reconsideration at the next meeting of the Board, subject to the time limitations set forth in this section. In the event that the Board votes to reconsider a decision, all action on the

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reconsideration must be completed within forty-five (45) business days of the original decision. The Board may conduct additional hearings and receive additional evidence and testimony. Notwithstanding the provisions of Section 304.5.A, an appeal of a reconsidered decision must be made within fifteen (15) business days after the decision on reconsideration.

- **Member Greenwood moved to approve the amendment. Member Floyd seconded the motion. Discussion: None Vote: 4-yes 0-no**

**Article ?** To see if the Town will vote to adopt the 2019 Amendment to the **Poland Comprehensive Land Use Code** – Chapter 14 Definitions “Business Day”? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)*

**Chapter 14 Definitions:**

Business Day: Business days are Monday through Friday, excluding holidays.

- **Member Greenwood moved to approve the amendment. Member Weinberg seconded the motion. Discussion: None Vote: 4-yes 0-no**

**Article ?.** Shall an ordinance entitled “2019 Amendments to the Poland Comprehensive Land Use Code to Authorize and Regulate Medical Marijuana Registered Caregiver Retail Stores” be enacted? *(A copy of the proposed ordinance is available for review and inspection at the Town Clerk’s Office; it will also be available at Town Meeting.)*

**1507 MEDICAL MARIJUANA REGISTERED CAREGIVER RETAIL STORES**

**1507.1 Allowed Locations**

Medical marijuana registered caregiver retail stores shall be allowed in the following locations, subject to the requirements of this Section:

- A. Village 4 Zone.
- B. General Purpose 1 Zone.
- C. Each zone, Village 4 and General Purpose 1, may have a combined maximum of five medical marijuana registered caregiver retail stores and/or adult use retail stores in each district. A site may contain one or more stores provided they are all within the same building.

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D. This is a permitted use requiring Planning Board approval and licensing from the Town to operate

**1507.2 Signs**

A. Signage for medical marijuana registered caregiver retail stores will comply with Chapter 5, Section 508.18 Signs, of this Code, as well as with any applicable requirements of State law or regulation.

**1507.3 Security**

Medical marijuana registered caregiver retail stores shall comply with the following requirements:

A. Shall have lockable doors and windows and shall be served by an alarm system.

B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

**1507.4 Ventilation**

Each medical marijuana registered caregiver retail store must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants in the building.

[Article ?](#). Shall an ordinance entitled “2019 Amendments to the Poland Comprehensive Land Use Code to Authorize and Regulate Medical Marijuana Testing Facilities” be enacted? *(A copy of the proposed ordinance is available for review and inspection at the Town Clerk’s Office; it will also be available at Town Meeting.)*

**1506 MEDICAL MARIJUANA TESTING FACILITIES**

**1506.1 Allowed Locations**

Medical marijuana testing facilities shall be allowed in the following locations, subject to the requirements of this Section:

A. All Zones

B. Must be a registered caregiver and follow the requirements of home occupation as defined in the CLUC.

C. Requires licensing by the Town to operate

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**1506.2 Security**

Medical marijuana testing facilities must meet the following security requirements:

- A. Shall have lockable doors and windows and shall be served by an alarm system.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

**1506.3 Ventilation**

Medical marijuana testing facilities must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants.

[Article ?](#). Shall an ordinance entitled “2019 Amendments to the Poland Comprehensive Land Use Code to Authorize and Regulate Medical Marijuana Manufacturing Facilities” be enacted? *(A copy of the proposed ordinance is available for review and inspection at the Town Clerk’s Office; it will also be available at Town Meeting.)*

**1505 MEDICAL MARIJUANA MANUFACTURING FACILITIES**

**1505.1 Allowed Locations**

Medical marijuana manufacturing facilities shall be allowed in the following locations, subject to the requirements of this Section:

- A. All Zones
- B. Must be a registered caregiver and follow the requirements of home occupation as defined in the CLUC.
- C. Requires licensing by the Town to operate. (Same comment as 1506.1)

**1505.2 Security**

Medical marijuana manufacturing facilities must meet the following security requirements:

- A. Shall have lockable doors and windows and shall be served by an alarm system.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of

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thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

**1505.3 Ventilation**

Medical marijuana manufacturing facilities must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants.

**Article ?.** Shall an ordinance entitled “2019 Amendments to the Poland Comprehensive Land Use Code to Authorize and Regulate Adult Use Marijuana Cultivation Facilities” be enacted? *(A copy of the proposed ordinance is available for review and inspection at the Town Clerk’s Office; it will also be available at Town Meeting.)*

**1510 ADULT USE MARIJUANA CULTIVATION FACILITIES**

**1510.1 Allowed Locations**

Adult use marijuana cultivation facilities shall be allowed in the following locations, subject to the requirements of this Section:

- A. Tier 1, maximum 500 square feet of canopy.
  - 1. All Zones.
  - 2. Tier 1 Adult Use Marijuana Cultivation must follow the requirements of home occupation as defined in the CLUC.
- B. Tier 2, maximum 2000 square feet of canopy.
  - 1. Village 4 Zone and General Purpose 1 Zone. Must be combined with a Medical or Adult Use retail storefront. Maximum of five cultivation sites in each zone.
  - 2. Farm and Forest Zone. Maximum of five cultivation sites.
  - 3. Total number of Tier 2 cultivation sites among the three zones cannot exceed a maximum of 10.
- C. Tier 3, maximum 7000 square feet of canopy.
  - 1. Farm and Forest Zone. Maximum of five cultivation sites.
- D. Tier 4, 20,000 square feet of canopy. Not permitted.
- E. Tier 2, and 3 are permitted uses requiring Planning Board approval and licensing from the Town to operate.

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**1510.2 Security**

Adult use marijuana cultivation facilities must meet the following security requirements:

- A. Shall have lockable doors and windows and shall be served by an alarm system.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

**1510.3 Ventilation**

Adult use marijuana cultivation facilities must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants.

**Article ?.** Shall an ordinance entitled “2019 Amendments to the Poland Comprehensive Land Use Code to Authorize and Regulate Adult Use Marijuana Products Manufacturing Facilities” be enacted? *(A copy of the proposed ordinance is available for review and inspection at the Town Clerk’s Office; it will also be available at Town Meeting.)*

**1511 ADULT USE MARIJUANA PRODUCTS MANUFACTURING FACILITIES**

**1511.1 Allowed Locations**

Adult use marijuana products manufacturing facilities shall be allowed in the following locations, subject to the requirements of this Section:

- A. Allowed in all locations where adult use cultivation is allowed and must be co-located with a cultivation facility.
- B. This is a permitted use requiring Planning Board approval and licensing by the Town to operate.

**1511.2 Security**

Adult use marijuana products manufacturing facilities must meet the following security requirements:

- A. Shall have lockable doors and windows and shall be served by an alarm system.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four

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hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

**1511.3 Ventilation**

Adult use marijuana products manufacturing facilities must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants.

[Article 2.](#) Shall an ordinance entitled “2019 Amendments to the Poland Comprehensive Land Use Code to Authorize and Regulate Adult Use Marijuana Testing Facilities” be enacted? *(A copy of the proposed ordinance is available for review and inspection at the Town Clerk’s Office; it will also be available at Town Meeting.)*

**1512 ADULT USE MARIJUANA TESTING FACILITIES**

**1512.1 Allowed Locations**

Adult use marijuana testing facilities shall be allowed in the following locations, subject to the requirements of this Section:

- A. Allowed in all zones.
- B. This is a permitted use requiring Planning Board approval and licensing by the Town to operate.

**1512.2 Security**

Adult use marijuana testing facilities must meet the following security requirements:

- A. Shall have lockable doors and windows and shall be served by an alarm system.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

**1512.3 Ventilation**

Adult use marijuana testing facilities must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants.

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[Article ?](#). Shall an ordinance entitled “2019 Amendments to the Poland Comprehensive Land Use Code to Authorize and Regulate Adult Use Marijuana Stores” be enacted? *(A copy of the proposed ordinance is available for review and inspection at the Town Clerk’s Office; it will also be available at Town Meeting.)*

**1513 ADULT USE MARIJUANA STORES**

**1513.1 Allowed Locations**

Adult use marijuana stores shall be allowed in the following locations, subject to the requirements of this Section:

- A. Village 4 Zone.
- B. General Purpose 1 Zone.
- C. Each zone, Village 4 and General Purpose 1, may have a combined maximum of five medical and/or adult use storefront sites. A site may contain one or more storefronts provided they are all within the same building.
- D. This is a permitted use requiring Planning Board approval and licensing by the Town to operate.

**1513.2 Signs**

- A. Signage for adult use marijuana stores will comply with Chapter 5, Section 508.18 Signs, of this Code, as well as with any applicable requirements of State law or regulation.

**1513.3 Security**

Adult use marijuana stores must meet the following security requirements:

- A. Shall have lockable doors and windows and shall be served by an alarm system.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

**1513.4 Ventilation**

Adult use marijuana store must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants.

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Article ?. Shall an ordinance entitled "2019 Amendments to the Poland Comprehensive Land Use Code to Add Definitions to Section 1402 Related to Medical Marijuana and Adult Use Marijuana Uses" be enacted? *(A copy of the proposed ordinance is available for review and inspection at the Town Clerk's Office; it will also be available at Town Meeting.)*

**Adult use marijuana:** "Adult use marijuana" means marijuana cultivated, manufactured, distributed or sold by a marijuana establishment.

**Adult Use Marijuana establishment:** "Marijuana establishment" means a cultivation facility, a products manufacturing facility, a testing facility or a marijuana store licensed under state law.

**Adult use marijuana product:** "Adult use marijuana product" means a marijuana product that is manufactured, distributed or sold by a marijuana establishment.

**Adult use marijuana products manufacturing facility:** "Marijuana products manufacturing facility" means a facility licensed under state law to purchase adult use marijuana from a cultivation facility or another products manufacturing facility; to manufacture, label and package adult use marijuana and adult use marijuana products; and to sell adult use marijuana and adult use marijuana products to marijuana stores and to other products manufacturing facilities.

**Adult use marijuana store:** "Adult Use Marijuana Store" means a facility licensed under state law to purchase adult use marijuana, immature marijuana plants and seedlings from a cultivation facility, to purchase adult use marijuana and adult use marijuana products from a products manufacturing facility and to sell adult use marijuana, adult use marijuana products, immature marijuana plants and seedlings to consumers.

**Adult use marijuana testing facility:** "Adult use marijuana testing facility" means a facility licensed under state law to develop, research and test adult use marijuana, marijuana products and other substances.

**Disqualifying drug offense:** "Disqualifying drug offense" means a conviction for a violation of a state or federal controlled substance law that is a crime punishable by imprisonment for one year or more, but does not include (1) An offense for which the sentence, including any term of probation, incarceration or supervised release, was completed 10 or more years earlier; or (2) An offense that consisted of conduct that would have been permitted under the Maine Adult Use Marijuana Act.

**Home cultivation of marijuana:** "Home cultivation of marijuana" means cultivation for personal adult use by a person 21 years of age or older is limited to cultivation of three (3) mature marijuana plants, twelve (12) immature marijuana plants, and an unlimited number of seedlings by each person 21 years of age or older who is domiciled on a parcel or tract of land.

**Marijuana cultivation:** "Marijuana cultivation" means the planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of marijuana for use or sale. "Cultivation" or "cultivate" does not include manufacturing, testing or marijuana extraction.

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**Marijuana cultivation facility:** "Marijuana Cultivation facility" means a facility licensed under state law to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use marijuana; to sell adult use marijuana to products manufacturing facilities, to marijuana stores and to other cultivation facilities; and to sell marijuana plants and seeds to other cultivation facilities and immature marijuana plants and seedlings to marijuana stores. Cultivation facilities are categorized into tiers based on the number of adult plants and usable square footage for cultivation.

**Marijuana manufacturing or manufacture:** "Manufacturing" or "manufacture" of marijuana means the production, blending, infusing, compounding or other preparation of marijuana and marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis. "Manufacturing" or "manufacture" does not include cultivation or testing.

**Marijuana odor mitigation:** All marijuana establishments, cultivation operation, manufacturing facility, testing, and retail storefronts must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants.

**Marijuana product:** "Marijuana product" means a product composed of marijuana or marijuana concentrate and other ingredients that is intended for use or consumption. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

**Medical marijuana establishment:** "Medical marijuana establishment" means a medical marijuana registered caregiver retail store, registered dispensary, medical marijuana testing facility, or medical marijuana manufacturing facility.

**Medical marijuana manufacturing facility:** "Medical marijuana manufacturing facility" means a manufacturing facility authorized under state law to manufacture marijuana products for medical use or to engage in marijuana extraction for medical use.

**Medical Marijuana registered caregiver retail store:** "Medical Marijuana registered caregiver retail store" means a registered caregiver authorized under state law to cultivate medical marijuana for qualifying patients that operates a retail store to sell medical marijuana to qualifying patients.

**Medical marijuana testing facility:** "Medical marijuana testing facility" means a public or private laboratory authorized under state law to test medical marijuana for contamination, potency or cannabinoid profile.

**Registered dispensary:** "Registered dispensary" means a dispensary authorized under state law to cultivate and dispense medical marijuana to qualifying patients and caregivers.

**State registration authority:** "State registration authority" means the authority created or designated by the state for the purpose of regulating and controlling registration for medical marijuana establishments.

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**Article ?.** Shall an ordinance entitled “2019 Amendments to the Poland Comprehensive Land Use Code to adopt Marijuana Standards” be enacted? *(A copy of the proposed ordinance is available for review and inspection at the Town Clerk’s Office; it will also be available at Town Meeting.)*

**CHAPTER 15 – MARIJUANA STANDARDS**

**1501 SHORT TITLE** – This Chapter shall be known as the “Marijuana Standards for the Town of Poland, Maine.”

**1502 PURPOSE**

**1502.1 Purposes** – The purposes of this Chapter are:

- A. To provide guidance to those wishing to establish any type of marijuana establishment in Poland;
- B. To clarify the approval criteria for each type of marijuana establishment; and
- C. To promote uniform standards.

**1503 ADMINISTRATION**

- A. Any commercial operation must submit site plans to the Planning Board and is subject to the administration of the Planning Board.
- B. The Code Enforcement Officer is responsible for the final sign off to the State regarding whether or not an operation meets the applicable requirements of the Comprehensive Land Use Code.

**1504 MEDICAL MARIJUANA CAREGIVER CULTIVATION**

**1504.1 Allowed Locations**

Medical marijuana caregiver cultivation sites shall be allowed in the following locations, subject to the requirements of this Section:

- A. All Zones
- B. Must follow the requirements of home occupation as defined in the CLUC.

**1504.2 Security**

Medical marijuana caregiver cultivation sites must meet the following security requirements:

- A. Shall have lockable doors and windows and shall be served by an alarm system.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

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**1504.3 Ventilation**

Medical marijuana caregiver cultivation sites must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants.

**The Board did not vote on the marijuana amendments individually, but it total.**  
**The motion was as follows:**

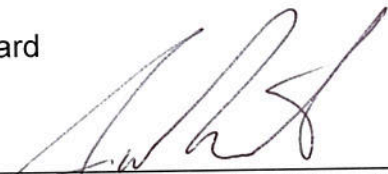
- **Member Greenwood moved to move all the articles regulating marijuana on to the Select Board for consideration at Town Meeting. Member Weinberg seconded the motion. Discussion: None Vote: 4-yes 0-no**

**ADJOURN** – Member Floyd moved to adjourn the meeting at 8:25 pm. Member Greenwood seconded the motion. Discussion: None Vote: 4-yes 0-no

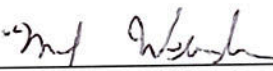
Recorded by: Sarah Merrill

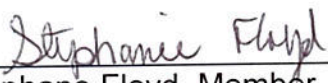
Planning Board

\_\_\_\_\_  
, Chairperson

  
\_\_\_\_\_  
James Porter, Vice - Chairperson

\_\_\_\_\_  
George Greenwood, Secretary

  
\_\_\_\_\_  
Mark Weinberg, Member

  
\_\_\_\_\_  
Stephane Floyd, Member

\_\_\_\_\_  
, Alternate

