

Town of Cornish
PLANNING BOARD
17 Maple Street
Cornish, Maine 04020
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Monday, June 19, 2017

WORKSHOP MEETING MINUTES

Attending: X Jessica Larson; X Ken Hall; X Norm Harding; X Eve Bergstrom; X Kim Printy;
X Shelby Oates X *Wes Sunderland *

Guests: Tiffany Parent, Ken Little, Trinity Madison, Les MacMaster, Diann Perkins, Shena Randall, Mr. & Mrs. Fulginiti, Steve Smith & Mrs. Smith, Bill & Maggie Hoxy, Shannon, Nikki Nikerson, Terry Belair, Craig Jones, Patty Rowly, Brian & Erica Hartford, +7-10

Call Meeting to Order: **6.30** PM by **J. Larson**

Unfinished Business: None

New Business:

Agenda Items:

1. Approve minutes of the Business Meeting, June 5, 2017. **Approved.**
2. **Meeting Debrief:** HIDTA Meeting in Sanford, Tuesday, June 6th
 - a. **High Impact Drug Trafficking Area** debrief from Chair per her attendance
 - b. Data analysis in comparison to other states who have legalized, such as: Colorado and Washington State was provided
 - c. Performance standards for retail + definitions provided
 - d. Rates of how youth are affected according to this particular source covered
 - e. Electricity Issues detailed
 - f. Smoking ordinances reviewed
 - g. Next Meeting: J. Larson will attend for follow-up
 - h. Alternate information brought to table by fellow board member and discrepancies with information expressed through a couple of general questions with response that this was just to provide feedback for a workshop attended per the planning board;
 - i. *Please see saved documents that were used for debriefing for further details.*
3. **Application Review:** Minor Subdivision, B. Harford, 105 Cumberland St.
 - a. 4 house lots on Cumberland St. on 15 acres;
 - b. Water district needs to be consulted due to concerns of being able to support the project; they can drill a well if needed and town water does reach the property;
CoChair: if the town water could not support, would you make the lots bigger for well drilling? *Response: It would be difficult due to the "bowl" of the land and the surrounding wetlands, but if it's manageable for home positioning they will;*
CEO states that they should be within adequate measurement;
 - c. They will need to put in a finished road and there is an access point along with a driveway permit; there will be drainage as required;
 - d. Lot has already been clear cut, they don't plan to clear cut more other than a group of trees by the road;
 - e. RD zoning, will be plowed by owners;
 - f. This is a presentation to see what the board will need in addition to his provided plans before a surveyor is hired; site walk review needed along with abutter

notices: June 28th YWSG Ad posted, July 10th Site Walk Review @ 9 a.m. and will be added to the agenda for that evening's business meeting;

4. Pop Up Event Review: The Laughing Grass Inn

- a. Event is not a permanent business for the inn at current state, is just a pop event for upcoming weeks; the events being held are for a "Bud and Breakfast" where guests will pay to stay at the inn on a type of all-inclusive bill which provides: gourmet meals, lodging, snacks in room, music and entertainment, ambiance, certain merchandise, and safety/security for the all-inclusive price; not included in price: cannabis infused meal items and cannabis flowers will be gifted to guests for their stay;
- b. **Cornish Inn Tenant through Current Owner/Event Host: Trinity Madison** stayed @ the Inn last year when purchasing property and assessed it as the ideal venue for her business plans; resides in Hiram;
- c. She sought legal advice immediately from McCabe Brothers in PTL to review what was appropriate according to law and how to proceed;
- d. She is currently renting the inn for now;
- e. She does not promote using the word "medicinal", she promotes per the terms of cannabis infused elements; she prepares some in the kitchen on-site as well as some in her home kitchen; she creates the cannabis element per 1000 grams and measures doses for meals and gifts;
- f. The cannabis is gifted for your stay; **it is not included** in the rate of stay; the prices are at a higher rate due to all of the amenities provided; check out is by noon, but guests are welcome to stay for 420 Happy Hour;
- g. **Eve:** Concerned as to how it is legal in terms of licenses and permits; Is there a difference in a CUP and a license for something like this? *Response from CEO: Per Mr. Sunderland*, Conditional Use Permit travels per sale/rental/building and for the inn is a permit for overnight stays at a bed and breakfast with a restaurant, a bar, and entertainment: CUP stays with the property and was approved years ago and so far, the use of property and permits are not changing with said plan;
- h. Chair review of all current licenses for the inn as well as current laws presents **Questions:** Can legal cannabis be used in food for events/business use such as this? Do current licenses still apply when cannabis is a part of the use? **Concerns:** Moratorium extension, public health and safety, there are no regulations to ensure proper dosage, no quality assurance standards; *T. Madison offered to take quality measurement steps, if requested (i.e. testing of cannabis, etc.);*
- i. Dosage is offered per **Three Levels** coined as a "Door Hang": Choose your milligrams between novices up to expert tolerance;
- j. The inn is commercial use of a private property; she is not retailing cannabis;
- k. **CoChair:** He believes the town voted to keep cannabis out of the historic district and this plan came as a surprise so there are mixed reviews from town people and he is unsure where we stand legally so that the town does not get held liable;
- l. **Eve:** We worked very hard to keep cannabis out of the historic district and she, along with some attendees, holds concern with the ways the words are being used to detail the experience;
- m. CEO presented the Department of Human Services state letter requesting clarification of event and use of inn to T. Madison at a previous time;
- n. **Moving Forward:** Maine Municipal Organizations will be contacted per Chair Person Larson to determine how to move forward and what is quantifiable;

Selectmen will be requested to research and offer feedback per the issue and will be requested to seek legal counsel per item “p” below; **Please see audio for specific organizations and priority of contact.*

- o.* **CoChair:** Did you look at any other property? *Response: No, this was the only property that would work that was up for rent;*
- p.* **K. Printy** will recommend several cannabis lawyers for Selectmen use; be sure to create a paper trail and use email for correspondence; Selectmen will be given notice of how we will move forward at their upcoming meeting and via email from Chairperson;
- 5. Town Vote:** Adult Use Marijuana Review **To Be Continued**
- 6. Ongoing Review:** Shooting Range/Cornish Gun Club **To Be Continued**
- 7. Possible COD:** July Business Meeting **Moved to July 10th**
- 8. Other:**

 - a.* **Concerns/K. Printy:** *Per her collective planning board experiences up to this point + misinformation being spread about her professional focus*

 - i.* “I am not a lobbyist for medical or recreational/adult-use cannabis”; she has a problem with people talking around town saying she is a lobbyist and she knows her vote was removed from the board due to this misconception; you can research lobbyists online to confirm as it is public information;
 - ii.* Her time at the state house is spent testifying for bills since 2008; she helped craft all medical rules at her own expense, she wrote the organ transplant bill through the CDC/DHHS, and she attends the work sessions to respond as a valuable expert resource; she set up a federal clinical trial for the treatment of PTSD and set up 10 other hospitals in Mass. to set up other trials; She works with doctors to establish data bases to track anecdotal data; she does not cultivate, she has specific licenses to work with edibles and medicine for her own family dealing with cancer and others experiencing the same;
 - iii.* She attends all workshops for the direction of adult-use and provides education at request of state and local representatives;
 - iv.* She feels her voice is stifled and that she has had her vote removed unjustifiably;
 - v.* She is paid by other towns to complete actions that our planning board completes, yet she is not valued by her own board as the expert she is;
 - vi.* She knows she does not have a vote because someone spread lies and she does not understand what her purpose on the board is; she was not consulted about her vote being revoked; she is concerned with her voice more than her vote. She is not walking away, but she will no longer tolerate the disrespectful and judgmental commentary from people like B. Perkins and T. Parent. She will advocate for herself moving forward.
 - vii.* **CEO Response:** That’s the end of the public meeting specifically for cannabis and businesses pertaining to as they have already had their opportunities to speak. They can be invited to listen, but the discussions will be for planning board members and they will only speak in the future if allowed at the close of meetings or when specified by chair person.
 - viii.* **Chair, J. Larson will rectify the situation.**

Public Comment:

3. Diann Perkins: Be mindful of the wetlands;

4. Ms. S. Randall: How has the board allowed this to occur without permitting? **Response (per Chair Person Larson): This meeting is intended to answer questions and dig further into the issue without judgment or decision to ensure all is appropriate; Further Commentary:** She lives directly across from the inn, the owner in the past, has done things with that inn that have infringed on rights and health of neighbors. When she first found out she called York Police, then the department of services, then she called Augusta, then the Fire Marshall, etc. She does not understand how he (the owner) can do this with the parking lot being public, with past concerns of fire exits, the outdoor wood boiler, etc. **Response (per T. Madison): Everyone that Ms. Randall has contacted has also then contacted T. Madison and she has been told that what she is doing is legal at this point. Trinity is concerned that this is personal and not about the business.**

4. Terry Belair: Are there preventions put in place to protect children from smelling/being exposed to the smoke? **Response: 21 and older to enter; no smoking allowed on front porch; cannabis tenders must be used to receive gifts; security provided at all times;**

4. Mike Fulginiti: Is there a legal limit that can be served before a cut-off similar to a bar? Are you keeping track of the 2.5 ounces per person? **Response (per T. Madison): She reserves the right to refuse service and will be there at all times to monitor; she does not believe they will go over 1 ounce for the inn per day and on average people can consume up to about a gram a day; she will not hold more than 2.5 ounces personally as all employees are accounted for the process; 20 milligrams, 50 milligrams, 100 milligrams are the options for breakfast, lunch between 2 and 5 milligrams, still within daily consumption averages of 20 grams per person per day;**

4. Ken Little: It is currently legal to consume and smoke and to give to others;

4. Les MacMaster (in response to general attendee concern): It isn't true that there are no ways to measure consumables outside of caregivers and medicinal processes; why doesn't the board seek legal advice? **Response (per Chair Person Larson): We have to (and will) go through the Selectmen for that;**

4. Maggie Hoxy: Is concerned of specific names being used of rooms (i.e., the "Pars Sem" Room, etc.) as she represents the board of the Parson Seminary who do not wish to have their name associated with current events for this inn; **Response (per T. Madison) Rooms were named by the owner after various surroundings, she has not control but will relay the message to the owner; Response (per L. MacMaster): These are public names that can be used.**

4. Steve Smith: Public safety is his biggest concern over whether it's legal or illegal; *Example:* Neighboring town had a major robbery with included assaults at a medicinal facility;

4. Tiffany Parent: Direct abutter with 2 children and is concerned with the smell and the visibility as well as the amount legally allowed; she holds concern that T. Madison didn't even address this event with the town people; **Response (per T. Madison): Owner has considered a fence and as a renter using the inn per existing definitions of current permits, she has followed all necessary steps by entering into a lease with the owner, securing legal advice, speaking with local law enforcement, and working within the rights of the state laws and that the current permits provide; an application process was not needed to bring to the board and public meetings;**

4. Diann Perkins: Challenges Wes that this is not a CUP issue to be looked into; they are leasing and licenses were given to owner and believes that you still have to review the current

permits before automatically accepting adherence per a new lease; How are you going to stop underage service? **Response (per CEO W. Sunderland): CEO needs more facts and details before response. Response (per T. Madison) Security will check the ID for anyone entering the inn and even when cannabis service has concluded, door remains locked from the outside;**

4. Shannon: Will owner be there? Will you have security? **Response (per T. Madison): Yes and yes as well as bud tenders so that nothing is provided without knowledge of host and employees; Open House on June 29th to sample and to create a commercial for promotions, all here are invited;**

4. Nikki Nikerson: How can you hold a promotional event to provide cannabis to the public, if I am not a guest at the inn for that promotional event since that was your specification for how the cannabis will be gifted privately and per the above questions and responses? Why go beyond your original plan and extend to the promotional event for the public? **Response: It is legally allowed to give away cannabis in Maine in general and the promotional event is not open to the public; it is a private event by invitation only, one cannot find the event and details to attend by searching, and I am simply inviting each of you here in attendance personally to this private event.**

4. Craig Jones: This town has a moratorium and this event will be in the historical district and should not be here. **Response (per Chair Person Larson): The moratorium is for retail.**

4. Patty Rowly: Has requested her shop be removed from the website as she was not consulted about the change of the business and her business being advertised in association with and expresses concern with the promotional event as she does not want the center of town in a commercial for this venture; **Response (per T. Madison): Any business promoted on the inn's website that is there due to previous listing with the owner can have their ad removed by request; the ad for Ms. Rowly's business was removed promptly by request prior to this board meeting;**

4. Erica Hartford: How can you prevent someone from leaving and selling? **Response (per T. Madison): It will be monitored, it is not a free for all, and if anyone is seen leaving they will be asked to come back on the premises, if any cannabis is in possession;**

Communications Received/Sent:

- Town Office Communication: Selectman have voted to extend Adult Use Marijuana Moratoriums and the Water Ordinance.
- YWSG Ads: Site Walk on July 10th @ 9 a.m. for the Hartford Mini-Subdivision + COD Ad for July's Business Meeting to be held on the 10th.

Agenda Items for Next Meeting: *Business Meeting – Monday, July 10, 6:30 PM

- **Approval:** Minutes of the Workshop Meeting, June 19, 2017.
- **Unfinished Business:** Town Vote, Adult-Use/Recreational Marijuana
- **Continued Business:** Hartford Mini-Subdivision
- **Other**

Adjourn: 8:53 pm