

Medical Marijuana Ordinance
Meeting Minutes 06/21/16

Meeting called to order @ 07:04pm by Chairman MacMaster

Committee members present – Les MacMaster, Diann Perkins, Mike Fulginiti, Dan Drake

There were also four interested citizens in attendance.

Item 1 – Planning Board Meeting/Land Use Ordinance/Social Clubs

Les met with the Planning Board on 06/20 regarding his letter to them of 06/08 concerning Clubs as regulated in the Land Use Ordinance. Current ordinance allows Clubs within the Village Center, Rural Residential and Commercial Districts, as well as the Historic District Overlay.

The question put to the planning board was whether to allow Medical Marijuana Social Clubs to exist in all currently approved zones and overlay for clubs, amend the LUO to allow clubs only in the Rural Residential and Commercial zones, or openly discriminate against medical marijuana “social” clubs by preventing them from operating within the Village Center or Historic District Overlay (and likely facing legal challenge).

The Planning Board will seek guidance from the Selectmen and get back to the committee.

Item 2 – Requirement to Site Medical Marijuana Dispensaries in Cornish/Number of Dispensaries

A citizen challenged a statement I made at the recent Informational Meeting regarding the placement of medical marijuana dispensaries and imposing a limit on them here in Cornish. This is a mostly theoretical discussion, as the State has no plans to expand beyond the current limit of 8 Medical Marijuana Dispensaries statewide.

For clarification, the Selectmen forwarded the following questions on to the Maine Municipal Association’s Legal Department:

1. Can the Town of Cornish refuse to site a Medical Marijuana Dispensary?
2. Can we locally limit the number of Medical Marijuana Dispensaries in Cornish?

The MMA Staff Attorney said that, while the town can manage Medical Marijuana Dispensaries through local zoning ordinances and regulations, the law does not allow “either an outright prohibition or a limit on dispensaries based simply on the unpopularity of dispensaries”.

Item 3 – MMO questions from a Citizen

We received a letter on June 16 from a concerned citizen with four questions for the committee. The letter was read to the committee.

These questions had to do with Production Facilities, Social Clubs, Requirement to site a Dispensary and Landlord/Tenant conflicts with Medical Marijuana cultivation. We discussed each at length to make sure we still agreed with our understanding and decisions on each issue.

Unfortunately, the letter writer was not in attendance to hear the answers.

Item 4 – Letter from a local resident

We received a letter on Jun 21 from a local resident regarding “what seems to be a “fear” about the presence of legal medical marijuana in our town”.

The letter was read to the meeting and discussed. While this letter represents one person’s opinion, all opinions are important and should be considered as we move forward.

Item 5 – Letter from a local resident

We received another letter on June 21 from a local resident that thinks the committee is a “complete waste of time”. The write disagrees with the way questions and discussions are handled, and believes “there seems to be some great dishonesty.”

This letter was read to the meeting and discussed. While this letter represents one person’s opinion, all opinions are important and should be considered as we move forward.

Unfortunately, the letter writer was not in attendance to discuss her concerns.

Item 6 – Committee Membership

During the course of the meeting, two of the visitors indicated they would be willing to serve on the committee.

The membership of one was deferred until her Planning Board membership is decided. Committee rules prevent Planning Board members, Code Enforcement Officer or Selectmen from serving on the committee. We would be happy to have her representing a “qualifying patient” slot on our committee, should she be able to do so.

The other visitor, Ken Little, was added to the committee as a “Registered Caregiver”. He immediately made significant contributions to the meeting and is a welcomed addition.

The Medical Marijuana Ordinance committee now consists of 3 concerned citizens and 3 registered caregivers.

Action Items For Next Meeting

Les will contact the York County Sheriff's Department to confirm they will perform compliance reviews on Security issues as outlined in our draft ordinance.

Les will contact Cornish Association of Businesses (CAB) and see if there is any interest in us providing a briefing of the Medical Marijuana Ordinance to their membership.

Les will distribute copies of our current draft ordinance for review and discussion for the next meeting. This will be the first time we review the proposed document in its entirety.

Les will confirm that retail sales are permissible in the Industrial Zone.

The next meeting will be on Tues 07/05 at 7:00pm at Pike Hall.

The meeting adjourned at 08:17pm.