

FARMINGTON PLANNING BOARD

**153 Farmington Falls Road
September 9, 2019 – 6:00 P.M.
Minutes**

Planning Board members present: Chairman Clayton King, Lloyd Smith, Donna Tracy, Craig Jordan, Gloria McGraw, Jeff Wright.

Alternate members present: Judith Murphy and David Robbins.

Members unable to attend: Mike Otley.

Others present: Town Manager, Richard Davis; Select Board members Josh Bell and Matt Smith; Code Enforcement Officer, Steve Kaiser; Code Assistant, Kate Foster; applicant Glen Pound, residents John Moore and Jennifer Bjorn.

Mr. King opened the meeting at 6:00 P.M.

1. Designate alternate members, if needed

Mr. King designated Ms. Murphy as a voting member.

2. Review minutes of August 12, 2019

Mrs. Tracy made a motion to approve the minutes of August 12, 2019 as written.
Mr. L. Smith seconded the motion.

Mr. Jordan had a question about a statement in the minutes and if it should be clarified more.

The Board decided the minutes were fine as written.

VOTE: 6 – Affirmative 1 - Abstained

3. 19-MJ-01

**Glen Pound/Two Guys Grow
249 Farmington Falls Road
U08-002
Adult Use Cultivation Facility**

Mr. King introduced the application.

Mr. Pound introduced himself as the applicant and property owner. He gave a statement on what he is looking to do adding he has the labels and no signage because he would like to stay as low key as possible.

Mr. L. Smith made a motion to accept the application as presented.
Mrs. Tracy seconded the motion.

Mr. Jordan and Mrs. McGraw had questions about how many facilities were allowed in town and a list of total allowed with total filed to date was given to all Board members.

Mr. Wright asked about odor control.

Mr. Pound answered by stating what he has been doing and will do to make sure the odor is kept at a minimum.

Ms. Murphy asked if "Over the Rainbow" the business in the front of the building was going to stay or if Mr. Pound was going to be expanding.

Mr. Pound stated that business was staying as well as the Nichol's business in the back and he had no plans of expanding.

Mr. King asked if Mr. Pound and the other marijuana business owners talk to each other and discuss odor control and other aspects of the business.

Mr. Pound stated he has talked to a couple of the other business owners about odor control.

Mr. King called for a vote.

VOTE: 7 – Affirmative

Mr. Kaiser added that there are a couple of openings on the odor panel. Ms. Murphy has agreed to be a member and there is a possibility of a resident who is not on any panels or committees.

4. Discussion to hold an Executive Session

Mr. King stated that at the previous meeting on 8/12/19 Mr. L. Smith had asked for an executive session.

Mr. L. Smith made a motion to hold an executive session.

Ms. Murphy seconded the motion.

Mr. Davis reviewed the policies and procedures under the State statute for Executive Sessions at 1 M.R.S. §405.6.A.(1) that needs to be followed in order for an executive session to be held and it needs to be advertised before it can be held.

Mr. King stated he would not be at the meeting in October therefore the executive session would not be an option until the November meeting because the Chairman has to be present.

Ms. Murphy stated it clearly needs to be a very specific motion.

Mr. L. Smith amended his motion stating he would like to have an executive session because he has something to say about the July 8th meeting.

Mr. Davis stated it needed to be a lot more specific.

Mr. L. Smith withdrew his motions.

Ms. Murphy withdrew her second.

Mr. L. Smith stated he would take his concerns up under other business.

5. Other Business

Mr. L. Smith stated there were a few things he would like to discuss:

1. He didn't feel a couple of Board members have been prepared for meetings and haven't read the material given prior to the meeting. He added he is tired of hearing the same comments and questions being made that have been asked before or regarding what is clearly stated in an application.
2. In reference to the July 8th meeting, he said he didn't know that one person could influence Board members as much as they have clearly been. In the time he has been on the Board he said he has never seen anything like this before, especially where some of the Board members clearly couldn't wait to vote it down.
3. He hasn't decided if he is going to renew his position as a Board member or not but if he gets done, his last meeting will be October 21st 2019.
4. He felt as though at least two Board members should have stepped down and recused themselves from voting on the Homeless Shelter because they seemed to have been bought or heavily persuaded into voting the shelter down.

Mr. King asked Mr. Davis if there needed to be any discussion about Mr. L. Smith's concerns.

Mr. Davis said if the Board knows who Mr. L. Smith is talking about then it is up to the Board to discuss it or not.

Several Board members discussed the same concerns they have had about the July 8th meeting from the role the Board has in an application, how they were disappointed in the overall process of the application that had taken place, pressure felt from the Town Attorney and outside residents, and not taking a different approach going to the Zoning Board first.

There was discussion about reviewing the Homeless Shelter application before it was complete.

Mr. Kaiser stated it was the Code Office's responsibility to see that the checkoff list and application is complete enough to go in front of the Board for review, and it is up to the Board to make the final determination if an application is complete.

Ms. Foster added to Mr. Kaiser's statement that the Code Office deemed the application complete enough to go before the Board and the Board found incorrect information therefore deciding to stop the process until the Board was presented with all the correct information.

Mrs. McGraw asked Mr. Moore what the status was of the Homeless Shelter finding a new location.

Mr. Moore said they are looking at several locations and hoping to have a purchase and sale agreement in place by the end of the year. He added that they are looking to be a 24 hour facility instead of just overnight.

Ms. Murphy asked what the status was with the NextEra solar project.

Mr. Kaiser said NextEra will have to rebuild the CMP (Central Maine Power) substation and make minor revisions to their application to be reviewed by the Board for the October meeting.

Mr. L. Smith made a motion to adjourn the meeting.

Mr. Jordan seconded the motion.

VOTE: 7 - Affirmative

The meeting adjourned at 6:45 P.M.

Minutes respectfully submitted by Kate Foster.

Planning Board

Date