

**City of Hallowell
Planning Board Meeting
City Hall
November 15, 2023
6:30 pm**

1. Call to Order

Ms. Feinstein called the meeting to order.

2. Roll Call / Quorum

Ms. Feinstein took the roll call and established a quorum.

Present: Judith Feinstein (Vice-Chair), Richard Bostwick, Darryl Brown, Andrew Landry, *Melvin Morrison, Lisa Rigoulot, Matthew Rolnick (1st alt.), Richard Seymour (2nd alt.)
Gary Lamb, City Manager; Daniel Kelley, Dep. City Clerk

Excused: Danielle Obery; Doug Ide, Code Enforcement Officer

Mr. Rolnick and Mr. Seymour will be voting.

3. Public Comments (The Board has agreed to limit the time allotted to Public Comment to fifteen minutes.)

None.

Mr. Morrison arrived. Mr. Rolnick will be voting; Mr. Seymour will not be voting.

4. Approval of Minutes of the October 18, 2023 Planning Board Meeting

Motion to approve the minutes of the October 18, 2023 meeting as presented.

Moved: Bostwick

Seconded: Rolnick

Unanimously approved

5. Public Hearing: Conditional Use Permit Application for Audacity Zone Development LLC, 21 Pinnacle Drive, Map 18 Lot 33

No one was present to represent the applicant.

Jodi and Orlando Jaramillo, abutters at 9 Richardson Lane, were present. Mr. Bostwick and Mr. Rolnick questioned whether the Board could hold a Public Hearing if the applicant was not present; Mr. Landry pointed out that the purpose of a Public Hearing was to receive comments and questions, which the Board could do. Ms. Feinstein agreed that it would be appropriate for the Board to hear questions and comments as a means to have them on the record.

Ms. Feinstein opened the Public Hearing.

Jodi and Orlando Jaramillo, 9 Richardson Lane, expressed concerns regarding the proliferation of marijuana businesses and the size of the proposed facility. Mr. Jaramillo observed that odor is often a problem around grow facilities. He asked if there would be selling and if customers would be going in and out. Ms. Jaramillo expressed concern about security. She told the Board that a previous owner clear-cut the property up to the property line so there is no buffer between their property and the proposed project.

Mr. Brown observed that the original plan involved very little traffic, which was basically employees and deliveries. He also noted that because this is a grow facility for recreational use marijuana there are stricter state requirements for odor and security. Ms. Feinstein added that the applicant has previously told the Board that there will be no retail sales and no big sign on Central Street to advertise the facility. Mr. Bostwick noted

that the applicant has previously stated that there was an ample vegetative buffer and that the Board could require a buffer as a condition of approval.

Mr. Brown asked if the City had received any correspondence; Ms. Feinstein said there was none.

Mr. Bostwick explained that though the plan is for a building of 48,000 sq. ft., Audacity Zone Development's license is for a canopy of 20,000 sq. ft., but they also plan to make another product that does not involve growing.

Motion to continue the Public Hearing to the next meeting.

Moved: Rolnick

Seconded: Landry

Unanimously approved

6. Conditional Use Permit Application for Longfellow's Landscaping, Winthrop Street, a portion of Map 19 Lot 54

Jonathan and Brianna Longfellow presented an application for a Conditional Use Permit for a shop/storage site for Alden Longfellow's Landscaping and Excavation. Mr. Longfellow told the Board they plan to move their shop from Farmingdale to Hollowell. They are purchasing a portion of the property at 247 Winthrop Street. They plan to build a road to the rear area of the lot. The road will be 300' to 400' long and they will construct a concrete pad 200' x 200'.

Mr. Landry asked what zoning district the site was in and whether this was a permissible use; Mr. Bostwick said it was in the RF District and that Off-site Service Facility for Landscape and Agriculture is a Conditional Use in that district.

Mr. Brown asked Mr. Longfellow if he had obtained an Entrance Permit from MDOT; Mr. Longfellow said he has measured everything out but has not yet applied for a permit; he will do so before proceeding.

Ms. Feinstein asked how much traffic the shop would generate; Mr. Longfellow said they work Monday through Friday and occasionally on Saturday. Traffic will be mostly employees arriving in their cars and taking equipment out to work sites in the morning and returning in the evening. There will be no sales activity, just storage of equipment in 20' x 20' storage spaces with 4' high cinder block walls and hoop covers. They may want to add buildings at some time in the future. Mr. Morrison asked if the operation would be similar to Pinnacle Tree farther out Winthrop Street; Mr. Longfellow said it would.

Ms. Feinstein noted that the abutters were notified.

Mr. Longfellow told the Board that the houses on either side are behind trees, and the trucks and equipment are quiet; the actual use of the equipment will be on the job sites.

Mr. Landry expressed concern that if the Board grants the permit it would have no control over any expansion of the use. Ms. Feinstein explained that the Conditional Use permit is not an approval with conditions, it is a zoning exception that allows a use that is not otherwise permitted in the district. Mr. Landry expressed concern about expansion of the facility under the same conditional use. There was general discussion of the issue.

Ms. Feinstein noted that no abutters attended the meeting and no correspondence was received. Ms. Feinstein asked Mr. Longfellow if he had heard from any of the abutters; he said he had not. Mr. Landry said he was satisfied as long as the abutters had been notified. The consensus of the Board was that a public hearing was not necessary.

Motion to find the application complete.

Moved: Landry

Seconded: Rolnick

Unanimously approved

Ms. Feinstein noted that the applicant had not requested any waivers and that many of the standards for approval are not applicable to this project: there are no buildings, no lights, no incineration devices, no catch basins, no need for a soil investigation, no landscaped areas or rights of way. She noted that they do need to obtain an entrance permit.

Motion to approve the application as presented.

Moved: Rolnick

Seconded: Brown

Unanimously approved

Ms. Feinstein noted that no representative of Audacity Zone Developments had arrived and stressed that the Public Hearing was continued to the next meeting.

7. Other Business

Mr. Bostwick asked if there were Ordinance updates from the Ordinance passed in October; Mr. Kelley said that ordinance did not pertain to Land Use.

Ms. Feinstein called attention to MMA's ZOOM workshop on "Issues in Cannabis Enforcement" on December 13. She suggested that it might be beneficial to Board members who are able to participate. Mr. Lamb asked anyone interested to contact him. The City will take care of registration and payment.

Ms. Rigoulot suggested that the Board recommend to the City Council that the number of marijuana grow facilities should be limited. Mr. Seymour added that fees for marijuana licenses should also be reviewed.

Ms. Feinstein noted that some items in the Comprehensive Plan involve the Planning Board; Mr. Lamb told the Board he has updated the task list and will provide it to the Board.

Mr. Morrison noted that there has been some activity at the Dummer House. Mr. Brown informed the Board that Eric Perry has been in contact with Linda Bean.

Mr. Lamb told the Board that Mr. Ide will not be able to return to work in person but will continue to work from home. Mr. Lamb added that he has been in contact with a code officer in Augusta who is licensed to do third party inspections. He will advertise the Code Enforcement position.

8. Adjournment

Motion to adjourn.

Moved: Rigoulot

Seconded: Rolnick

Unanimously approved

Accepted as Presented on January 17, 2024, by a vote of 7 Yea to 0 Nay.

Attested: _____
S/
Judith Feinstein, Chair