

**Lebanon, Maine Planning Board
Minutes – Special Meeting
Thursday February 23, 2017**

Members Present

P. Philbrick - Chairman
S. Bright – Vice-Chairman
C. Lunderville
D. Harriman
S. O'Brien
B. Thompson – Alternate
J. Griffin – Clerk

Others Present

Dana Coull – Tax Payer
Bobbie Stormann
Mike Beaulieu – Lebanon Code Enforcement
Officer
Royce Heath – Selectman

Chairman Philbrick called for a motion to open the meeting. The motion was made by S. Bright and seconded by D. Harriman. The vote was taken and carried unanimously. Chairman Philbrick opened the meeting at 6:00 pm.

There was a quorum of members present and there were no conflicts of interest with any of the posted agenda items.

Visitor cards were distributed to guests to fill out. Guests who had previously filled out visitor cards had this evenings date added.

Code Enforcement Officer Mike Beaulieu addressed the Board and asked if the Marijuana order of business could be moved before the Lot Size Ordinance discussion. The Board approved of this change.

Marijuana Moratorium update – Code Enforcement Officer, Mike Beaulieu reiterated that Retail marijuana can be a very lucrative way to create revenue for the Town. The Town may be able to impose a (10%) ten percent sales tax for all marijuana related sales. In addition to the individual Town sales tax, the State of Maine will also be distributing (50%) fifty percent of all the revenue created by the issuing of licenses to the Towns/Municipalities who are allowing Retail Marijuana establishments in their Town/Municipality.

Mrs. Stormann asked to address the Board. C. Lunderville made the motion to allow Mrs. Stormann to address the Board and Vice-Chair Bright seconded the motion. Mrs. Stormann added that in Colorado, the amount of money the State/Towns/Cities are collecting from taxes as well as permits/licensing is astronomical.

A proposed (3) three unit building that has been brought before the Code Enforcement Officer. The Code Enforcement Officer mentioned that each end unit will have a drive thru. One drive-thru is proposed to be a “Dunkin’ Donuts” and the other a bank. The unit in between at this time does not have a potential renter/business as of yet. Could the third unit possibly be retail space for marijuana was mentioned.

Mrs. Stormann also shared that marijuana based businesses in Colorado are having issues with banks who refuse to open bank accounts for marijuana based businesses as well as providing financing for such. Mike Beaulieu added that banks that are a part of the F.D.I.C., Federal Deposit Insurance Corporation,

will not and or cannot conduct business related to marijuana due to marijuana being illegal on a federal level. Credit Unions however will conduct business transactions with marijuana based businesses.

Mike Beaulieu informed the Board that access to the premises of marijuana related establishments to review records as well ensure compliance of State regulations and Town codes may be designated to the Municipalities to enforce.

C. Lunderville feels that the Town must be adamant about the informational meeting addressing what is a moratorium and why it is so important to the Town. This needs to be explained/clarified so there is no confusion for residents. Why we need to have a comprehensive plan for zoning needs to be clearly relayed to residents so that they understand that without ordinances, the Town has no control over the amount of establishments can open in Town, where they can be located. Safety guidelines for both owners as well as residents, etc. It needs to be clear that proposed ordinances are not to limit, set guidelines or restrict the use of recreational marijuana.

Lot Size Ordinance – Mr. Beaulieu again related the importance of enacting a comprehensive plan as soon as possible, he suggested that the original plan be sent to legal for review to see if the format is correct.

Chairman Philbrick added that legal removed the draft Lot Size Ordinance – Non-conforming uses because it could not be upheld without a comprehensive plan.

There was much discussion about the proposed revision of the Lot Size Ordinance which was reviewed by legal. B. Thompson would like to review the Lot Size Ordinance again prior to the Board voting on whether to send it to the Select Board for them to vote on placing it on the Annual Town ballot.

C. Lunderville would also like to have additional time to review the proposed Lot Size Ordinance with the revisions from legal. The observation was made that there is similar wording within the Shoreland Zoning Ordinance but there is no wording on “grandfathering”. S. O’Brien would like to see the wording within the ordinance be consistent throughout ex. Principal Uses or Principal Structures.

Chairman Philbrick recommended that everyone review this over the weekend. If at all possible, touch base by Monday, 2/27 otherwise bring questions, changes, concerns, etc. to the next regular scheduled meeting on Thursday, March 11th. After discussion and everyone’s input, the ordinance can be returned to legal for further review.

Chairman Philbrick stated in order for a proposed Article to enact the “Lot Size Ordinance revision” to be placed on the ballot for the Annual Town Vote in May, the worded needs to be discussed and decided upon this evening. Discussion did take place on various ways the Article could be worded. The final wording to be submitted was decided as such:

Article__: Shall a revised ordinance entitled “Lot Size Ordinance 2017” be enacted?

The wording that was decided upon for the Article for the revised “Lot Size Ordinance” as well as the Prohibition articles and Moratorium Article for the Annual Town Ballot Vote in May, will be typed by the Planning Board Clerk and submitted to the Town Clerk, Dale Fisk.

Informational Meeting – The rescheduling of the informational meeting was discussed this evening. Because of February vacation in the school district, the Planning Board Clerk has not received a response from Mrs. Gilley whether the gymnasium would be available for Saturday, March 11th at 1:30 pm. The Planning Board Clerk will e-mail Mrs. Gilley as well as the office administrator at the Lebanon Elementary School inquiring if the gymnasium will be available or not for the informational meeting.

Other Business –

A workshop informational flyer was discussed among the Board members. The fee to attend per member is too costly however there is the option of purchasing the materials used as well as a DVD of the workshop. This cost is comparative to the fee of one member attending the workshop and this option would allow the entire Board to benefit. The Board will think about this, and discuss at the next regular meeting scheduled for Thursday, March 2nd.

After the previous Special Meeting held on Thursday, February 16th, S. O'Brien created a sample postcard that could be sent out to inform the Town residents of the Town website. The price will vary depending upon if the company mails out the postcards for you or if the Planning Board labeled the postcards themselves. Another reason there would be a price variation depends on whether or not a coupon(s) would be applied to the order.

S. O'Brien receives coupons on a regular basis with various percentages off an order or specials that may be in place at that particular time.

The Planning Board Clerk is to do the following:

- Contact the Lebanon Elementary School Principal Mrs. Gilley to confirm if the gymnasium will be available for Saturday, March 11th at 1:30 pm
- Inquire if an "all call" and or "texts" would be able to be sent to inform Lebanon Elementary and Hanson school parents of the informational meeting.
- Could the marquis signs out front of the schools be used to advertise that there is an "Informational Meeting" scheduled for Saturday, March 11th at 1:30 pm, (2) days prior to the meeting?
- Could memos be distributed in the teacher/employee mail boxes referencing the informational meeting?
- Contact Georgie Allen, Recreation Department to find out where she purchased the signs/banners for the craft fair and what they cost.
- Make a copy of the Comprehensive Plan for B. Thompson
- Type the Ballot question for the revised Lot Size Ordinance and submit it to the Town Clerk, Dale Fisk along with the Prohibition articles and Moratorium article for the Annual Town Ballot Vote in May.

Minutes- No minutes were reviewed

Chairman Philbrick called for a motion to adjourn. The motion was made by C. Lunderville and seconded by Vice-Chairman Bright. The vote was taken. The vote carried unanimously.

Minutes were reviewed on 3/23/2017.

Vice-Chairman Bright made the motion to accept minutes as corrected.

The motion was seconded by Chairman P. Philbrick

The vote was taken. The vote carried