

Lebanon, Maine
SELECT BOARD MEETING
Town Office Conference Room
Minutes –Meeting

9-7-2023

 Paul Philbrick – Chairman	Chris Gilpatrick
 Shelli Boucher – Selectwoman	Todd Ouellette
Michael Walsworth - Vice Chair	Dottie Bebris
 Richard Harlow III – Selectman	Chief Stefano
 Kevin Edwards – Selectman (6:40)	Paul Rumery

For complete meeting minutes please view the meeting in full at <https://www.youtube.com/c/TownofLebanon>

6:00 Pledge of Allegiance

6:01 Roll call

6:02 Public Participation – Chris Gilpatrick discussed a truck (NH plates) loaded with trash in N. Berwick making its way to Lebanon. Mr. Gilpatrick would like to know if this truck dumped the trash at the Lebanon Transfer Station. Mr. Gilpatrick asked who was dumping the tree debris at the Transfer Station. The Board advised that it was probably the Highway Department from downed trees. Mr. Gilpatrick would like to know for sure. Mr. Gilpatrick questioned why the loader hood was left open. The Board stated the highway department is doing work on the loader. Mr. Gilpatrick asked if they are certified mechanics, the board doesn't believe so. Mr. Gilpatrick asked about Center Road and the chip seal after they paved it.. The Board advised that they did not pave it, that was a skim coat and the chip seal goes on top of it. This is supposed to add longevity to the road. Mr. Gilpatrick would like to know the number of culverts that were replaced.

6:23 Individual Select Board Member issues – **Selectman Harlow motioned to approved the Fact & Findings for Brian Charland, DBA Harvest Goddess. Selectwoman Boucher seconded. Vote taken 3 yes (Philbrick, Harlow, Boucher) 1 abstain (Walsworth) Selectman Edwards wasn't present.**

Selectman Harlow discussed facility security – there are several companies and he will look into it this week and report next week. Discussion of ARPA monies for manufactured home. There was discussion or rules etc. Selectman Harlow presented a history of the Fire Dept. on Upper Cross. Selectman Edwards arrived (6:40). **Selectman Harlow motioned to approve the Fact & Findings for Cindy Pedro, DBA Dr. Kass Kannibis. Selectman Edwards seconded. Vote taken 3 yes (Edwards, Philbrick, Harlow) 2 abstained (Boucher, Walsworth).** Selectman Harlow discussed a SOP from 4/30/20 that was accepted but never signed. Selectman Harlow asks the board if they feel this is a legitimate document. After discussion the board agrees that since it wasn't signed, they can't verify if this was the final document. Selectman Harlow discussed ARPA rules for governments.

Selectman Harlow wanted to verify that ARPA funds paid for the electronic updates to the streaming equipment. This was verified and also voters approved this expenditure.

7:04 Chief Stefano - Update on Engine 4 which is at station 2 and is out of service. The Chief plans on removing equipment from the truck and move it to station 1. The extent of repairs is estimated at \$22,000 and addition \$1449 = \$23,500 OR they could do a motor swap which is \$29,000. Chief discussed the trip to Connecticut to look at a vehicle. Chief reports it is in excellent condition, clean and very sound. This is a 1991 vehicle – photos were shown. Selectman Edwards read the qualifications of Paul Rumery who is qualified to give a knowledgeable assessment. Chief Stefano is concerned that the department doesn't have a backup for the current engine. The Chief would like to purchase this truck for \$10,000 from CIP Emergency Vehicles. It isn't available until mid-October. The Chief asked them to leave the directional patterns equipment and they agreed for \$500. This brings total cost to \$10,500. **Selectman Edwards motioned to purchase the 1991 Pierce Fire Truck from East Litchfield Fire Dept. for up to \$10,500.00 contingent upon it being in the same condition as seen today. The E. Litchfield Fire Dept. will deliver it to us. Also, the primer will be fixed. This will come from emergency vehicle CIP fund. Selectman Harlow seconded with the Chief taking parts from engine 4 for this vehicle. Vote taken; vote carried.** Chief Stefano reminded everyone that there will be an Open House on Friday 9/8/23 from 5:00pm – 7:00pm. The Chief would like a dumpster at the station – cost approximately \$150 monthly. The open house will not allow roaming as it is a safety issue.

Selectman Harlow discussed the structural engineer report regarding the floor in 2016. The Town did not own the building until 2020, prior to that the Corporation did. As a municipality, we were not allowed (by law) to put money into a private properties.

7:48 Vice Chair Walsworth discussed starting a newsletter. Vice Chair Walsworth discussed the upgrade in internet speed. It was approved by the board but not voted on. It will go 1 tier up for a cost of \$50 per month. **Vice Chair Walsworth motioned to increase our internet speed for a cost of \$50.00 per month with Breezeline. Selectman Harlow seconded. Vote taken; vote carried.** The board reviewed an ADA fact sheet for the manufactured home. Vice Chair Walsworth discussed upcoming meetings regarding the design of Fire Stations. One at the end of October and one in May. One is in South Carolina and one is in Arizona.

Finding of Fact, Conclusions of Law, & Decisions

Select Board, Town of Lebanon Maine

August 3, 2023

IN THE MATTER OF:

Business Name: **Cindy Pedro, DBA Dr. Kass Kannibis**

State License/Caregiver #: CGR30829

Applicant/Representative/Owner: Cindy Pedro

Type of Business: Registered Caregiver Home Operation 500sqft w/ Add-on Small Manufacturing

Location: 87 Savannah Lane, Lebanon Maine

By the Town of Lebanon Select Board

Paul Philbrick - Chair - Present

Michael Walsworth - Selectman- Recused

Shelli Boucher - Selectwoman- Excused

Kevin Edwards - Selectman - Present

Richard Harlow - Selectman - Present

Decision: Approved

Pursuant to the provisions of the LEBANON MEDICAL MARIJUANA BUSINESS ORDINANCE, Section 11, as revised by the Town of Lebanon voters on June 13, 2023, the Town of Lebanon Select Board has considered the application for the initial license of a Registered Caregiver Home Operation up to 500sqft Canopy with a Small Add-on Manufacturing Facility, submitted by Cindy Pedro, DBA Dr. Kass Kannibis. Including its supportive data, public hearing testimony, and other related materials contained in the record, the Select Board makes the following findings of Fact and Conclusions of Law:

1. APPLICATION SUMMARY

- A. Cindy Pedro/Dr. Kass Kannibis submitted an initial Marijuana Establishment License Application on 5/11/2023 for the following licenses:
 - i. Registered Caregiver Home Operation, up to 500sqft Plant Canopy
 - ii. Small Add-on Manufacturing Facility

2. APPLICATION REVIEW PROCESS

- A. Town Appointed Officer Temporary Administrator scheduled a Public Hearing for August 3, 2023
- B. Public Hearing held by the Select Board on August 3, 2023
- C. Select Board acted upon the license request on August 3, 2023

3. APPLICATION REVIEW FINDINGS/ACTIONS

- A. The Town Appointed Officer Temporary Administrator upon receipt of the completed application scheduled a Public Hearing for August 3, 2023, per section 11 of the Lebanon Medical Marijuana Business Ordinance
- B. The Select Board conducted the Public Hearing on August 3, 2023, with the Select Board member, Richard Harlow, presiding. The hearing was conducted using the Public Hearing procedure taken from

the Maine Municipal Manual guidelines.

- C. The Presiding Officer presented an informational package to the Select Board members which contained the requesters' application and supporting documentation.
- D. Applicants presented their request for license renewal.
- E. The Select Board responded to the presentation.
 - i. All the required paperwork was in the package.
- F. Town Officials presentation
 - i. Occupancy Permit in file for a new build of a Grow House, 26' x 46', 1,196 sqft.
- G. Public presentation/comment
 - i. None
- H. Selectboard responded to Public Presentation/comment.
 - i. No comments
- I. Selectboard ended Public Participation of public Hearing and entered Deliberation phase.
 - i. After an appropriate review of the information packet and documents, the Board had no questions.

4. CONCLUSION OF LAW – REVIEW CRITERIA

- A. Standards for approval, denial, revocation (Section 14 of the Ordinance)
 - i. Does the applicant fail to meet the requirements of this Ordinance, or any other applicable Town Ordinance, including any applicable location, setback, building and life safety code requirements?
 - ii. Has the applicant provided false or misleading information in connection with the license application?
 - iii. Has the applicant failed to update information as required in Section 13 of the Ordinance?
 - iv. Has the applicant failed to obtain or maintain in effect a State approval, authorization or registration?
 - v. Has the applicant failed to pay any applicable Town license fee?
- B. In a renewal, the Selectboard may take into consideration (Section 14 of the Ordinance):
 - i. Number and type of complaints the Town or law enforcement has received and/or investigated.
 - ii. Citizen complaints
 - iii. Failure to correct or abate a violation that the Town is authorized to enforce.
 - iv. Failure to correct or abate any violation of this Ordinance, any other applicable Town ordinance, or any State cannabis rule or regulation.
- C. Based on the standards listed in Section 14 of the Ordinance as listed above, the applicant is eligible for approval of their application for an initial license.

5. DECISION

- A. On the basis of the above Findings of Facts and Conclusion of Law, the Selectboard voted: 3 – YES, 0 – NO, 0 – ABSTAIN, to approve the application and to issue an initial license to Cindy Pedro, CGR30829, DBA Dr. Kass Kannibis for a Registered Caregiver Home Operation 500sqft with Small Add-on Manufacturing Facility with an expiration of 8/3/2024, subject to the following conditions of approval (if any) as listed in paragraph 6 – Conditions of Approval.

· 6. CONDITIONS OF APPROVAL

A. None

7. APPEALS

A. Parties aggrieved by this decision may appeal under this Ordinance to Superior Court in accordance with 30-A M.R.S. § 4482-A and the provisions of Rule 80B of the Maine Rules of Civil Procedure.

Dated: _____

Selectboard

Finding of Fact, Conclusions of Law, & Decisions

Select Board, Town of Lebanon Maine

August 24, 2023

IN THE MATTER OF:

Business Name: **Brian Charland, DBA Harvest Goddess**

State License/Caregiver #: CGR26838

Applicant/Representative/Owner: Brian Charland

Type of Business: Registered Caregiver Retail Store

Location: 1104 Carl Broggi Hwy, Lebanon Maine

By the Town of Lebanon Select Board

Paul Philbrick - Chair - Present

Michael Walsworth - Selectman- Recused

Shelli Boucher - Selectwoman- Present

Kevin Edwards - Selectman - Excused

Richard Harlow - Selectman - Present

Decision: Approved

Pursuant to the provisions of the LEBANON MEDICAL MARIJUANA BUSINESS ORDINANCE, Section 11, as revised by the Town of Lebanon voters on June 13, 2023, the Town of Lebanon Select Board has considered the application for the license renewal of a Registered Caregiver Retail Store, submitted by Brian Charland, DBA Harvest Goddess. Including its supportive data, public hearing testimony, and other related materials contained in the record, the Select Board makes the following findings of Fact and Conclusions of Law:

1. APPLICATION SUMMARY

- A. Brian Charland/Harvest Goddess submitted a renewal Marijuana Establishment License Application on 7/13/2023 for the following licenses:
 - i. Registered Caregiver Retail Store

2. APPLICATION REVIEW PROCESS

- A. Town Appointed Officer Temporary Administrator scheduled a Public Hearing for August 24, 2023
- B. Public Hearing held by the Select Board on August 24, 2023
- C. Select Board acted upon the license request on August 24, 2023

3. APPLICATION REVIEW FINDINGS/ACTIONS

- A. The Town Appointed Officer Temporary Administrator upon receipt of the completed application and checklist scheduled a Public Hearing for August 24, 2023, per section 11 of the Lebanon Medical Marijuana Business Ordinance
- B. The Select Board conducted the Public Hearing on August 24, 2023, with the Select Board member, Richard Harlow, presiding. The hearing was conducted using the Public Hearing procedure taken from the Maine Municipal Manual guidelines.
- C. The Presiding Officer presented an informational package to the Select Board members which

contained the requesters' application and supporting documentation.

- D. Applicants presented their request for license renewal.
- E. The Select Board responded to the presentation.
 - i. All the required paperwork was in the package.
- F. Town Officials presentation
 - i. Regarding the renewal fee, the applicant has \$13,800 due back to them as a rebate for fees (due to Ordinance changes) paid in 2021 and 2022. The renewal fee for the Registered Caregiver Retail Store is \$6,000, so the applicant, Brian Charland, has a balance of \$7,800 due back to him.
- G. Public presentation/comment
 - i. None
- H. Selectboard responded to Public Presentation/comment.
 - i. No comments
- I. Selectboard ended Public Participation of public Hearing and entered Deliberation phase.
 - i. After an appropriate review of the information packet and documents, the Board had no questions.

4. CONCLUSION OF LAW – REVIEW CRITERIA

- A. Standards for approval, denial, revocation (Section 14 of the Ordinance)
 - i. Does the applicant fail to meet the requirements of this Ordinance, or any other applicable Town Ordinance, including any applicable location, setback, building and life safety code requirements?
 - ii. Has the applicant provided false or misleading information in connection with the license application?
 - iii. Has the applicant failed to update information as required in Section 13 of the Ordinance?
 - iv. Has the applicant failed to obtain or maintain in effect a State approval, authorization or registration?
 - v. Has the applicant failed to pay any applicable Town license fee?
- B. In a renewal, the Selectboard may take into consideration (Section 14 of the Ordinance):
 - i. Number and type of complaints the Town or law enforcement has received and/or investigated.
 - ii. Citizen complaints
 - iii. Failure to correct or abate a violation that the Town is authorized to enforce.
 - iv. Failure to correct or abate any violation of this Ordinance, any other applicable Town ordinance, or any State cannabis rule or regulation.
- C. Based on the standards listed in Section 14 of the Ordinance as listed above, the applicant is eligible for approval of their application for the renewal of their license.

5. DECISION

- A. On the basis of the above Findings of Facts and Conclusion of Law, the Selectboard voted: 3 – YES, 0 – NO, 0 – ABSTAIN, to approve the application and to grant a renewal license to Brian Charland, CGR26838, DBA Harvest Goddess for a Registered Caregiver Retail Store with an expiration of 8/24/2024, subject to the following conditions of approval (if any) as listed in paragraph 6 – Conditions of Approval.

6. CONDITIONS OF APPROVAL

A. None

7. APPEALS

A. Parties aggrieved by this decision may appeal under this Ordinance to Superior Court in accordance with 30-A M.R.S. § 4482-A and the provisions of Rule 80B of the Maine Rules of Civil Procedure.

Dated: _____

Selectboard

