

**Town of Cape Elizabeth
Ordinance Committee Minutes**

January 17, 2017

12:00 p.m.

Town Hall

Present: Patty Grennon, Chair
 Caitlin Jordan
 Kathy Ray

Staff: Maureen O'Meara, Town Planner

Councilor Grennon called the meeting to order. The minutes of the December 1, 2016 meeting were approved.

Public Comment

No member of the public was in attendance.

Meeting Logistics

The committee agreed to meet the Tuesday after the Town Council meeting, at the time of 12:00 -1:30 p.m. The next several meetings are February 14th, attendance at the MMA Marijuana workshop on February 28th, March 14th and April 11th.

The committee approved the public participation process shown on the agenda. Councilor Ray clarified that public comment would be allowed at the beginning and end of each meeting and that was approved 3-0.

Marijuana regulations

Councilor Grennon asked about any conflict of interest or bias regarding the regulation of marijuana in Cape Elizabeth. Councilor Jordan said that she and her family's farm have no intention to cultivate, manufacture, or sell marijuana and she has no bias on this issue. She also stated that her positions would reflect a town perspective, not the perspective as a representative of the Cape Farm Alliance.

Shooting Range and PSFoam and Bag Ordinances

The committee agreed the priority should be the marijuana regulations, after which the Shooting Range Ordinance and PSFoam and Bag Ordinances would be considered. The committee asked about the scope of work on the Shooting Range Ordinance. There had been discussions by the Ordinance Committee and the Town Council in 2016 about

minor adjustments needed. It is also normal to identify minor revisions after using the ordinance to conduct a review. Councilor Jordan noted a renewal date.

Marijuana regulations

Staff was directed to confirm the expiration date of the current town moratorium and to submit a request for a new moratorium for Town Council consideration prior to the expiration of the current moratorium.

Councilor Grennon introduced the discussion of local regulations in response to the state marijuana referendum. She suggested the committee discuss the four uses, growing, manufacture, retail sales and social club, and if they should be allowed in Cape Elizabeth. Councilor Jordan would not support social clubs. Councilor Ray would like more discussion.

Councilor Grennon noted that a majority of Cape residents voted for the marijuana referendum, but she does not think supporters were thinking about the components locating here. Councilors Ray and Jordan believe voters supported home use and treating marijuana equal to alcohol. Councilor Grennon noted public opposition to a park next to town hall and the Dunkin Donuts as indicators residents would not support marijuana uses in Cape.

Councilor Grennon is concerned with the secondary impacts and we should create a list of those, including security. Councilor Ray noted that marijuana uses can potentially generate significant income and some folks may want that. There was a question if the town will receive any revenues. Can someone have an in-home retail shop? A "non-public place" should be defined. Could marijuana be used at a special event facility?

As a reference, the committee noted the smoking regulations adopted for Fort Williams Park. Smoking marijuana in the park would not be permitted, but what about consumables like brownies? The committee noted the litter associated with smoking, as well as second-hand impacts and behavior. Councilor Grennon suggested a conservative approach in Cape and monitor how use is going elsewhere. The committee noted articles on how marijuana use has occurred elsewhere. Following the February 28th workshop, staff is directed to prepare a summary document on next steps.

Shooting Range Ordinance

The committee questioned if there is anything to do with the Shooting Range Ordinance? Councilor Jordan noted that the Town Council has already granted a reduction in the insurance amount required. The committee agreed that some minor "tweaks" were probably needed. Staff will check with the Police Chief regarding any complaints, request comments from the Code Enforcement Officer and also request comments from the Spurwink Rod and Gun Club. Public comments are always welcome.

Public Comment

No members of the public were present.

Next Meeting

The next meeting will be held on February 14, 2017 and review minor revisions to the Shooting Range Ordinance.

The meeting adjourned at 1:20 p.m.