

**Town of Cape Elizabeth**  
**DRAFT Ordinance Committee Minutes**

May 16, 2017

12:18 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 April 27, 2017 meeting were approved.

Public Comment

No member of the public was present.

Marijuana Regulations

Councilor Grennon began with a review of the chart evaluating marijuana category uses.

Councilor Ray asked about who grows outdoors? What are the smell impacts? Staff noted that the recreational marijuana law allows cultivating to include on-site retail sales.

The committee questioned the size of a growing operation and staff reviewed the referendum. The amount of space statewide approved for cultivation is 800,000 sq. ft. of plant canopy. There are 2 types of licenses. Forty percent of the licenses must go to grows of 3,000 sq. ft. or less of plant canopy. Each unit block is 100' x 100' and the maximum blocks under a single license is 300, so 30,000 sq. ft of canopy is the maximum size under the referendum. No more than 6 cultivation facilities or more than a 300 unit block may be located on the same parcel.

Councilor Ray asked for an example of an outdoor growing operation which includes the size, how much plant canopy, fencing and revenues.

The committee liked the chart and asked for an additional chart that shows what's currently allowed for personal use, what's allowed for medical marijuana, retail and cultivation uses. Councilor Jordan asked what is allowed for medical marijuana because it does not make sense to not allow the same amount for recreational marijuana. Local farmers may be interested in cultivation.

The committee asked for a town map that categorizes lots into size groups. The groups are lots of more than 2 acres, 3 acres, 4 acres, 5 acres, 10 acres and 15 or more acres. There is a benefit in requiring a large lot size that would serve to protect existing neighborhoods from the impacts of marijuana growing, but also a concern that a large lot size may discriminate against less wealthy residents who cannot afford large lots.

The committee will continue their discussion when the medical marijuana statute is reviewed and the other materials are ready.

The committee liked the Nasal guard photo in the Denver Times article. Councilor Grennon asked that a resource tab be established on the town website and the articles forwarded to the committee be added to that tab. The committee also asked for examples of the type of buildings that can be built.

#### Next Meeting

The next meeting committee will be held on Tuesday, May 30th, beginning at 12:15 p.m.

#### Public Comment

There was no public comment and the meeting adjourned at 1:30 p.m.