

Palmyra Planning Board Meeting Minutes

Date: 02/23/2021

- I. **Call to order** – Chair Gary Beem called the meeting to order at 6:00 pm.
- II. **Roll call**
Planning Board members present: Gary Beem, Dave Leavitt, Maurice Temple, Corey Dow, and Billy Boulter
Selectmen Present: Herbert Bates
Diane Cookson (Planning Board Secretary)
Others present: David Pratt, Gilbert Andrews
- III. **Announcements**
 - Hometown Health Center Public Informational Meeting – Zoom meeting Wednesday, February 24, 2021 at 6:00 pm
- IV. **Correspondence**
- V. **Reports**
 - Secretary's Report (02/23/2021) – Motion made by Gary to accept as written—seconded by Dave. All in favor.
- VI. **Old Business**
 - Ivan Brown – conditions of permit approval (2/9/2021) - copy of floor plan and date of subsurface wastewater permit date – *Mr. Brown submitted floor plans. Wastewater permit date—02/09/2021. Permit approved at the last meeting (2/9/2021).*
 - Medical Marijuana Facility – Oxbow Road – *There has been inquiries recently. Maurice suggested that David Pratt's applications be discussed first.*
- VII. **New Business**
- VIII. **Process Land Use Permit Applications**
 - David Pratt – Mobile Home (Map 3 Lot 16-1) – *Second review—first review missing measurements and septic permit. Billy asked about a well. David told him he would be using his fathers' well (Elisha Pratt). He will run a water line behind the building. Travis has looked at this and said it looks good. Billy suggested adding the warrantee deed (that was with the first application) to this one to make it complete. Property is not in farmland, open space, or tree growth.*
Motion made by Dave to accept the application—seconded by Maurice. All in favor.
Motion made by Dave to approve the application—seconded by Maurice. All in favor.

Medical Marijuana

Frank Maker had asked Diane why this is not on the Town Meeting Warrant. He is not present tonight. She has also had a couple of calls about these facilities (what are the town rules). Travis had suggested telling people asking about a marijuana facility speak with him.

Dave had the history of applications for DNK. Corey asked, if we cannot regulate this (per Gordon Smith, Esq.), why have they not submitted an application (DNK)? Dave said that we have an ordinance and we should tell them to refer to the ordinance. DNK history goes back to July 9, 2019—more recently in October 27th, Devin Hamil was here with his lawyer, Gordon Smith, and according to Dave's notes he was told that we need a commercial application submitted two weeks in advance and he had to pay the application fee and escrow (\$2,500 minimum) to be used for legal counsel. If there is ambiguity in the ordinance, the Select Board may want declare a moratorium and to task the Planning Board to write a clear ordinance. Herb said that he will bring this up at the Select Board meeting tomorrow.

Billy – individual caregivers can cultivate marijuana and the town can't prohibit this state allowed process.

Planning Board questions:

- 1. What type of cultivation facility is allowed by the state (that the town cannot prohibit)?*
- 2. Can caregivers get together in one facility?*
- 3. Is it the town's responsibility to police these facilities?*
- 4. Does the town have jurisdiction on what happens inside the building?*
- 5. Does the Planning Board have the authority to add conditions?*
- 6. Does the moratorium need to be in place before an application is submitted?*
- 7. Is there a limit on the number of immature plants they are allowed to have?*
- 8. Can the caregivers have an infinite number of customers (as long as they have only five customers registered at one time)?*
- 9. Devin's license had a certain number of plants he was allowed to grow—can he grow more than what was on the face of it? How many plants can a caregiver grow?*

Dave said that the town may have to bear the cost of legal counsel in helping the Planning Board with the ordinance.

IX. Adjournment - Motion made to adjourn made by Corey—seconded by Maurice. All in favor.
6:50 pm meeting adjourned.

*Respectfully Submitted
Diane White*

NEXT MEETING
03/09/2021