



Town of Hampden
Planning and Development Committee
Wednesday June 21, 2017, 6:00 pm
Municipal Building Council Chambers
Minutes

Attending:

Committee/Council

Ivan McPike-Chair
Terry McAvoy
David Ryder
Dennis Marble
Mark Cormier
Greg Sirois

Staff

Angus Jennings, Town Manager
Karen Cullen, Town Planner

Public

Jennifer Austin
Jim Kiser
Valerie Webster
Cynthia and Peter Herrick

Chairman McPike called the meeting to order at 6:00 pm.

1. Approval of May 17, 2017 Minutes – **Motion** to approve as submitted made by Councilor Sirois with second by Councilor Marble; carried 6/0/0.

Note, there was no P&D Committee meeting on June 7, 2017.

2. Committee Applications: Jennifer Austin, for Alternate seat on the Planning Board. Ms. Austin stated she has lived in Hampden for 12 years and has done some volunteer work, and wants to serve the town by joining a board. She added that she is a project manager and is used to working with people.

Motion to refer Jennifer Austin's application for an Alternate seat on the Planning Board to the Town Council made by Councilor Marble with second by Councilor Sirois; carried 6/0/0.

Manager Jennings added that this will go to Council at the July 17th meeting, after which Town Clerk Paula Scott will contact Ms. Austin to come in to get sworn in. He added the Planning Board is meeting July 12th and she is welcome to attend that meeting.

NOTE: Agenda items were taken out of order.

3. Updates:

- a. MRC/Fiberight: Manager Jennings reported that Craig Stuart Paul of Fiberight will be in town tomorrow and will be meeting with the Hampden Water District and later with town

staff. They are preparing to submit the building permit application and staff has provided a list of items they need to take care of in order to get that permit. Manager Jennings also reported that the question of what the facility is going to be categorized as when it initially opens is up in the air and is under review by DEP; MRC/Fiberight are proposing to phase the operation of the facility such that the “wet” end of the processing will not begin for some as yet undefined number of months after the facility opens. The question is whether, before the “wet” end is operational, the facility’s operations would be in compliance with the approved Planning Board Order, or would in effect be operating as a transfer station. Manager Jennings noted he has informed MRC/Fiberight’s consultant of the pending zoning amendment regarding transfer stations. He reported that he will be part of a conference call with DEP, MRC and Fiberight next week and is aware that DEP is reviewing the proposed phasing, and he advised that Town staff will look to DEP given its subject matter expertise to determine whether the proposal is in compliance with the permits.

It was also noted that the water line has been completed up Coldbrook Road, and the Hampden Water District will be installing hydrants in the near future. Site work on the road and infrastructure into the site from Coldbrook Road has resumed.

b. Staff Report:

- i. Planner Cullen said the reports on what development activity is going on in town were provided in the packet, and asked the committee what information they would like to see in the building permit report. Mayor Ryder said all he wants is the planning report, the building permits report is not necessary. Staff noted the building permit reports can be produced quickly and easily and can be available upon request. The planning report, showing applications to the Planning Board, will be provided in each packet. The committee was pleased with this work and said it will help them stay apprised of ongoing development projects.

4. Old Business: None.

5. New Business:

- a. Colonial Heights Phase 3, Conservation Easement. Jim Kiser was present to discuss the request for the town to accept the conservation easement on 12.33 acres of land within the proposed subdivision. The easement is a requirement of ME DEP for wetland mitigation for phases 2 and 3 of the housing development. Main points of the discussion were:
 - i. Reeds Brook runs through this easement area.
 - ii. There are other options to meet DEP’s requirement if the town doesn’t want to accept the conservation easement; the proponent needs to know soon so they can pursue other options if necessary.
 - iii. The proponent (Cushing Family Corporation) may request the Town to accept the land (ownership) in the future, as an open space parcel.
 - iv. This land abuts a small (2.45 acre) parcel owned by the Town which was given as open space for phase 2.

- v. Liability for someone getting injured on the property remains with the land owner; as holder of the easement the Town would not have liability.
 - vi. The conservation easement as written does not allow public access to the area.
 - vii. Permitted uses includes construction of trails for education or recreation.
 - viii. Council is concerned about this given the potential ramifications that arose when reviewing the proposed conservation easement for the MRC/Fiberight project.
 - ix. Land Trusts (as holders of easements) usually require more restrictions than this easement has.
 - x. Councilor McAvoy expressed concern that more developers who are trying to develop marginal land will ask the Town to help them mitigate wetland impacts on their projects, which might result in more development than could happen if such mitigation wasn't done – that by having the Town hold easements, we are contributing to increased impacts on wetlands. Jim Kiser responded that developers need to do this in order to have economically viable projects, and given the condition of the land it is usually low value anyway so further lowering the value with a conservation easement has a small impact on the tax base.
 - xi. The preservation of this area will continue the green corridor along Reeds Brook which could extend from Route 1A over to Mayo Road.
 - xii. Most Councilors felt this easement might be acceptable, with low risk to the Town and a small amount of resources needed to handle it, but want further research and review by staff to know exactly what the impact to staff will be if it is accepted.
 - xiii. Chairman McPike requested that this come back to the P&D Committee on July 19.
- b. Stormwater Presentation – Planner Cullen gave a presentation (“Stormwater 101”) reviewing the MS4 General Permit and activities the town has done to comply with the requirements of the permit over the past year. The presentation was recorded and will be available to Councilors who were not able to attend the meeting tonight. This presentation is one of the requirements of the Permit.
- c. Environmental Mitigation Guidelines – Manager Jennings said staff had recently determined that the guidelines, regarding using land within the LL Bean parcel for wetland mitigation for private commercial or industrial development on other land, was never adopted by the Town Council. He said staff would like Council to decide whether they want to have such a written policy or not, so we can take the appropriate action to fulfill that decision. Discussion points:
- i. These guidelines were drafted by a previous planner when the business park was being developed, as an option for on-site wetland mitigation.
 - ii. Part of the proposal put before voters in the purchase of the LL Bean parcel was that the land would be used for commercial or industrial development. These guidelines were developed to allow wetland mitigation specifically for commercial or industrial development since the town realized much of the LL Bean parcel is basically undevelopable.
 - iii. The committee is in favor of staff going through this and putting it into official form for adoption by Council.

- iv. Councilor McAvoy requested that the 50% of the ILF (“in lieu fee”) noted in item 10 of the draft guidelines be re-examined; perhaps a higher percentage would be more appropriate. He noted 50% is quite generous to the developer.
- v. Manager Jennings noted this is not a particularly time sensitive item and will probably not be back to the committee until this fall.

6. Zoning Considerations/Discussion:

- a. Planner Cullen reported that at this point, the Town does not have an Official Zoning Map which is an accurate reflection of the zoning districts. While many maps have been produced since the last Official Map was done (in 1979), none have been signed by the Town Manager and Town Clerk as required by the Zoning Ordinance. Rather than try to research every map amendment since 1979, staff recommends that the current map be taken through the amendment process, with public hearing at Planning Board and Town Council and a vote to adopt; the signatures required will then be added and each time the map is amended, a new one will be printed and signed.

Motion by Councilor Marble to refer the Zoning Map to the Planning Board for public hearing; seconded by Councilor McAvoy; carried 5/0/0.

7. Citizen Initiatives: None.

8. Public Comments:

Valerie Webster of 1325 Carmel Road addressed the committee regarding activity at 1334 Carmel Road involving the growing of marijuana. She submitted four documents to the committee, attached as Exhibits:

- Exhibit A: Letter from Jeremy and Sheila Williams (previous owner of the land in question)
- Exhibit B: Talking Points from Valerie Webster
- Exhibit C: Article regarding marijuana in Denver Colorado
- Exhibit D: Article “Grass Is Not So Green: Marijuana Has A Huge Carbon Footprint”

The main point of the letter from Mr. Williams is that he sold his property to people who he believes are dishonest and deceptive, and is afraid they are planning to turn the property into a commercial marijuana cultivation facility. He does not believe that is consistent with the traditional values of the community and hopes the Town Council will not allow such activity in Hampden.

The main point of the comments from Ms. Webster is that she is very concerned about the future use of this property and the potential for commercial cultivation of marijuana at this site. Her concerns include impact on property values, the environment (the wildlife, stream, groundwater supply), neighborhood (noise, lights, odors), traffic, and security. She questioned whether commercial cultivation will be allowed here, and if so, what the review

and approval process will be for the site and the buildings (greenhouses). She urged the town to conduct an in depth investigation into this matter.

Cynthia Herrick of 1348 Carmel Road said she is concerned about her well and the potential depletion of the aquifer. She is also concerned about her property value, they want to sell their house and are afraid they won't be able to with this activity next door. Her husband Peter questioned whether this area was Rural or Rural Agriculture. He stated the road is in poor condition and it is a very busy street with a lot of truck traffic. He requested the town further research this.

Discussion points:

- Ms. Webster reported that she had spoken with the Public Safety Director and that he had advised her that the state has done an inspection of the property recently and apparently found no violations.
- Medicinal marijuana regulations require each plant to be labeled with the patient's information, and is limited to 6 plants per patient.
- Question raised as to whether they would need a permit under the Use of a Residence for Business Purposes regulations (§4.10 of the Zoning Ordinance) to sell medical marijuana out of the property.
- There has already been an increase in traffic to the site.
- The Council's Resolution on marijuana requires quarterly updates and the first will be at the July 19th meeting of the P&D Committee.
- Many of the concerns brought forth tonight are based on the assumption that there will be a commercial marijuana cultivation facility there, and that is an unknown at this point – the Town has not made any decisions on the allowance or regulation of such facilities. It was noted that this is both a land use issue regulated by Zoning and, if the Council so directs, a licensing matter that would include review of the particular applicant or operator.

Manager Jennings said staff will look into the current operation to determine what is permitted currently and whether the activity is in compliance with that. Meanwhile staff continues to work on the whole issue, which includes licensing issues as well as zoning.

9. Committee Member Comments: None.

10. Adjournment: **Motion** to adjourn at 8:06 pm by Councilor Marble; seconded by Councilor McAvoy, carried 5/0/0.

*Respectfully submitted by
Karen Cullen, Town Planner*

P+D Committee Meeting
Exhibit A
6.21.2017

Jeremy and Sheila Williams (Formerly of 1334 Carmel RD N, Hampden)
310 SW Airpark Glen
Lake City, FL 32025

23 Porter Street
Searsport, ME 04974
June 20, 2017

Hampden Town Council
Planning and Development Committee
Town of Hampden
106 Western Ave
Hampden, ME 04444

Dear Hampden Town Council:

I wish to sincerely apologize to my friends and former neighbors on Carmel Road North after having sold Oak Spring Farm. As you may know, Sheila and I operated an airstrip with tie downs and hangar where we operated a part time business restoring classic aircraft. The property as conditionally zoned for such activities. I also apologize for the length of this letter but I felt I need to fully illustrate the back ground of my concern.

Almost two years ago, I accepted an appointed position with the Jacksonville Electric Authority in Jacksonville Florida. At that time, we placed Oak Spring Farm on the market because we had bought a home in an airpark in Lake City Florida, and also retained a small cottage in Searsport for us to stay in on visits to Maine and after we retire. Maintaining three properties was a financial hardship, so we had to rent the Hampden Property to meet costs and keep up the maintenance until it sold.

We had quite a few renters in that year and a half before we sold the house. All were excellent tenants until we encountered the current occupants. Matthew Davidson and his wife Laura contacted us about renting and perhaps buying the farm. They were from New Jersey, and were currently living in Charleston, South Carolina. Matthew expressed his interest in bringing their two small children up in a wholesome community such as Hampden, and expressed an interest in growing vegetables and raising livestock. Although not a pilot, he also expressed an interest in maintaining the airstrip and learning to fly. He said he had just sold a baseball training center in New Jersey and had some cash in the bank and was going to wait for his credit to settle.

Matthew said all of the things that led me to believe he would be a good steward of the land. I mentioned to him that I always allowed people to access and enjoy my property provided they follow the rules. He said if he bought the place he would continue that tradition. I later found out that was lie.

Matthew moved in December 1st and Laura and the small children joined him later that month. He had signed a standard rental agreement that simply stated they would not alter anything in the house or on the property without our express written permission.

Matthew represented that he and partner were starting another baseball training center in Charleston, South Carolina and were going back and forth.

Sheila and I drove up to Maine for the Christmas Holiday. We went to the property to remove some items out of the garage to enable them to stack some firewood in there (they a load dumped in the driveway adjacent to the garage). Matthew also asked me if he could use a room in the garage for a workshop. I said he could and told him I would have my son come and connect the heating register in the garage so it would be heated. While I was there at a later time, I noticed some brand new ducting, fans and light fixtures in the mud room. I asked him and his partner (who he introduced as Richard Mudd) what those were for. He told me they were small hydroponic growing equipment for cultivating tomatoes. I guess I take people at face value because at first I believed this story. At this time I felt I should finish the upgrade to the subpanel in the garage to provide a safer electrical load. I noted that they had sealed off the egress door to the garage with an insulating panel and sealed it with spray foam. Noting this as a violation of the rental agreement, I told Matthew to cease any more alterations of my house. He insisted that he was buying the place and that he had the money all arranged. I was firm in insisting he not do any more changes, since he hadn't put up any earnest money or signed a contract. I discovered later he had continued to install the equipment.

The next day my son came and connected the heat to the room. My son saw some of the equipment installed. At that time, he told my son he planned on cultivating marijuana in the room. My son called and informed Sheila about their plan and she called him and reiterated what I had told him. At that time, he insisted he was going to purchase the place and was in the process of putting together the money.

In the meantime, my brother struggled to plow the driveway. The woodpile was in a place that interfered with proper snow removal. The walkways weren't shoveled properly (their responsibility in the rental agreement). They never moved the wood in the garage despite my requesting they do so on numerous occasion because of the hazard of inadequate snow removal.

The firewood became incased in ice from a storm. The snow and ice buildup around the house was becoming a hazard. All the while I heard repeatedly from Matthew and Richard how they had the money to purchase the place. Finally, I served them with a letter of violation of rental agreement which gave them 15 days to return the garage to the way it was and if they were to continue to rent the property, they would make no changes without authorization. Matthew then sent me cards and certifications that he had a prescription for medical marijuana and that he was legal to grow it. I told him he was not to grow it on my property while I still owned it. Period. I also told him I had two interested parties in the property. One was a gentleman who fell in love with the place while assigned to BGR as an aircraft inspector. He hadn't moved on the property yet because he was waiting for his company to sign a more permanent contract at C&L aviation. The second party was flying in from Wyoming in two weeks to view the property. They were going to be teaching at the University of Maine.

This new apparently motivated them, because I got a call from an attorney by the name of Mike Gruenloh in Charleston who said he represented a Mr D. Loy Stewart, President and Chairman of the Board of Detyens Shipyards in Charleston. Mike apologized for the run-around that I had been going through and conveyed that it was Mt Stewart who was buying the property. After some negotiation, a purchase agreement was signed and a closing was set for February 17, 2017. He also told me Mr Stewart was an elderly man who suffered

from ALS, but had connections to Richard Mudd through Richard's father. He as supposedly financing their baseball ventures.

Sheila and I flew to Maine to clean out the house and the hangar so that they would have unfettered access to everything on the day of closing. All the while we were removing items inside and outside (as much as snow cover would allow) Matthew insisted he was going to be a good steward of the property. Noontime on the 17th arrived and as we were loading the last of our personal property, I got a call from Mr. Mudd. He stated that they weren't able to get the money to the closing by close of business and asked for another week. I said, no, were going to show the property to the Wyoming couple and if they made a reasonable offer I would accept it. At this point my trust in their word was waning and I was tired, cold and sick of the diatribe. Mr. Gruenloh called me later in the day and pleaded for me to close on the property the following week and agreed to forfeit the earnest money as a fee. I stupidly agreed despite my uneasiness. We closed on the following Friday.

As entitled by the purchase agreement, Sheila and I returned to the property on June 9th to retrieve the rest of our personal property and equipment that was buried in snow when we were there in February. The place was a mess and the runway was not mowed. They had a man named Mark working there cleaning up and mowing. He told me they (Matthew and company) had rutted the runway up in the spring with their SUV's and make quite a mess down by the spring. Sheila found the hand carved Oak Spring Farm sign removed from its post and discarded on the ground. I inquired about the Lake Aircraft Corporation sign that was on the wall in the hangar. The Mark indicated that it had been burned. The sign was an artifact from the Lake Aircraft Factory in Sanford Maine. My Hangar was originally part of that hangar that was torn down after Lake went defunct.

While retrieving some staging from the back of the hangar, I could not help but notice that the windows and doors were blacked out on the hangar and they had installed mini split heat pumps on the east side of the hangar. Mark told Sheila that their intention was to put greenhouses down along the old runway and start growing marijuana commercially. He also told her they were cultivating "medical marijuana" in the hangar and they had all kinds of lawyers working on pulling the trigger once the state puts the regulations together.

So why am I concerned? I got my money, after all, right? I'm concerned because I grew up on that farm. I appreciated and loved my neighbors. So much so I ran for and was elected to the Hampden Town Council to help protect their property rights. I still believe in individual property rights and support any activities that don't harm or hurt a neighbor, cause unnecessary noise or pollution or devalue their property. So why am I upset about these people growing so-called "medical marijuana"? Because that is not their intention. They are dishonest and cannot be trusted. They lied to us from the start. I made a mistake. I had every right to refuse the sale of the property to them. I wasn't in a dire position financially. They were deceptive.

It appears there are news articles about the "carpetbaggers" converging on Maine to cash in on the legalized marijuana market. I would be disappointed if Hampden allowed such an activity, especially from these people who have a line bull feces that is never ending. I believe that the current Maine laws regarding the growing of medical marijuana are a joke and all one has to do is doctor shop to get a prescription.

Hampden Town Council

June 20, 2017

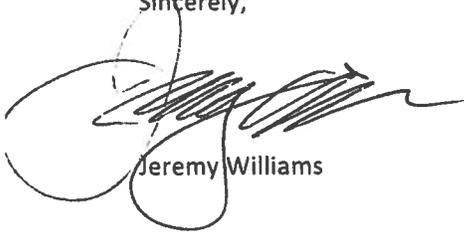
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Again, I apologize to my neighbors and friends who have expressed concerns about what is going on there. I wish I could go back in time and reverse my decision. If I could, there would be a pilot/mechanic and his wife, a teacher, living in the home and maintaining the place in the tradition that Sheila and I have done for the last 15 years. The contract was signed and they are moving to Maine.

I am in hopes that the council can draft and pass an ordinance to keep this kind of activity out of Hampden to preserve the traditional values and security of the residents. I wanted the council to be aware of how deceptive and dishonest these people can be. Please remember my experience should you be approached with a request for conditional use.

Hampden will always be my true home.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeremy Williams', with a large, stylized flourish on the left side.

Jeremy Williams

June 21, 2017 Talking Points

Good Evening my name is Valerie Webster and I reside at 1325 Carmel Rd N in Hampden. I have been a tax paying citizen of Hampden for over 35 years. We have had 5 children graduate from Hampden Academy and 4 grandchildren with 2 more attending Hampden schools. I want to thank you for allowing me to address the Council and the public on the Commercial Cultivation of marijuana in Hampden, Me. Specifically, the commercial cultivation of marijuana at 1334 Carmel Rd N, Hampden. Me. I have several concerns and questions for the council.

1. How will commercial cultivation at 1334 Carmel Rd North affect my property value? Will my property and the property of my neighbors be impacted negatively by the commercial cultivation of marijuana in our neighborhood? When I moved to 1325 Carmel Rd N in 2003 there was an airplane landing strip at 1334 Carmel Rd N. I knew there would be noise from airplanes and had no issue with the noise as the planes were used recreationally and mostly on the weekends. If there had been commercial cultivation of marijuana at 1334 Carmel Rd N, I can tell you I would not have purchased 1325 Carmel Rd N.
2. Will the town follow the States lead when and if the State issues rules and regulations on commercial cultivation of marijuana? Can the town tighten up the State rules if the town feels it is warranted? Will the town issue a moratorium on commercial cultivation of marijuana in Hampden until rules and regulations are in place? FYI one of the workers at 1334 Carmel Rd N revealed that there are a team of lawyers in place and the Corporation is ready to expand and move forward as soon as the state issues the green light.
3. What about the noise from exhaust fans in the greenhouses that need to be running continually in the summer, what about the noise from the alarm systems [motion detectors] going off all hours of the night from deer and other wildlife or intruders, what about the light pollution from grow lights that need to provide 18 hours of daylight on a continuous basis throughout the spring and summer months plus at least 12 hours of daylight on a continuous basis throughout the fall and what about fertilizer pollution of the soil and the Souadabscook Stream from the commercial cultivation in greenhouses?
4. What will be the setback of the greenhouses from the high way? If the greenhouses are to be built on the obsolete runway, will there be site planning as to where they will be built? The runway is 2500 feet long, will the greenhouses be sited at the further end, away from Carmel Rd N and neighboring properties?
5. Will there be rules/regulations adapted and put in place for the construction of said greenhouses?
6. Where is the tremendous amount of water [3 to 5 gallons per plant per day] to grow marijuana coming from? Will there be additional wells dug on the property and if there are additional wells on the property how will that impact my well that is over 300+ feet deep and recovers at less than a ¼ gallon a minute. Will they be able to pull water from the Souadabscook Stream [that is the back border of the property]? If they are allowed to pull water from the stream what rules/regulations will be in place for them?
7. In the Zoning Ordinances of Hampden 4.2 Customary Rural Business: To insure that the character of the rural area is not transformed from one which is rural, Customary Rural Businesses shall be operated and designed to blend in with the rural landscape. All Customary Rural Businesses shall be planned and operated and maintained according to

following standards. 4.20.1 the business shall be owned and operated by the property owner or a lease hold interest of a person or persons residing on the property. 4.20.2 The floor area devoted to a Customary Rural Business shall not exceed 2,000 square feet. 4.20.3 New structures or expansions of existing structures shall meet the following minimum architecture standards. 1. A pitched roof with a pitch of no less than 4 to 12 inches. 2. Exterior siding shall be limited to siding which is either wood clapboard or wood shingles, brick aluminum or vinyl siding which imitates clapboard or hardboard siding. Will these rules be enforced when the permits to build greenhouses on the obsolete runway are requested for the commercial cultivation of marijuana at 1334 Carmel Rd N?

8. How many workers are going to be employed? Other concerns about workers are: if the commercial cultivation of marijuana business is unable to find enough local workers will the business be engaging in hiring migrant workers? If this is the case, where will those employees reside?
9. What impact will the additional traffic have on our already busy and desperate road, Carmel Rd North also known as Route 69?
10. Are the Davidson's planning on residing at 1334 Carmel Rd North once the business is up and running or will they have a manager running the business and they will live elsewhere [reference 4.20.1 Ownership]?
11. There will be a state of the art security system installed which leads me to believe they are expecting to have security issues with the commercial cultivation of marijuana. I'm sure the security system is a requirement for the business. My point: Is the town of Hampden Police Department prepared to handle the extra enforcement that may be required with security/safety issues that may arise from the commercial cultivation of marijuana?
12. On April 5, 2017 Planner Cullen gave a brief summary of her memo [see the minutes from 4/5/2017 meeting]. My question is the council could see fit to prohibit retail sales and social clubs in Hampden, Me, but they could not see fit to prohibit commercial cultivation of marijuana at that same time? Why? I'm interested to know if Planner Cullen's recommendations to limit commercial cultivation of marijuana to industrial districts will be adopted. Also, There was discussion of limiting the number of facilities, has there been more development on that? Why did the council feel it was not necessary to enact a moratorium on commercial cultivation of marijuana but it was necessary to prohibit retail sales and social clubs? There was also a question as to whether the commercial cultivation of marijuana should be permitted in Hampden at all. Why did the council feel it was necessary to be conservative in dealing with the industry?
13. April 18, 2017 The resolution regarding Town of Hampden Policy Intent regarding Legalization of recreational Marijuana. The Town Council has directed the Town Manager to cause the Town Planner to amend zoning to prohibit two categories of the marijuana bill that was passed in November, retail sales and social clubs. The Council has also directed the Town Manager to cause the Town Planner to work on zoning amendment for regulations, locations, performance standard and abutter notifications for the cultivation, testing and manufacturing of marijuana. Where do we stand on the zoning amendments?

14. Will the commercial cultivation of marijuana be the only step in the recreational marijuana process allowed at 1334 Carmel Rd N or will the harvesting, curing and selling also be allowed?
15. Finally, to say I am disappointed in the medicinal growing of marijuana at 1334 Carmel Rd N is an understatement. I am, however, a conservative and have conservative values. I believe in free enterprise and I believe small business runs this world. What I am asking from the council is that my concerns and the concerns of my neighbors be considered and addressed before any commercial cultivation of marijuana is allowed at 1334 Carmel Rd N or any property in Hampden, Me. I feel that the commercial cultivation of marijuana is not what the agriculture status in the zoning ordinance had in mind. I think myself and my neighbors and Hampden residents deserve to be notified of applications to grown medicinal marijuana and the commercial cultivation of marijuana. It is very disheartening to find out "after the fact" medicinal marijuana is already being grown at 1334 Carmel Rd N. My hope is to stop the commercial cultivation of marijuana at 1334 Carmel Rd N and other properties within Hampden, Me or at the very least to have as moratorium enacted to put on hold and commercial cultivation in Hampden until rules and regulations are in place by the State of Maine and the Hampden Council has had time to research the rules and regulations and tighten them up if necessary. The Town of Hampden has seen fit to prohibit marijuana retail sales and social clubs in Hampden. If the Town Council is uncomfortable with retail sales and social clubs why isn't the council uncomfortable with commercial cultivation in Hampden, also. Shouldn't the citizens in rural zoning be entitled to the same consideration in this matter as Main Street citizens? Perhaps, if we had been notified of the application to grow marijuana in our neighborhood we could have been proactive in this matter instead we are now putting the cart before the horse.

Thank you for your time. I value your opinions, before moving forward on the commercial cultivation of marijuana in Hampden I would appreciate an in depth research and investigation into this very disconcerting matter. I look forward to the outcome of the issues raised by Planner Cullen in the 04/05/2017 meeting.

Sincerely,
Valerie Webster
1325 Carmel Rd N
Hampden, Me 04444
207-862-4026

DENVER (AP) — Take a black-market business that relies on cash. Move the business out of the shadows by giving it government oversight. Hire new regulators to keep watch on the business, all without any experience regulating a brand-new industry.

The result can be a recipe for government corruption.

Recent cases in Colorado and Washington are the first known instances of current or former pot regulators being accused of having improper dealings with the industry. The two recreational marijuana states are the nation's oldest, approving legal weed in defiance of federal law in 2012.

A pair of cases several years into the legal-weed experiment might not seem like much, but they give a black eye to all marijuana regulators and fuel old fears about the criminal element's influence.

In a case that has caught the U.S. Justice Department's attention, former Colorado marijuana enforcement officer Renee Rayton is accused of helping pot growers raise plants for illegal out-of-state sales.

State investigators say the marijuana warehouse inspector quit her job last year and immediately went to work for the illegal pot ring, taking an \$8,000-a-month job.

A June 7 indictment says Rayton told the pot growers she could help them "get legal" through her contacts at the Colorado agency that oversees the marijuana industry. The indictment says Rayton had "vast knowledge" of marijuana regulations and "must have been aware" that other defendants in the case were growing pot illegally.

She is charged with conspiracy to illegally grow pot. Rayton's attorney told The Associated Press she is innocent.

In Washington, the state agency that regulates pot recently fired an employee who leased land to a prospective pot grower.

Marijuana licensing specialist Grant Bulski was leasing 25 acres to a marijuana entrepreneur for \$2,834 a month, The Spokesman-Review reported . That violated Washington rules prohibiting state pot regulators from having a financial stake in the business. Bulski was not charged with a crime.

Messages left at numbers for a Grant Bulski in Olympia weren't returned.

Pot isn't the first product in the U.S. to go from illegal to legit. Alcohol and gambling made similar transitions last century.

But since recreational pot remains off-limits in most states and in the U.S. government's eyes, a massive black market remains.

"Marijuana is unique because it's so front and center in the public eye," said Lewis Koski who became Colorado's top marijuana enforcement officer after reulating the

gambling and alcohol industries.

Now a government consultant who teaches public policy at the University of Colorado-Denver, Koski said government employees who regulate any business face tension. Regulators know the industry they're monitoring well. And in the case of the marijuana business, those regulators have no guidance from federal authorities and little precedent to rely on.

And because the federal government considers all pot business illegal, making it difficult for those businesses to access banking products as basic as checking accounts, the pot industry remains cash-heavy.

U.S. Attorney General Jeff Sessions cited the Colorado case last month when he asked Congress not to renew a spending provision that prevents the Justice Department from spending tax money to interfere with state marijuana laws and businesses.

"It would be unwise for Congress to restrict the discretion of the Department to fund particular prosecutions," Sessions wrote in the letter first obtained by cannabis social network Massroots.com.

The Colorado and Washington cases were uncovered by state officials, not federal drug authorities. They highlight how critical it is for states to tightly regulate a business still coming out of the black market, Koski said.

"Both sides — government agencies and the industry — are working hard to establish credibility," Koski said. "So it makes it more concerning when you have people going back and forth."

Ethics watchdogs say the Colorado and Washington cases should spur pot states to beef up ethics commissions charged with monitoring conflicts of interest by government employees. Michigan, a medical-marijuana state, passed a 2016 law banning even relatives of its pot oversight board members from having any financial stake in the weed industry.

Poorly staffed ethics offices in some marijuana states aren't prepared to stop regulators leaving to work for the industries they once monitored, said Aaron Scherb, national legislative director for the government watchdog group Common Cause.

6/21/2017

As pot comes out of black market, regulators face scrutiny - news - TDS

"It's like trying to keep water out of a sinking boat — you can do it for a while, but it's only a matter of time," he said.

The Green Economy Post



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Grass is Not So Green: Marijuana Has a Huge Carbon Footprint

By Tracey de Morsella (<http://greeneconomypost.com/author/admin>) on

3 Comments



(http://greeneconomypost.com/marijuana-huge-carbon-footprint-14116.htm/indoor_marijuana-weed_cannibis) ***The yearly greenhouse-gas pollution of the \$40 billion per year marijuana industry is responsible for about 3% of all electricity use or 8% of household use. Indoor growers use high-intensity lights that are 500 times more powerful than a standard reading lamp. They also use several other high energy industrial practices. The closest comparison for these massive, industrial-style grow facilities are data centers, which consume about two percent of the nation's electric power.***

by Tracey de Morsella, Green Economy Post

It turns out that grass (Marijuana) is not all that green, particularly if it is grown indoors. Evan Mills, Ph. D

(<http://www.linkedin.com/pub/evan-mills/b/ba4/743>), a longtime energy analyst at the U.S. Department of Energy's Lawrence

Berkeley National Laboratory (<http://eetd.lbl.gov/>), last week released his independent study that examined the carbon footprint of the indoor marijuana industry.

In his report, *Energy Up in Smoke: The Carbon Footprint of Indoor Cannabis*, (http://evan-mills.com/energy-associates/Indoor_files/Indoor-cannabis-energy-use.pdf) Mills reports that indoor Marijuana production, considered the largest cash crop in the U.S., with an annual production value estimated at about \$40 billion, uses 1% of the nation's entire electricity consumption. This comes to energy expenditures of \$5 billion per year. This is due to the fact that Cannabis production has for the most part shifted indoors, where it is out-of-sight of law enforcement. This is particularly the case in California, which is the top producer among the 17 states to allow cultivation for medical purposes, where medical marijuana growers use high-intensity lights. These lights are usually reserved for operating rooms that are 500 times more powerful than a standard reading lamp.

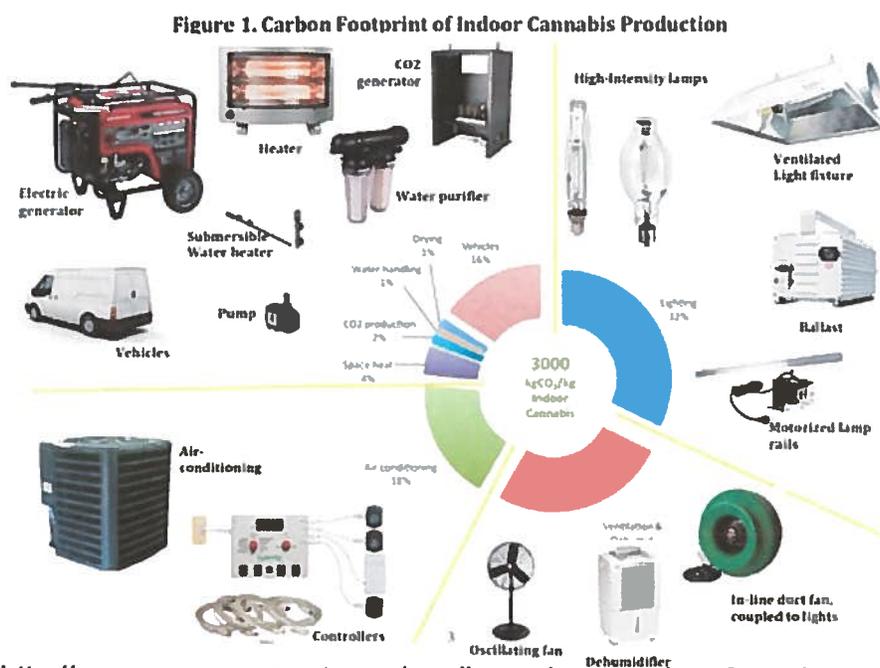
Also driving the large energy requirements are 30 hourly air changes (6 times the rate in high-tech laboratories, and 60 times the rate in a modern home). The closest comparison for these massive, industrial-style grow facilities are data centers, which consume about two percent of the nation's electric power.

"The yearly greenhouse-gas pollution", Mills wrote. "the practice is responsible for about 3% of all electricity use or 8% of household use.

Marijuana production has raised other environmental concerns. Each Marijuana plant said to need between 3 and 5 gallons of water per day to grow to fruition, which significantly raises its carbon footprint. The Bay Citizen (<http://www.baycitizen.org/marijuana/story/are-there-pesticides-your-pot/>), a San Francisco publication, reported last year on the risk of pot being tainted with pesticides used by growers. Even though 17 states allow growing Marijuana for medical purposes, it is a controlled substance under federal law and U.S. regulatory agencies do not supervise how it is grown or monitor the pesticides used in its cultivation. Mills also notes that marijuana growers often raise indoor carbon dioxide levels to four-times natural levels to boost plant growth.

Broken down to the individual level, one Cannabis cigarette represents 2 pounds of CO₂ emissions, an amount equal to running a 100-watt light bulb for 17 hours with average U.S. electricity. It has the greenhouse gas impact of driving 15 miles in a 44-mile-per-gallon car.

Mills, a member of the U.N. Intergovernmental Panel on Climate Change, compiled his data from open literature and interviews with horticultural equipment retailers. He conducted the study quantify a previously undocumented component of energy demand in the United States, to understand the underlying technical drivers, and to establish baseline impacts in terms of energy use, costs, and greenhouse-gas emissions.



(<http://greeneconomypost.com/marijuana-huge-carbon-footprint-14116.htm/indoor-cannabis-energy-use>)

Mills writes in his report that criminalization contributes to inefficient energy practices. Compared to electric grids, off-grid power production often produced more greenhouse-gas emissions, requiring 70 gallons of diesel fuel to produce one indoor Cannabis plant, or 140 gallons with smaller, less-efficient gasoline generators. He also describes how long driving distances and odor suppression measures take away from ventilation efficiencies. Mills also points out that the huge carbon footprint is caused by the lights, fans, and air filters need for indoor cultivation. Outdoor weed plantations do not

have these types of energy use issues, and when managed correctly, do not have a significant environmental impact, but also suggests that there are solutions for indoor growers.

Mills observed that there are many reversible inefficiencies are embedded in current practices. "If improved practices applicable to commercial agricultural greenhouses are any indication, the energy use for indoor cannabis production can be reduced dramatically," he said. "Cost-effective efficiency improvements of 75 percent are conceivable, which would yield energy savings of about \$25,000/year for a generic 10-module growing room," he wrote.

ic Wesoff, at GreentechEnterprise (<http://www.greentechmedia.com/articles/read/pot-article/>) suggests pot cultivation's carbon footprint could be reduced by replacing metal halide and high-pressure sodium lights with more energy-efficient solid-state LED lighting. "This LED grow light site (<http://www.myhydroponicgardening.com/>) claims reductions in electricity usage of 40 percent to 75 percent compared MH or HPS lights. However, other sites in the indoor grow community have some reservations over the effectiveness of LEDs," he wrote.

Mills provided the following recommendations for growers, communities, suppliers, utilities, regulators, and medical dispensaries:

- Growers should be applying science to understanding how to achieve necessary environmental conditions in a less energy-intensive manner.
- Energy providers, policymakers, and forecasters need to better account for this particular driver of energy demand, and thus more accurately evaluate the effects of unrelated programs and policies on the consumption of energy at the macro scale.
- Planning and building officials at the city, state, and federal level may choose to seek better understanding of the energy consequences of this activity in their localities. Some (Berkeley (http://www.ci.berkeley.ca.us/uploadedFiles/Clerk/Level_3_-_Commissions/Ordinance%207,161.pdf), Boulder (<http://www.newsfirst5.com/news/boulder-requires-medical-pot-growers-to-go-green1/>), Fort Bragg (<http://city.fortbragg.com/pages/searchResults.lasso?-token.editChoice=9.0.0&SearchType=MCsuperSearch&CurrentA>) have already made steps in this direction.
- To support more responsible consumer decision-making, medical dispensaries should provide disclosure of product

carbon content and other dimensions of environmental footprint.

- Growers should select better, commercially available equipment.
- Designers and manufacturers of the energy-using equipment can more precisely analyze and consider the issues from an engineering and market standpoint.
- Utilities have already begun to recognize legal producers, granting them lower (agricultural) tariffs in exchange for safety inspections.
- Equipment vendors should develop even more efficient equipment, and educating their customers.
- Consumers and the general public can be more informed about the carbon footprint associated with this practice and better consider the environmental consequences of their actions.
- Growers should reduce the use of off-grid power generators fired with fossil fuels.

Visit Mills' web site (<http://evan-mills.com/energy-associates/Indoor.html>) to to read his study.

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 Bay Citizen (<http://greeneconomypost.com/tag/bay-citizen>), California (<http://greeneconomypost.com/tag/california>), Cannabis production (<http://greeneconomypost.com/tag/cannabis-production>), carbon footprint (<http://greeneconomypost.com/tag/carbon-footprint>), CO2 emissions (<http://greeneconomypost.com/tag/co2-emissions>), criminalization (<http://greeneconomypost.com/tag/criminalization>), data centers (<http://greeneconomypost.com/tag/data-centers>), diesel fuel (<http://greeneconomypost.com/tag/diesel-fuel>), energy demand (<http://greeneconomypost.com/tag/energy-demand>), Energy Up in Smoke: The Carbon Footprint of Indoor Cannabis (<http://greeneconomypost.com/tag/energy-up-in-smoke-the-carbon-footprint-of-indoor-cannabis>), environmental impact (<http://greeneconomypost.com/tag/environmental-impact>), Evan Mills (<http://greeneconomypost.com/tag/evan-mills>), GHG (<http://greeneconomypost.com/tag/ghg>), grass (<http://greeneconomypost.com/tag/grass>), green (<http://greeneconomypost.com/tag/green>), greenhouse gas (<http://greeneconomypost.com/tag/greenhouse-gas>), greenhouse gas emissions (<http://greeneconomypost.com/tag/greenhouse-gas-emissions>), high-intensity lights

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Tracey de Morsella started her career working as an editor for US Technology Magazine. She used that experience to launch Delaware Valley Network, a publication for professionals in the Greater Philadelphia area. Years later, she used the contacts and resources she acquired to work in executive search specializing in technical and diversity recruitment. She has conducted recruitment training seminars for Wachovia Bank, the Department of Interior and the US Postal Service. During this time, she also created a diversity portal called The Multicultural Advantage and published the Diversity Recruitment Advertising Toolkit, a directory of recruiting resources for human resources professionals. Her career and recruitment articles have appeared in numerous publications and web portals including Woman Engineer Magazine, Monster.com, About.com Job Search Channel, Workplace Diversity Magazine, Society for Human Resource Management web site, NSBE Engineering Magazine, HR.com, and Human Resource Consultants Association Newsletter. Her work with technology professionals drew her to pursuing training and work in web development, which led to a stint at Merrill Lynch as an Intranet Manager. In March, she decided to combine her technical and career management expertise with her passion for the environment, and with her husband, launched The Green Economy Post (<http://greeneconomypost.com>), a blog providing green career information and covering the impact of the environment, sustainable building, cleantech and renewable energy on the US economy. Her sustainability articles have appeared on Industrial Maintenance & Plant Operation, Chem.Info, FastCompany and CleanTechies.

- 1. The minimum age to grow is 21**
- 2. You can possess an unlimited number of seedlings**
- 3. You can have no more than 12 immature marijuana plants**
- 4. You can have no more than 6 flowering marijuana plants**
- 5. You can keep the entire harvest of your 6 plants**
- 6. Indoor growing must be completed in your own residence**
- 7. Outdoor growing can be on your property or on a friend's property with written permission**
- 8. Outdoor grows must not be visible without the aid of binoculars or aircraft**
- 9. Plants must have an identifying tag that includes a driver's license or identification number**

The Maine Legislature's Marijuana Legalization Implementation Committee is expected to meet throughout the summer and into the fall or winter, reviewing the experiences of other legalization states and poring through nearly 50 cannabis-related bills. The committee plans to present next year's Legislature with a lengthy list of recommendations on regulations, licensing and law enforcement before the opening of retail stores.