

Town of Wells, Maine Review Checklist

Page 1 of 3

Project Name/District: High Coast/ Light Industrial District – Tax Map 40, Lot 3-4

Date of Review: 3/16/22; 4/7/22

Prepared By: Planning Office

Company Name: Town of Wells

**Article VII
Performance Standards**

§ 145-58.3. Medical marijuana cultivation and processing facilities. [Added 6-13-2017]		Application Meet Requirements			
		Yes	No	NA	Comments
Medical marijuana cultivation and processing facilities are allowed subject to the following performance standards in addition to the requirements of the districts in which the facilities are located:					
A.	Notwithstanding any other provision of the Wells Code, all medical marijuana cultivation and production facilities must be reviewed by the Wells Planning Board, and not by the Staff Review Committee or other reviewing authority.	Y			Application being reviewed by the Planning Board.
B.	Medical marijuana caregivers and facilities must meet all of the standards and conditions imposed by the State of Maine issued under the aegis of the Maine Medical Use of Marijuana Program.	Y			See site plan note 20.
C.	Notwithstanding the Maine Rules Governing the Maine Medical Use of Marijuana Program, no medical marijuana cultivation and processing facility located in Wells may be located where any of the lot lines of the lot on which the facility will be located are within 1,000 feet of the lot line of any preexisting public or private school facility or any preexisting and licensed child-care facility.	Y			No schools or child-care facilities are located within 1,000 feet of the property.
D.	There shall be opaque windows or walls for any building involved in the facility, so that the interior is completely screened from lot lines and from any person passing along the street boundaries of the lot on which it is located.	Y			See site plan note 21. Opaque window treatment to be installed prior to occupancy.
E.	All buildings associated with the facility shall be protected by use of fire suppression sprinkler systems, or other effective fire suppression system that may be approved by the Chief of the Wells Fire Department. Emergency vehicle access shall be provided on a minimum of three sides of a building.		N		<u>To be determined.</u> <u>June 2022 town meeting proposes to eliminate the sprinkler system requirement for this use.</u> <u>Final plan cannot be approved without a sprinkler requirement until after the results of the June 2022 town meeting are known.</u>
F.	The facility shall have a Knox-Box® at the security gate and building or shall provide emergency response personnel with the necessary information to allow entry in the event of an emergency at the location.	Y			See site plan note 17.

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G.	The facility shall have at least one parking space per 1,000 square feet of gross floor area, and such additional parking as may be required by the Planning Board.	Y*			1 space per 1,000 SF would require 1 parking space for the 921 SF use. See site plan note 12. Parking requirement has been based on 3.5 spaces per 1,000 SF with a minimum of 3 spaces per tenant. 6 spaces are noted to be provided for this use. Planning Board to determine if the parking proposed is to be suitable.
H.	No facility building shall be allowed to be constructed or occupied within 500 feet of an existing dwelling unit.	Y			No dwellings are located within 500 feet of the property.
I.	The operator of the facility must provide a security plan to the Chief of Police for the Town of Wells, who will provide the Planning Board with a report and recommendations for specific conditions of approval regarding required security measures to be incorporated. The requirements for this plan should be coordinated with the requirements for any security plan that the State of Maine may require for such a facility. A minimum of a chain link fence, six feet in height, is required surrounding the facility. Recordable video surveillance is also required. Exterior lighting must be sufficient to deter nuisance activity and facilitate surveillance.	Y			The operator has contacted the Police and Fire Chiefs. See attached email. Surveillance camera system is proposed. The unit will be on the 2 nd floor of the existing building. Police has found the that the 1 st floor of the building essentially acts like a security fence. The walls of the 1 st floor are greater than 6 feet in height. Exterior lighting exists on the property and shall be maintained. Police Chief has found the business to be taking adequate security measures, see email dated 4-6-22.
J.	The hours of operation for the facility, including the hours that persons other than staff of the facility may be present at a cultivation facility, shall be limited. No sales or dispensing of materials may take place at the facility	Y			Hours of operation shall be Monday – Friday, 9AM to 5PM. See note 22 which also prohibits sales or dispensing of products.
K.	Signs for the facility may not contain any visual depiction of marijuana or marijuana paraphernalia.	Y			See site plan note 11.

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L.	Vegetative buffers may be required by the Planning Board to create a visual screen or minimize odors.	Y*			<p>The existing 40' wide landscaped buffer along Route 9 to be reviewed for suitability.</p> <p>Various 6' tall solid fences exist to screen the view of the property from Route 9 and from Lot 3-3. Some 6' tall solid fencing also exists along Lot 3-5. All fencing is noted to be maintained.</p> <p><u>Planning Board to review buffers and screening requirements.</u></p>
M.	The growing, cultivating, production, processing, testing, and/or storing of medical marijuana by a medical marijuana caregiver shall be located within a building. Said activities may not be conducted anywhere outside of a building.	Y			See site plan note 15 and 19.