

Town of Wells, Maine Review Checklist

Page 1 of 3

Project Name/District: Bulrush Retail Plaza / General Business District – Tax
Map 108, Lot 33-15

Date of Review: 01/03/2023;1/17/23;
03/29/23

Prepared By: Office of Planning & Development

Company Name: Town of Wells

Article VII Performance Standards

§ 145-58.2. Registered Marijuana Dispensaries. [Added 6-14-2011]		Application Meet Requirements			
		Yes	No	NA	Comments
A.	Stand-alone registered marijuana dispensaries are allowed subject to the following performance standards in addition to the requirements of the districts in which the dispensaries are located.	Y			
B.	Notwithstanding any other provision of the Wells Code, all registered medical marijuana dispensaries must be reviewed by the Wells Planning Board, and not by the Staff Review Committee.	Y			Planning Board review is pending.
C.	Registered marijuana dispensaries must meet all of the standards and conditions imposed by the Maine Department of Health and Human Services issued under the aegis of the Maine Medical Use of Marijuana Program.	Y			State of Maine approval under the Maine Medical use of Marijuana Program to be provided. Now administered by Department of Admin and Financial Services. See note 13 on plan stating a Medical Marijuana Dispensary license shall be provided prior to the occupancy permit being issued for the Medical Marijuana Dispensary unit.
D.	Notwithstanding the Maine Department of Health and Human Services Rules Governing the Maine Medical Use of Marijuana Program, no registered marijuana dispensary in Wells may be located where any of the lot lines of the lot on which the dispensary 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			Property is not identified to be located within 1,000 feet of any preexisting public or private school or licensed child-care facility.
E.	There shall be opaque windows or walls for any building involved in the cultivation of marijuana, so that the interior is completely screened from lot lines and from any person passing along the normal street boundaries of the lot on which it is located.	Y			See plan note 8. All windows and walls of the medical marijuana dispensary use shall be opaque so the interior contents cannot be seen from the exterior of the building.
F.	All buildings associated with a medical marijuana dispensary or cultivation facility, including the growing facility itself, 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.	Y*			See plan note 9. The Registered Medical Marijuana Dispensary shall install a sprinkler system. <u>Fire Chief review/recommendations pending.</u>
G.	The dispensary shall have a Knox-Box® or shall provide the Fire Department with the necessary information to allow entry by Fire Department personnel in the event of an emergency at the location.	Y			Knox boxes are proposed at all unit entrances. Note 9 requires the knox box for the Registered Medical Marijuana Dispensary use.

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		Yes	No	NA	Comments
H.	A medical marijuana dispensary shall have at least one parking space for each employee on the two largest shifts combined, and such additional parking as may be required by the Planning Board.	Y*			<p>3 employees are noted for the Registered Medical Marijuana Dispensary use. <u>Do the 3 employees include a check-in person? Who works at the check-in desk?</u> The two largest shifts combined is 6 employees. Therefore 6 spaces for employees are required.</p> <p>Of the 2,000SF space, 1,100 SF is for customer area. 1,100 x 3.5/1000 = 4 spaces required for customer area.</p> <p>6 + 4 = 10 spaces.</p> <p><u>Planning Board to review the parking space requirements and determine if the 10 spaces proposed is suitable for the Registered Medical Marijuana Dispensary use.</u></p>
I.	With any medical marijuana dispensary abutting a residential use in a residential zoning district, the setback shall be equal to at least two times the required structure setback or 25 feet, whichever is greater (e.g., required fifteen-foot setback x 2 = 30 feet). This setback requirement shall not be required when the lot adjacent to any proposed medical marijuana dispensary is undeveloped. In such case, the normal setback requirements of the zoning district in which the facility is to be located shall govern.	Y			<p>The property is located within the General Business District, which is not a residential zoning district.</p> <p>General Business District setback requirements are noted and depicted on the site plan.</p>
J.	The operator of a medical marijuana dispensary 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 as regards 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.	Y*			<p><u>Applicant has provided a security plan. The Chief must provide written recommendations regarding the proposed security measures.</u></p> <p>Customer check-in/security measures are specified and noted on the plan and within the security plan. A Medical Dispensary can only be accessed by qualified patients or caregivers carrying approved Medical Marijuana Card (MMJ Card) issued by the State of Maine. See note 16 on plan.</p>

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Page 3 of 3

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K.	The hours of operation for any medical marijuana dispensary, 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 prior to 7:00 a.m. nor later than 8:00 p.m. on any day.	Y			Site plan notes the hours of operation for the proposed Registered Marijuana Dispensary use to be 7am to 8pm.
L.	Signs for a medical marijuana dispensary or cultivation facility may not contain any visual depiction of marijuana or marijuana paraphernalia.	Y			Site plan note 11 states that signage may not contain any visual depiction of marijuana or marijuana paraphernalia.