

Carrabassett Valley Selectmen's Meeting

4:30 p.m. Monday August 12th, 2019 at the Library

Agenda:

Review and sign 2019 Payroll Warrants:

Review and sign 2019 Town Expenditure Warrants:

1. **MINUTES** from previous meeting (July 8th, 2019) are attached.
2. **TOWN PARK PAVILION AND STORAGE GARAGE PROJECTS BIDS:** We received three bids for the combined total of both projects as follows:

Dave Adams: \$52,980

New Solutions Management (Jeff Jacques): \$63,725

Maine Highlands Contracting: \$81,320

We are in the process of evaluating these bids. There were some problems with the design bid specifications that we need to review. We hope to have additional information for the Board to review at the meeting.

3. **MT. BIKE AND NORDIC SKI TRAIL SIGNAGE PROJECT:** We received quotes for materials for signs (750 of them) and pressure treated posts (250) and the total is \$12,043 which is less than what is in that project budget for materials. These have been ordered. We anticipate thirty days or more deliver time with hopes to start that project in September.
4. **TRANSFER STATION DEMO PROJECT:** We have received a concept drawing and a budget estimate for a project to build a new demolition material location at the Transfer Station. The project entails building a 70' concrete retaining wall, a 48' concrete slab and approximately 80' of rebuilt ramp area. The cost estimate total is \$48,000. If built, this would allow demo materials to be dropped into the demo containers which would be much easier for users.

If coupled with the purchase of a good 4-wheel drive used backhoe to compact these materials (approx. \$40,000 to \$45,000) the total package would be approximately \$93,000. The Town would save approximately \$8,000 to \$10,000 a year in transportation costs of demo materials and approximately \$4,000 a year in costs related to pushing up burn piles and removing ash. A backhoe would also allow us to better control the metal pile.

In summary, the project (according to estimates) would cost approximately \$93,000 and the Town would save approximately \$13,000 a year in operation costs (approximately a seven- or eight-year payback). Currently, we have approximately \$18,000 in the Transfer Station Operation Account for this project in addition to \$15,000 in a Backhoe Reserve Account. We would need additional funding to complete the project.

5. **UPDATE ON MAINE HUTS AND TRAILS GRANT PROJECT INVOLVING SOME TOWN MATCHING FUNDS:** The Town voted to bringing forward a balance of \$27,282 of Town funding (Recreational Endowment Fund) to match MH&T's funding for a Trailhead Improvements Project. MH&T was successful in obtaining grant for its one-half share of the cost of an approximate \$46,000 project. A description of this project is attached. MH&T met with the Board previously regarding this project and they are now moving forward with this project.
6. **DOG PARK:** Select person Karen Campbell has been approached by some citizens concerning the possibility of creating a Dog Park in Carrabassett Valley and she wishes to speak to the Board to determine if there is a need and an interest in possibility developing this.
7. **DRAFT MARIJUANA BUSINESS RELATED ORDINANCES:** Please find attached the latest version of the two ordinances that the Marijuana Business Committee is forwarding to the Selectmen. The ordinances consist of: 1) an ordinance to amend the Town's Zoning Ordinance to allow marijuana businesses and 2) an ordinance to allow the Town to license marijuana businesses. There are a few (minor) recent changes made by the State that we will need to address in these ordinances.

Please note that the Committee, which held ten meetings, two public hearings and conducted a voluntary non-binding survey during last November's Election, did not take a position on whether or not the Town should approve these ordinances. The Committee did agree/vote that they believe these ordinances represent the public input that was expressed by the public (and Committee members) involved with the process to date. The ordinances are now in the hands of the Selectmen to determine "where we go from here".

It should also be noted that there two significant differences between these ordinances and what the Planning Board recommended (during one of their meetings). The differences are that the Committee is recommending: 1) that retail sales only be allowed in the Valley Center Zoning District (VCD) whereas the Planning Board recommended that, if approved they be allowed in both the VCD and the Planned Unit Development Zoning District and 2) the Committee indicated that the ordinance for consideration include all four types of marijuana businesses with a total cap of four businesses, whereas; the Planning Board indicated they favor considering retail businesses only with a total cap of two businesses.

The purpose of this discussion is to present these ordinances to the Selectmen for discussion and their consideration (to continue to process).

8. INFORMATIONAL:

The U.S. District Court (District of Maine) has recently approved a Summary Judgement that absolves the Town, the Town Manager and the Police Chief of any constitutional improprieties as were alleged by Michael Jutras. We are obviously very pleased with the verdict. Mr. Jutras may appeal this decision and we will keep you informed if he does.

Information Center Projects: Well and Septic System Completed. After Homecoming we would like to focus on making improvements to the interior (ADA compliant bathroom) and other projects as the budget allows. After paying for the well and septic system we anticipate we will have approximately \$15,000 remaining in the \$35,000 budget for this project to make additional improvements.

Water line extension to the proposed new Fire Station Lot: We were asked to obtain an estimate and to ask whether or not the Sugarloaf Water Association would consider extending the water line down to the proposed fire station lot. Please see attached email from the Water Association indicating that the estimated cost would be approximately \$235,296. They also indicated to us that their first priority right now is to build a new reservoir on the west side of the mountain.

New Fire Station Lot: We've been told by Sugarloaf representatives that there may now be interest from Boyne in selling the proposed fire station lot to the Town. We'll keep you posted.

**TOWN OF CARRABASSETT VALLEY
MINUTES OF SELECTMEN'S MEETING
July 8, 2019**

Board Members Present: **Bob Luce** **Jay Reynolds**
 Lloyd Cuttler **John Beaupre**
 Karen Campbell

Others Present: **Dave Cota** **Courtney Knapp**
 Tim Flight **Jess Beers**
 Bob Carleton **Stan Tingley**
 Matt Jacobs **Bill Haslam**
 Chris Parks

Bob Luce opened the meeting at 4:30 p.m. and welcomed those present.

Expense warrants #24, #26 and #28 in the amount of \$83,799.68 and \$91,137.56 and \$62,472.62, respectively, were reviewed and signed by Selectmen.

Payroll warrants #23, #25 and #27 in the amount of \$24,498.35 and \$30,196.93 and \$32,868.13, respectively, were reviewed and signed by Selectmen.

The minutes from the June 3, 2019 meeting were reviewed. Lloyd Cuttler made a motion to approve the minutes as written. Jay Reynolds seconded the motion. Karen Campbell noted a correction on spelling in the minutes. Motion approved with correction made.

The first item on the agenda was a Public Hearing for the proposed 2019 Timber Harvesting Plan for the Town's public lot. Dave Cota said that representatives of American Forestry Management (AFM) Matt Jacobs and Bill Haslem were in attendance to discuss the harvesting of approximately sixty acres on the Town Public Lot this year. This plot was going to be harvested two years ago with the harvest that year but late season timing did not allow for it. The plan is for harvesting late summer/early fall. This piece hasn't been forested in a long time and needs to be thinned out in order to provide for re-generation. A 30% harvest will allow for that, and will also provide the value on the trees. There's a good quantity of hard wood. The plan is to be completed by October 1st. Bob Luce asked if there are roads that need to be rebuilt. The roads existing roads are fine and ready to go. AFM will work with Dave Cota to potentially put the interior hauling roads to bed afterwards, and to grade or gravel needed areas of the main road when the project is completed. There will also be a lot of cautionary signage installed to indicate a harvesting operation. There will be no harvesting work on the weekends. Lloyd Cuttler noted that the last time they worked in there, the workers were respectful and careful. With the last inventory, AFM developed a plan to harvest 1035 cord per year to attain sustainability. John Beaupre made a motion to proceed with the plan as described. Jay Reynolds seconded the motion. Motion approved.

Courtney Knapp was in attendance to update Selectmen on the status of planning for the new Fire Station. He provided a visual presentation to show both the site plan and the building plan. Courtney has been working with Peter Roberts, who is the site engineer for Boyne. There have been three different test pits to date to determine soil suitability for foundations and for wetlands nearby to be taken into consideration. Drainage on the site is well drained. The Committee has been meeting every two weeks with reps from H.E. Callahan and Plymouth Engineering. Where

the cost of the sprinkler system will be determined by the yield of the well (sizing of water storage tank), we will need to drill the well sooner than later. John Beaupre asked if the Police Department will be moving to this new building. Dave Cota said there are more discussions to take place on this matter, but the plan is to accommodate them with this building plan should that decision be made in the future. Courtney said that, at this time, there's some discussion about dispatch coming to this building, but nothing definite. Lloyd Cutler asked about water storage requirements. Lloyd said that it makes sense to find a partner that may want to share the cost of the well, since the Water Association will eventually likely serve this area. It was asked if we could get a cost estimate and an indication from the Water Association if there is a desire to run water lines down to this site. Dave Cota reported that the Committee will be meeting again this Wednesday. We have also started the process of securing a 50-year lease with Boyne. Dave indicated that he has been told that the Town cannot purchase the lot at this time, due to complexities related to the Boyne bond holders. However, we are requesting that the Town have a right of first refusal, as well as the right to purchase the lot at the end of the lease. When Boyne's bonds mature, it may be possible to make the purchase sooner, but at this time, that's the status. Stan Tingley asked what happens if Boyne were to go into receivership, what would be the status of the lease and what the purchase price might be. Dave Cota said there is no lease cost to the Town, but the purchase price would have to be determined perhaps by appraisals, etc. Foster Stewart, attorney for Sugarloaf, is working on the lease, and Dave has had several conversations with Sugarloaf General Manager Karl Strand. When a draft lease is developed, Dave will present it to the Selectmen. Stan said the Town should not invest in a \$1.4 million project on leased land. He feels this is a bad deal for the Town. Lloyd Cutler acknowledged Stan's opinion but said that planning for the project is moving forward at this time. Bob Luce said Stan's objection is duly noted. Dave Cota said that there is roughly \$22,000 in planning cost committed at this time. However, the cost of a well will need to be added to that. Dave believes that's all that will need to be expended prior to taking the project to Town meeting for approval. Jay Reynolds made a motion to approve the well drilling expense at this time. Lloyd Cutler seconded the motion. Motion approved.

Dave Cota reported to Selectmen that there have been ongoing concerns with disposal of demolition materials at the Transfer Station. Resident Jim Wilson sent the Selectmen a letter, which was provided to the Selectmen indicating his concerns that users of demolition disposal should pay for disposal indicating one commercial heavy user of this disposal. Dave said that individuals and contractors with large projects are required (roofing projects, etc.) to provide their own container on site. However, if a contractor is doing a smaller renovation project, the container is not a requirement. Over the last 2-3 years, there's been an increase in demolition material coming into the Transfer Station. The attendant keeps a log of what's coming in, the contractor involved and the home owner where the material is coming from. Dave said that the concern points to Birchwood Interiors, which is a local business, and they do most of their business on the mountain for property owners (taxpayers). He has had a discussion with Earle Morse (owner of Birchwood) on this matter and Dave indicated that any further discussion regarding demo disposal should involve Earle. Dave would also like to improve compaction of materials in the demolition container, which will make for better efficiency and substantially reduced transportation costs. He also researched what Kingfield/New Portland is charging for demo materials and he provided that information to the Selectmen. They collect roughly \$8,000 annually from related fees that they charge. Dave said that Plymouth Engineering looked at the Transfer Station to see if they can design and estimate a project to make the demo can easier to use and to increase compaction. He said that, in order to really make this work better, we would need to purchase a backhoe to better compact the materials. He believes it will cut down on the number of loads, because we could get closer to 5 tons per load as opposed to the current

approximate 2.5 tons per load being hauled off. He believes the improvements and purchase of the backhoe will pay for themselves over time. Dave hopes to have more information on the redesign of the demo disposal area in the next couple of weeks. In 2016 there were 16 loads of demolition. As of this year, through June, there have been 30 loads. The average hauling fee is \$325 per load. Lloyd Cutler said that the issue is multi-faceted. He believes the improvements at the Transfer Station are prudent. He feels that the Code Enforcement Officer can address things when issuing building permits, since he can gauge how much debris may be generated by the project. Bob Luce said that, if the project requires a building permit, it might be that it also requires a container on the property. Dave agrees that it's good to have the CEO involved in the process. There was discussion as to whether or not it makes sense to start with a fee structure. At this point, the Selectmen, overall, do not feel a fee system is the best solution.

Dave Cota reported that the five-year agreement with Waste Management has been presented for renewal. It calls for an annual increase of 3% for the first year, and then 3.5% for the remaining four years. Additionally, the Town will be charged for hauling of cardboard, but the tipping fee will be less than for trash. Dave provided a copy the proposed agreement for the Selectmen's reference. This renewal starts in January of 2020. Dave said that the terms are fairly standard. Dave explained that it's more economical to hire Waste Management to run the Transfer Station, versus hiring employees to run it. John Beaupre made a motion to renew the contract for the next five years. Lloyd Cutler seconded the motion. Motion approved.

Dave Cota updated the Selectmen on the status of the Airport Clearing Project. It's near completion at this time, pending the seeding being successful. He's also working with Dead River with regard to improving the appearance of their bulk plant. The FAA is not going to pay for the cost of tree removal of an area that was part of a previous tree removal project so that cost will be need to be paid by the Town (estimated \$11,000). Going forward, there will need to be a more aggressive vegetation management program.

Dave Cota reported that the FAA requires airports to solicit Requests for Qualification Proposals (RFQ) for airport consultant services for a five-year period to hire an airport consultant to work with the Town in order to qualify for federal (90%) and state (5%) funding for airport projects. Dave issued an RFQ and received three proposals. After reviewing proposal, it was felt there as no reason to move away from the Town's current airport consultant, Hoyle Tanner, and the Committee recommends moving forward with them. There is no cost to the Town until there's a project that is approved by the Town (and the F.A.A. and State). John Beaupre made a motion to proceed with the Committee's recommendation and hire Hoyle, Tanner Associates. Jay Reynolds seconded the motion. Motion approved.

Dave Cota reported that bids for the Stream Crossing Project at the Outdoor Center Road have come in and Dirigo Timberlands was the low bid at \$30,310. The project will include precast large arch culverts to span the stream, which will avoid disturbance of the stream bed. There is roughly \$12,000 in FEMA funding available that the Town has applied for and received approval for. The difference will come from the Town's Highway Fund. Lloyd Cutler made a motion to accept the bid from Dirigo Timberlands. Karen Campbell seconded the motion. Motion approved.

Informational:

The Tax bills are being sent out, and the mil rate is slightly lower than last year.

Hazardous Waste Day is July 13th from 9am to noon.

The Planning Board meets on Thursday and will review the proposed Town Park Pavilion.

Caribou Pond Road will be closed Mondays through Fridays from July 15th to December 31st from 4am to 6pm for wood harvesting.

MDOT has provided \$3,604 to be used for town projects. The Town is banking the funds for a future project.

There's a draft marijuana ordinance that will be presented to the Selectmen soon, and then could go to the Town for vote.

The deed covenant changes for the Outdoor Center to allow for camping in vehicles and for developing a campground there should the Town wish, have been approved by the Legislature and signed by the Governor.

Dave Cota is still working with the Penobscot Indian Nation's tribal council with regard to possibly securing a right of way to allow the Town to purchase the so called 250-acre "Ted Jones lot".

Meeting adjourned.

Respectfully submitted,
Lynn Schnorr

Dave Cota

From: Scott Braley <scott@plymouthengineering.com>
Sent: Monday, August 5, 2019 10:39 AM
To: Dave Cota
Subject: TRANSFER STATION
Attachments: 080519 base.pdf

Dave,

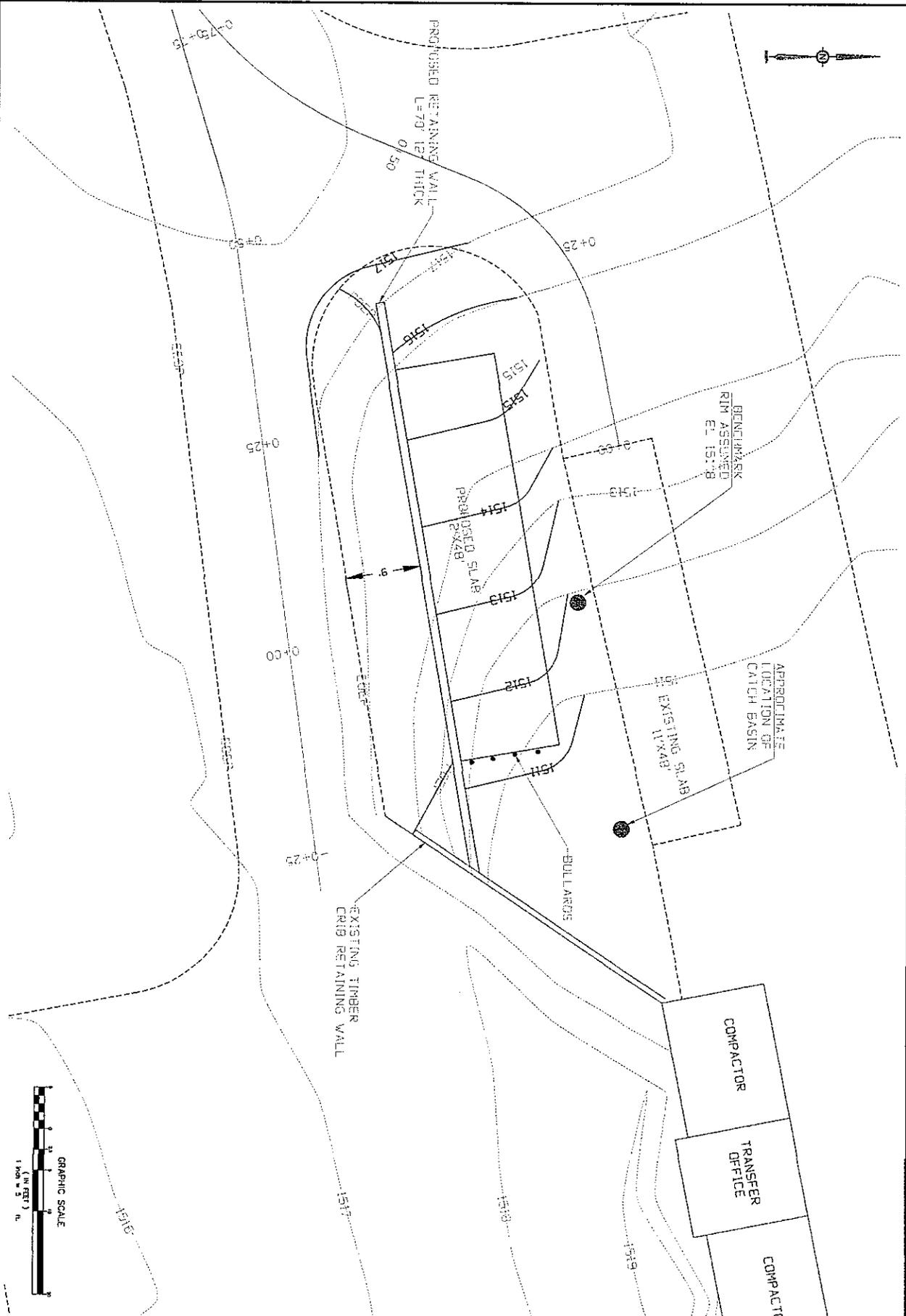
Attached is a progress print with our thoughts based on initial survey, discussions and understanding of needs. Please comment if you want stuff changed before the Selectmen's meeting. I think you told me it's Thursday. The following is our "guesstimate" on budget, but these days, take it with a grain of salt. You might want to run it by Jordan or Mitchell. Final design would obviously provide wall and slab details for rebar.

Initial budget thoughts:

Slab: 12x48x12" thick	\$11,000 at \$250/cy placed and finished
Wall/Footings: 70x avg 9' tall x 12" thick	\$25,000 @\$500/cy
Gravel/Pave work apprx 80'x9'wide std build up with 4" pavement	\$12,000

Hope this helps your discussions.
Scott

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President
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<p>Plymouth Engineering, Inc. P.O. Box 48 30 Cover Detroit Road Plymouth, Maine 04150 Tel: (207) 237-2911 Fax: (207) 237-2130 info@plymouthengineering.com www.plymouthengineering.com</p>	SHEET NO. 15114 SHEET NO. 15113	PROJECT NO. CARRABASSETT VALLEY SHEET NO.	REVISIONS NO. DATE DESCRIPTION 1 10/15/18
	DRAWN BY: TAD CHECKED BY: TAD APPROVED BY: TAD DATE: 10/15/18 PLAN DATE: MONTH, DAY, YEAR SHEET NO.: MONTH, DAY, YEAR SHEET NO.: MONTH, DAY, YEAR SHEET NO.: MONTH, DAY, YEAR	CARRABASSETT VALLEY MAINE	SITE LAYOUT

08/05/18
 PROJECT
 FOR REVIEW
 C1

Trailhead Improvements Project

Cohesively welcoming Carrabassett Valley region visitors and residents with improved trailhead amenities and signage

Presented March 12th, 2018 by Savannah Steele, MH&T Trails Manager



Maine Outdoor Heritage Fund

MOHF conserves wildlife and open spaces through the sale of instant, scratch lottery tickets. The Maine Outdoor Heritage Fund Board chooses projects that promote conservation of Maine's fish and wildlife habitat, acquisition and **management of special places**, endangered species, and conservation law enforcement.

\$23,000 asked of MOHF

\$23,000 asked of Town of Carrabassett Valley, scaled at 50% of MOHF award

This project collaboration between J.V. Wing Snowmobile Club, Carrabassett ATV Club, CRNEMBA, Town of Carrabassett Valley and Maine Huts & Trails showcases Carrabassett Valley as the leader in motorized and non-motorized community partnership.

Project Scope - *updated after partner meeting March 5th*

- 7 interpretive welcoming trailhead kiosks for main trail network entrances
- 9 smaller scale signage points for junctions within trail network
- 2 basic vault-style trailhead privies
- 2 secured trailhead storage sheds (for volunteer trail tool storage, amenity maintenance supplies, and MH&T gear shuttles)

Where's CV's \$23,000 going?

The full \$23,000 match from Carrabassett will be spent *inside* the town lines:

- 5 interpretive welcoming trailhead kiosks - **\$10,000**
- 9 smaller scale signage kiosks - **\$12,000**
- 1 simple vault-style privy - **\$5,000**
 - At Stratton Brook/Rt 27 Trailhead
- 1 secured trailhead storage shed - **\$5,000**
 - At Airport Trailhead

\$32,000 of the \$46,000 estimated project cost goes to improving Carrabassett Valley's trail network

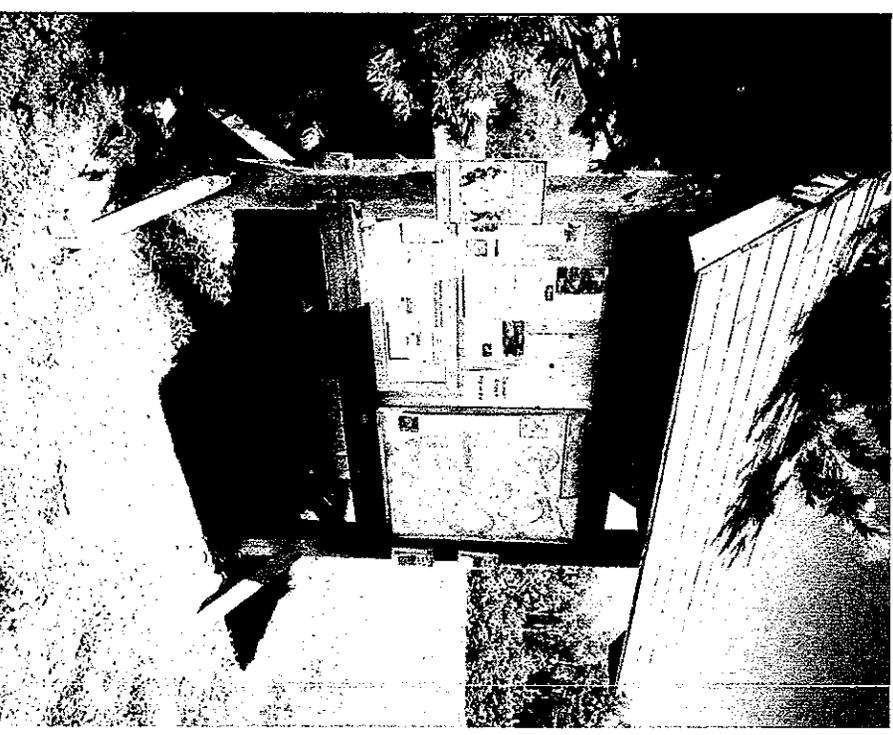
This regional project goes beyond town lines

Here's what's planned for ***outside*** the town lines:

- 2 interpretive welcoming trailhead kiosks - **\$4,000**
 - 1 at proposed Big Eddy Trailhead by Long Falls Dam
 - 1 at existing Lower Enchanted Trailhead by Grand Falls Hut
- 1 simple vault-style privy - **\$5,000**
 - Big Eddy Trailhead
- 1 secured trailhead storage shed - **\$5,000**
 - At Long Falls Dam Rd/Flagstaff Trailhead

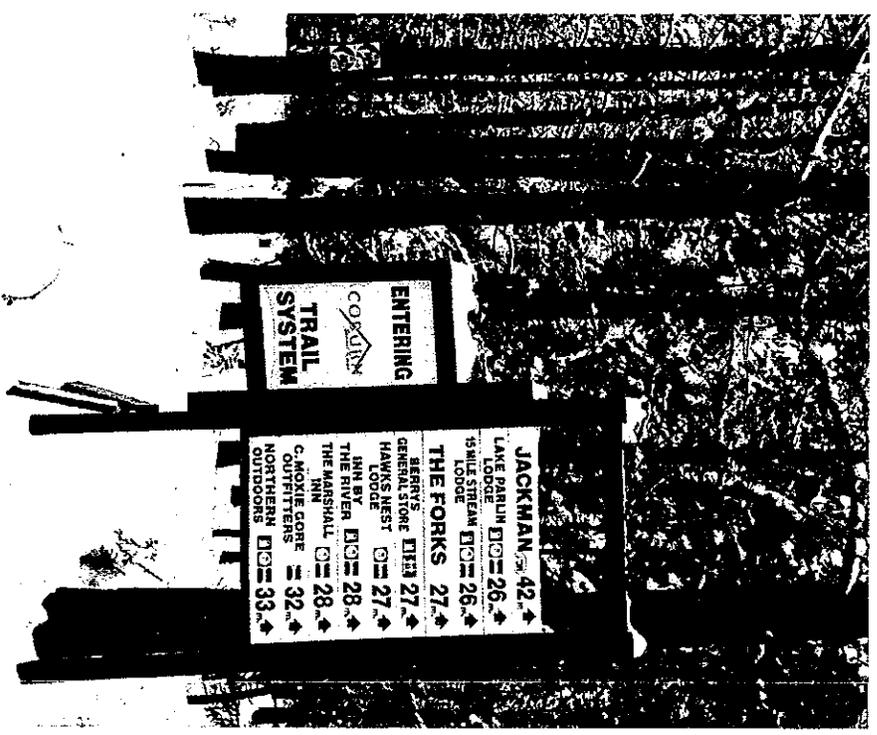
Interpretive welcoming trailhead kiosks for main trail network entrances

1. Huston Brook Rd/Narrow Gauge
Pathway intersection
2. Airport Trailhead
3. Dead Moose Trail/Powerline intersection
4. Ayotte's Country Store
5. Powerline/Carriage Rd/E. Flagstaff Road
6. Big Eddy Trailhead
7. Lower Enchanted Trailhead



9 smaller scale signage points for junctions within trail network

1. Southwestern Kingfield-Carrabassett trail entrance
2. Southeastern Kingfield-Carrabassett trail entrance
3. Poplar Mountain Rd entrance
4. Julie Pond Rd
5. Spring Farm
6. Gauge Rd
7. Huston Brook Rd/Mountain Rd intersection
8. Powerline/Birthday Loop intersection
9. Carriage Rd/Birthday Loop intersection



Dave Cota

From: Eric Copeland <water1@tds.net>
Sent: Monday, July 22, 2019 10:51 AM
To: towncvtm@roadrunner.com
Subject: SWA main extension from Iron Brook Rd. to Elderberry Way

Hi Dave.

The main extension we spoke of this morning would have an estimated cost of \$235,296.94
Materials @ \$83,696.94
Labor @ \$151,600.00

Feel free to contact me if you require more details, or have questions regarding this matter.

Eric Copeland

Sugarloafer since 1972

Superintendent
Sugarloaf Water Association
5005 Iron Brook Road
Carrabassett Valley, ME 04947
p: (207)-237-6865
c: (207)491-1822
f: (207) 237-6880



SUGARLOAF

From

*to Salt-shed
intersection*

DRAFT – CARRABASSETT VALLEY ZONING ORDINANCE AMENDMENTS

ARTICLE II - Definitions

Section 2: Definitions

ADULT USE MARIJUANA: marijuana cultivated, manufactured, distributed or sold by a marijuana establishment.

ADULT USE MARIJUANA PRODUCT: a marijuana product that is manufactured, distributed or sold by a marijuana establishment.

HOME CULTIVATION OF MARIJUANA: indoor marijuana cultivation for personal adult use by a person 21 years of age or older, which is limited to cultivation of three (3) mature marijuana plants, twelve (12) immature marijuana plants, and an unlimited number of seedlings by each person 21 years of age or older who is domiciled on a parcel or tract of land.

HOME OCCUPATIONS: occupations or professions which are customarily carried on in a dwelling unit or structure accessory to the dwelling including, but not limited to, professional offices and services, business offices and services, financial and real estate services, registered caregivers authorized under state law to cultivate medical marijuana for qualifying patients, and personal services; carried on by a member of the family residing in the dwelling unit; clearly incidental and secondary to the use of the dwelling unit for residential purposes; and that conform to the performance standards of Article IX. (replaces existing definition)

MARIJUANA CULTIVATION: the planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of marijuana for use or sale. "Cultivation" or "cultivate" does not include manufacturing, testing or marijuana extraction.

MARIJUANA CULTIVATION FACILITY: a facility licensed under state law to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use marijuana; to sell adult use marijuana to products manufacturing facilities, to marijuana stores and to other cultivation facilities; and to sell marijuana plants and seeds to other cultivation facilities and immature marijuana plants and seedlings to marijuana stores.

MARIJUANA ESTABLISHMENT: a marijuana cultivation facility, products manufacturing facility, testing facility or a marijuana store licensed under state law.

MARIJUANA MANUFACTURING OR MANUFACTURE: means the production, blending, infusing, compounding or other preparation of marijuana and marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis. "Manufacturing" or "manufacture" does not include cultivation or testing.

MARIJUANA PRODUCT: a product composed of marijuana or marijuana concentrate and other ingredients that is intended for use or consumption. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

MARIJUANA PRODUCTS MANUFACTURING FACILITY: a facility licensed under state law to purchase adult use marijuana from a cultivation facility or another products manufacturing facility; to manufacture, label and package adult use marijuana and adult use marijuana products; and to sell adult use marijuana and adult use marijuana products to marijuana stores and to other products manufacturing facilities.

MARIJUANA STORE: a facility, which occupies less than 4,000 square feet of total floor space, and is licensed under state law to purchase adult use marijuana, immature marijuana plants and seedlings from a cultivation facility, to purchase adult use marijuana and adult use marijuana products from a products manufacturing facility, and to sell adult use marijuana, adult use marijuana products, immature marijuana plants and seedlings to consumers.

MARIJUANA TESTING FACILITY: a facility licensed under state law to develop, research and test marijuana, marijuana products and other substances.

MEDICAL MARIJUANA ESTABLISHMENT: cultivation of medical marijuana by registered caregivers, a registered caregiver retail store, registered dispensary, medical marijuana testing facility, or medical marijuana manufacturing facility.

MEDICAL MARIJUANA TESTING FACILITY: a public or private laboratory authorized under state law to test medical marijuana for contamination, potency or cannabinoid profile.

MEDICAL MARIJUANA MANUFACTURING FACILITY: a manufacturing facility authorized under state law to manufacture marijuana products for medical use or to engage in marijuana extraction for medical use.

REGISTERED CAREGIVER RETAIL STORE: a registered caregiver authorized under state law to cultivate medical marijuana for qualifying patients that operates a retail store to sell medical marijuana to qualifying patients.

REGISTERED DISPENSARY: a dispensary authorized under state law to cultivate and dispense medical marijuana to qualifying patients and caregivers.

ARTICLE VIII – *District Regulations*

Section 3: (Rural Residential District – R-1)

B. (permitted uses)

(8) Home Cultivation of Marijuana

C. (conditional uses)

(8) Cultivation of Medical Marijuana by Registered Caregivers as Home Occupation

Section 4: (Medium Density Residential District – R-2)

B. (permitted uses)

(12) Home Cultivation of Marijuana

C. (conditional uses)

(9) Cultivation of Medical Marijuana by Registered Caregivers as Home Occupation

Section 5: (Planned Development District – PD)

B. (permitted uses)

(25) Home Cultivation of Marijuana

C. (conditional uses)

(6) Cultivation of Medical Marijuana by Registered Caregivers as Home Occupation

Section 6: (Valley Center District – VC)

B. (permitted uses)

(20) Home Cultivation of Marijuana

C. (conditional uses)

(11) Marijuana Stores

(12) Registered Caregiver Retail Stores

(13) Cultivation of Medical Marijuana by Registered Caregivers as Home Occupation

Section 7: (Light Industrial District – I)

B. (permitted uses)

(13) Home Cultivation of Marijuana

C. (conditional uses)

(6) Marijuana Cultivation Facilities (Adult & Medical Uses)

(7) Marijuana Manufacturing Facilities and Medical Marijuana Manufacturing Facilities

(8) Marijuana Testing Facilities and Medical Marijuana Testing Facilities

(9) Cultivation of Medical Marijuana by Registered Caregivers as Home Occupation

ARTICLE IX – Performance Standards

Section 10.5 - Signs – General Restrictions

(i) Signs for Adult Use and Medical Marijuana Establishments shall be minimal and discreet in content and language. No marijuana symbols or pictures may be included on the sign. The Planning Board shall pre-approve any proposed sign, which must otherwise comply with all other provisions of this Section.

Section 12: Adult Use and Medical Marijuana Standards (new section)

(1) Limit on Home Cultivation of Marijuana

No person shall be permitted to cultivate marijuana plants or seedlings on a parcel or tract of land on which he or she is not domiciled. Home cultivation of marijuana must be screened from view by the public and abutting homeowners.

(2) Limit on Location of Marijuana Establishments

(a) A marijuana establishment may not be permitted or operated within 1000 feet of a public or private educational facility including but not limited to child care facility, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities; “school” includes the school ground, but does not include the facilities used primarily for another purpose and only incidentally as a school.

(b) A marijuana establishment may not be permitted or operated within 1000 feet of a property used primarily for religious worship and related religious activities; recreational areas primarily designated for use by children up to eighteen years in age; or areas designated as municipal “safe zones” pursuant to 30-A M.R.S. §3253.

(c) For the purpose of subsection, measurement shall be made in a straight line, without regard to the intervening structures or objects, from the nearest property line of a property containing a building or structure used as the premises where a marijuana establishment is located, to the nearest property line of the premises. Presence of a town, county, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this Section.

(d) More than one Adult Use or Medical Marijuana business (Cultivation Facility and/or Manufacturing Facility and/or Testing Facility) may be co-located and operated within the same building, structure, or portion thereof, as long as all ordinance and application requirements are met.

(e) The sale or offering for sale of Medical Marijuana and/or Medical Marijuana products under permit/license and the sale or offering for sale of Adult Use Marijuana and/or Adult Use Marijuana products under permit/license within the same facility or building by the same licensee is prohibited per 28-B M.R.S. section 504.5.

(3) Limit on Hours of Operation for Marijuana Establishments

Marijuana establishments may be open for business only between the hours of 8:00 a.m. and 9:00 p.m., Eastern Standard Time.

(4) Security Requirements for Marijuana Establishments

A. Security Requirements for Marijuana Establishments. Security measures at all Adult Use and Medical Marijuana Establishments shall include on their premises in good working condition, at a minimum, the following:

1. Security surveillance cameras installed and operating twenty-four (24) hours a day, seven (7) days a week, with thirty (30) day video storage, to monitor all entrances, along with the interior and exterior of the premises; and
2. Door and window combination video and motion detector intrusion system with audible alarm; and must include 24 hour monitoring acceptable to the Carrabassett Valley Police Department; and
3. ~~A locking safe permanently affixed to the premises that is suitable for storage of all marijuana, marijuana products, and cash stored overnight on the premises; and~~
4. Exterior lighting that illuminates the exterior walls of the licensed premises during dusk to dawn, that is either constantly on or activated by motion detectors, and complies with applicable provisions of the lighting performance standards of this Ordinance; any interior lighting used for growing or cultivation purposes shall not be visible from the outside of the building; and Deadbolt locks on all exterior doors and any other exterior access points, excepting windows which shall have locks ~~and bars~~, or other security treatment options approved by the Code Enforcement Officer; and
5. Effective methods to ensure that no person under the age of twenty-one (21) shall have access to marijuana and marijuana products.

(5) Required Interior Display for Marijuana Establishments

There shall be posted in a conspicuous location inside each Adult Use Marijuana Retail Store, at least one legible sign containing the following information:

- a. Use of or allowing on-site consumption of marijuana is illegal.
- b. Open and public consumption of marijuana in the State of Maine is illegal.
- c. The use of marijuana or marijuana products may impair a person's ability to drive a motor vehicle or operate machinery.
- d. No one under the age of twenty-one (21) allowed.
- e. Loitering prohibited.

(6) Indoor Cultivation Only

Cultivation of marijuana performed by Adult Use or Medical Marijuana Establishments must be conducted indoors and not in view of the public. No exterior evidence of any cultivation shall be visible from a public way, abutting property, or public area.

(7) Ventilation Requirements for Marijuana Establishments

Odor Control and Ventilation Requirements for Marijuana Establishments. All Adult Use and Medical Marijuana Establishments shall have Odor Control and Ventilation Systems installed and maintained in accordance with a design prepared by a Maine Licensed Mechanical Engineer such that the systems are sufficient to prevent all marijuana and marijuana-related odors from leaving the facility or premises.

(8) Public Safety Requirements for Marijuana Establishments

- (a) Every Adult Use and Medical Marijuana Establishment shall allow access to the premises for law enforcement officers or the Town of Carrabassett Valley Code Enforcement Officer at reasonable times for the purpose of checking compliance with this Ordinance and applicable state and local laws.
- (b) Every owner and all premises managers for Adult Use and Medical Marijuana Establishments shall submit current emergency contact phone numbers to the Carrabassett Valley Police Department.
- (c) Every Marijuana Cultivation Facility, Adult Use or Medical Marijuana Testing Facility, and Adult Use or Medical Marijuana Manufacturing Facility, shall be subject to annual inspection by the Carrabassett Valley Fire Department and shall have a Knox Box installed at the structure's exterior entrance for emergency access in coordination with the Carrabassett Valley Fire Department.

EFFECTIVE DATE OF THIS ORDINANCE: Shall be immediately following affirmative vote of the voters of Carrabassett Valley.

CHAPTER 68: MARIJUANA

§68.1. Title.

This ordinance shall be known and cited as “An Ordinance to Outline the Requirements, Regulation, and Standards for all Marijuana Uses Within the Town of Carrabassett Valley” and will be referred to hereinafter as “this Ordinance”. This Ordinance limits all subject Adult Use Marijuana Businesses and Medical Marijuana Businesses to the zoning districts specified in this Ordinance; prescribes definitions of these Adult Use Marijuana Businesses and Medical Marijuana Businesses; provides for permitting/licensing and regulation of Adult Use Marijuana Businesses and Medical Marijuana Businesses; and provides standards for Adult Use Marijuana Businesses and Medical Marijuana Businesses.

§68.2. Authority.

This Ordinance is enacted pursuant to authority granted under 30-A M.R.S. § 3001, 22 M.R.S. § 2423-A(14) and 22 M.R.S. § 2429-D.

§68.3. Purpose.

It is the purpose of this Ordinance to regulate Adult Use Marijuana Businesses and Medical Marijuana Businesses, to provide procedures and standards relating to the operation of these businesses and to require their annual licensing in order to promote the health, safety, and general welfare of the citizens of Carrabassett Valley.

§68.4. Conflict with Other Ordinances; Severability.

Whenever a provision of this Ordinance conflicts with or is inconsistent with other provisions of this Ordinance, or of any other ordinance, regulation or standard, the more restrictive provision shall apply.

If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

§68.5. Effective Date.

The effective date of this Ordinance, and the permitting/licensing of the establishment or operation of any adult use marijuana store, adult use marijuana cultivation facility, adult use marijuana products manufacturing facility, adult use marijuana testing facility, medical marijuana store, medical marijuana cultivation, medical marijuana manufacturing facility, or medical marijuana testing facility in Carrabassett Valley thereunder, shall be the date of adoption by the voters at Town Meeting.

§68.6. Definitions.

As used in this article, unless the context otherwise indicates, the following terms have the following meanings.

Adult use marijuana: "Adult use marijuana" means marijuana cultivated, manufactured, distributed or sold by a marijuana establishment.

Adult use marijuana product: "Adult use marijuana product" means a marijuana product that is manufactured, distributed or sold by a marijuana establishment.

Disqualifying drug offense: "Disqualifying drug offense" means a conviction for a violation of a state or federal controlled substance law that is a crime punishable by imprisonment for one year or more, but does not include (1) An offense for which the sentence, including any term of probation, incarceration or supervised release, was completed 10 or more years earlier; (2) An offense that consisted of conduct that would have been permitted under the Maine Adult Use Marijuana Act; or (3) An offense that consisted of conduct that would have been permitted under the Maine Medical Use of Marijuana Act.

Home cultivation of marijuana: "Home cultivation of marijuana" means cultivation for personal adult use by a person 21 years of age or older, and is limited to cultivation of three (3) mature marijuana plants, twelve (12) immature marijuana plants, and an unlimited number of seedlings by each person 21 years of age or older who is domiciled on a parcel or tract of land.

Marijuana cultivation: "Marijuana cultivation" means the planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of marijuana for use or sale. "Cultivation" or "cultivate" does not include manufacturing, testing or marijuana extraction.

Marijuana cultivation facility: "Marijuana Cultivation facility" means a facility licensed under state law to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use marijuana; to sell adult use marijuana to products manufacturing facilities, to marijuana stores and to other cultivation facilities; and to sell marijuana plants and seeds to other cultivation facilities and immature marijuana plants and seedlings to marijuana stores. Cultivation facilities are categorized into tiers based on the number of adult plants and usable square footage for cultivation.

Marijuana establishment: "Marijuana establishment" means a cultivation facility, a products manufacturing facility, a testing facility or a marijuana store licensed under state law.

Marijuana manufacturing or manufacture: "Manufacturing" or "manufacture" of marijuana means the production, blending, infusing, compounding or other preparation of marijuana and marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis. "Manufacturing" or "manufacture" does not include cultivation or testing.

Marijuana product: "Marijuana product" means a product composed of marijuana or marijuana concentrate and other ingredients that is intended for use or consumption. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

Marijuana products manufacturing facility: "Marijuana products manufacturing facility" means a facility licensed under state law to purchase adult use marijuana from a cultivation

facility or another products manufacturing facility; to manufacture, label and package adult use marijuana and adult use marijuana products; and to sell adult use marijuana and adult use marijuana products to marijuana stores and to other products manufacturing facilities.

Marijuana store: "Marijuana store" means a facility licensed under state law to purchase adult use marijuana, immature marijuana plants and seedlings from a cultivation facility, to purchase adult use marijuana and adult use marijuana products from a products manufacturing facility and to sell adult use marijuana, adult use marijuana products, immature marijuana plants and seedlings to consumers.

Marijuana testing facility: "Marijuana testing facility" means a facility licensed under state law to develop, research and test marijuana, marijuana products and other substances.

Medical marijuana establishment: "Medical marijuana establishment" means a registered caregiver retail store, medical marijuana testing facility, or medical marijuana manufacturing facility.

Medical marijuana testing facility: "Medical marijuana testing facility" means a public or private laboratory authorized under state law to test medical marijuana for contamination, potency or cannabinoid profile.

Medical marijuana manufacturing facility: "Medical marijuana manufacturing facility" means a manufacturing facility authorized under state law to manufacture marijuana products for medical use or to engage in marijuana extraction for medical use.

Registered caregiver retail store: "Registered caregiver retail store" means a registered caregiver authorized under state law to cultivate medical marijuana for qualifying patients that operates a retail store to sell medical marijuana to qualifying patients.

State registration authority: "State registration authority" means the authority created or designated by the state for the purpose of regulating and controlling registration for medical marijuana establishments.

§68.7. Establishments allowed; Licenses required.

- A. Pursuant to 28-B M.R.S. §403, the operation of marijuana establishments is allowed, subject to the restrictions of this Ordinance and applicable state and local law.
- B. Pursuant to 22 M.R.S. §2429-D, the operation of medical marijuana establishments is allowed, subject to the restrictions of this Ordinance and applicable state and local law.
- C. No person shall operate a marijuana establishment, nor shall any property owner permit the use of his or her premises to be operated as a marijuana establishment, without a valid license issued by the Town. A separate license must be obtained for each establishment located on the same premises. Each license shall be for a period of one year from the date of its issuance. A license must be obtained prior to the opening of a marijuana establishment. Applications for renewal licenses shall be submitted at least ninety (90) days prior to expiration of the existing term. Any licensee that fails to submit a renewal application by the applicable deadline shall not have authority to operate until a license is granted.
- D. No person shall operate a medical marijuana establishment, nor shall any property owner permit the use of his or her premises to be operated as a medical marijuana

establishment, without a valid license issued by the Town. Each license shall be for a period of one year from the date of its issuance. A license must be obtained prior to the opening of a medical marijuana establishment. Applications for renewal licenses shall be submitted at least ninety (90) days prior to expiration of the existing term. Any licensee that fails to submit a renewal application by the applicable deadline shall not have authority to operate until a license is granted.

- E. Whenever a permit/license expires and is not renewed, or the Town declines to renew a permit/license, other permit/license applications may be reviewed, but the cap of permits/licenses per each category shall be maintained. In the event of the proposed sale of a marijuana business, the tentative purchaser shall be given preference to obtain a new permit/license to replace the seller's permit/license within sixty (60) days prior to the date of sale. The tentative purchaser shall file an application with fee and provide all the information required in this Ordinance. If the application is approved by the Town, the *Municipal Officers shall specify that the permit/license for same is contingent on the sale being completed and the Town's receipt of license fees.*
- F. The licensing requirements of this Ordinance do not apply to any medical marijuana establishment continuously operating with municipal approval since before December 13, 2018.
- G. Persons 21 years of age or older who, for personal adult use, cultivate marijuana on the parcel or tract of land within the Town of Carrabassett Valley where they are domiciled are not required to register with the Town or obtain a license.

§68.8. Application.

Each applicant for a marijuana establishment license or a medical marijuana establishment license shall complete and file an application on the form provided by the Town Clerk, together with the applicable nonrefundable ~~license fee~~ application fee of \$250, as well as the following supporting materials:

- A. A copy of the applicant's state registration application and supporting documentation, as submitted to the state registration authority.
- B. Evidence of all state approvals or conditional approvals required to operate an adult or medical marijuana establishment, including, but not limited to, a state registry identification card or registration certificate.
- C. If not included in the applicant's state registration application, a description of the form of ownership of the business enterprise together with attested copies of any articles of incorporation, bylaws, operating agreement, partnership agreement or articles of association that govern the entity that will own and/or operate the establishment.
- D. If not included in the applicant's state registration application, an affidavit that identifies all owners, officers, members, managers or partners of the applicant, their ownership interests, and their places of residence at the time of the application and for the immediately preceding three (3) years. Supporting documents, including but not limited

to motor vehicle operator's license, motor vehicle registration, voter registration or utility bills shall be provided.

- E. A release for each applicant and for each officer, owner, member, manager or partner of the applicant seeking a license allowing the Town of Carrabassett Valley to obtain criminal records and other background information related to the individual.
- F. A statement as to the precise nature of the business with a description of the nature of all products and services offered to its customers.
- G. A description of the premises for which the license is sought, including a plan of the premises and a list of all equipment, parts and inventory used in the operation of the establishment.
- H. Evidence of an interest in the premises in which the medical marijuana establishment will be located, together with the form of interest, along with the written consent of the owner of the premises for such use if the applicant is not the owner.
- I. Evidence of all land use approvals or conditional land use approvals required to operate the establishment, or applications that have been filed and are pending for the required approvals, including but not limited to building permit, conditional or special use approval, change of use permit and/or certificate of occupancy.
- J. Evidence of all other approvals or conditional approvals required to operate the establishment, including any applicable food or victualer's license.
- K. Evidence of compliance with the requirements of this Ordinance.
- L. All applicants (including all officers, directors, managers, members, or partners) for any Adult Use Marijuana business permit/license, excepting Marijuana Testing Facilities, must have been residents of the State, and paid taxes in the State, for a period of four (4) years immediately preceding the date of the application per 28-B M.R.S. section 102.2B. This requirement expires on June 1, 2021 per 28-B M.R.S. section 102.48.

If the Town Clerk determines that a submitted application is not complete, the Clerk shall notify the applicant within ten (10) business days of the additional information required to process the application. If such additional information is not submitted within thirty (30) days of the Clerk's request, the application may be denied.

§68.9. Investigation of applicant, officers, etc.

Upon receipt of an application or of a notice of a change of any of the individuals listed in Section 68.8 above, the Town shall provide copies of the completed application to the following staff members for purposes of conducting the investigations and issuing reports as listed below:

- A. The Code Enforcement Officer shall inspect the location or the proposed location to determine whether the applicable ordinances relating to land use issues and building and safety codes issues have been satisfied and shall report findings in writing to the Town Clerk.

- B. The Fire Chief or his/her agent shall inspect the location or proposed location to determine if all Town ordinances and any other applicable regulations concerning fire, health, and safety have been satisfied and shall report findings in writing to the Town Clerk; and
- C. The Police Chief or his/her agent shall investigate the application, including the criminal history record information and shall report findings in writing to the Town Clerk.

§68.10. Action on application.

- A. *Public hearing.* The Town Clerk upon receipt of a completed application and upon receipt of the reports required under § 68.9 above, shall schedule a public hearing at a regular or special meeting of the Select Board and shall arrange for public notice of the public hearing to appear in the newspaper of general circulation within the Town of Carrabassett Valley at least seven days prior to the date of the scheduled public hearing. Costs of the hearing notice shall be paid out of the license and processing fee.
- B. *Select Board action.* The Select Board, after notice and public hearing, shall determine whether the applicant complies with the requirements of this article. Upon such determination by the Select Board, the Town Clerk shall be authorized to issue the license.

§68.11. Status of license—Display.

No license issued under this Ordinance may be assigned or transferred to another entity. Any change in ownership or change in the officers of an owner shall require a new license. Licenses are limited to the premises for which they are issued and are not transferable to another location. The license shall be displayed in a conspicuous place in the marijuana establishment or medical marijuana establishment for which the license is issued.

§68.12. Duty to update information.

Any licensee issued a license under this ordinance shall have the duty to maintain updated and accurate information regarding all of the information provided pursuant to the application process within ten days of any change of status. Failure to provide and maintain current and accurate information may result in revocation of the applicant's license.

§68.13. Standards for approval, denial, revocation.

A license application for a marijuana establishment or medical marijuana establishment shall be denied by the Select Board, and an existing license may be suspended or revoked by the Select Board after notice and hearing, if the applicant, or any owner of the applicant or licensee:

- A. Fails to meet the requirements of this Ordinance.
- B. Is not at least twenty-one (21) years of age.
- C. Is not a resident of the State of Maine (per Section 68.8 (L) of this ordinance).
- D. Has had a license for a marijuana establishment or medical marijuana establishment revoked by a municipality or by the state.
- E. Has not acquired all necessary state and local approvals prior to issuance of the license.

- F. Has been convicted of a disqualifying drug offense.
- G. Has provided false or misleading information in connection with the license application.

§68.14. Operating Requirements.

In order to obtain a license pursuant to this Ordinance, the applicant shall demonstrate to the Select Board that the following requirements will be met. A licensee shall comply with all of these requirements during the term of the license.

A. Fixed location.

All licensed premises shall be fixed, permanent locations. Licensees shall not be permitted to operate marijuana establishments in other than the licensed premises, such as at farmer's markets, farm stands or kiosks.

B. Security.

1. The licensed premises shall have lockable doors and windows and shall be served by an alarm system that includes 24 hour monitoring acceptable to the Carrabassett Valley Police Department.
2. The licensed premises shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.
3. The licensed premises shall have exterior spot lights with motion sensors covering the full perimeter of the building(s).

C. Ventilation.

1. The licensed premises shall comply with all odor and air pollution standards established by ordinance.
2. All Adult Use and Medical Marijuana Establishments shall have Odor Control and Ventilation Systems installed and maintained in accordance with a design prepared by a Maine Licensed Mechanical Engineer such that the systems are sufficient to prevent all marijuana and marijuana-related odors from leaving the facility or premises.

D. Loitering.

The facility owner/operator shall make adequate provisions to prevent patrons or other persons from loitering on the premises. It shall be the licensee's obligation to ensure that anyone found to be loitering or using marijuana or marijuana products in the parking lot or other outdoor areas of a licensed premises is ordered to leave.

E. Compliance with requirements of state and local law.

A marijuana establishment or medical marijuana establishment shall meet all operating and other requirements of state and local law. To the extent the state has adopted or adopts in the future any law or regulation governing marijuana establishments that conflicts in any way with the provisions of this article, the more restrictive shall control.

§68.15. Violations; penalties.

In addition to revocation or suspension of a marijuana establishment or a medical marijuana establishment license as provided in this Ordinance, the violation of any provision of this Ordinance shall be punished by a fine of not less than \$500.00 nor more than \$2,500.00 for each offense. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. In addition to such penalty, the Town may enjoin or abate any violation of this Ordinance. All fines and penalties, together with costs of prosecution of violations, which shall include the Town's cost and attorney's fees, shall inure to the benefit of the Town. This section shall be enforced by the Carrabassett Valley Police Chief, the Carrabassett Valley Code Enforcement Officer, and/or their designees. Notice of violations by marijuana establishment licensees of other provisions of this Code shall be provided to the Police Chief and Town Manager.

§68.16. Limitations in licenses. Lottery.

No more than the specified quantities of licenses shall be issued.

Marijuana store:	2
Marijuana cultivation facilities:	1
Marijuana manufacturing facility:	1
Marijuana testing facility:	1
Registered caregiver retail store:	1
Medical marijuana manufacturing facility:	1
Medical marijuana testing facility:	1

No new licenses shall be issued if issuance would bring the total number of valid licenses in all categories above to more than four (4) total. In the event that a greater number of valid license applications are submitted than can be issued within these limitations, a lottery shall be conducted to randomly determine which qualified applicants shall receive licenses.

68.17. License fees.

If an application is approved, the following license fees must be paid before the Town will issue a permit/license.

The initial license fees shall be as follows:

Marijuana store:	\$ 1500.00
Cultivation Facilities:	
Tier 1 (≤ 30 adult plants, ≤ 500 sq. ft.)	\$ 300.00
Tier 2 (≤ 2000 sq. ft.)	\$ 1500.00
Tier 3 (≤ 7000 sq. ft.)	\$ 5000.00
Tier 4 (≤ 20,000 sq. ft.)	\$ 15,000.00
Nursery (≤ 1000 sq. ft.)	\$ 600.00

Marijuana manufacturing facility:	\$ 1500.00
Marijuana testing facility:	\$ 500.00
Registered caregiver retail store:	\$ 300.00
Medical marijuana manufacturing facility:	\$ 1500.00
Medical marijuana testing facility:	\$ 500.00

Annual renewal fees for each type of license shall be equal to 50% of the current applicable initial licensing fee.

The license fees for each type of license may be set by the Select Board and the schedule of fees shall be kept on file in the Town Clerk's office.

68.18. Severability.

If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

68.19. Appeals.

An appeal from any final decision under this Ordinance may be taken by any party to the Board of Appeals within thirty (30) days of a written decision issued hereunder.