

11.27 Medical Marijuana

11.27 The State of Maine enacted the Maine Medical Marijuana Act, 22 M.R.S.A. § 2421, ET SEQ. The Act contemplates the creation of a not-for-profit dispensaries for the provision of marijuana for medical use as well as the creation of cultivation facilities to provide marijuana to legally qualified individuals. Marijuana has both legitimate medical uses and a history of widespread illegal use and trafficking. In order to preserve the safety, health and welfare of the citizens of Buxton and others, the dispensing and cultivation of marijuana requires careful attention and control, including but not limited to reasonable security and oversight requirements.

a. Security and oversight requirements:

1. There shall be no outdoor cultivation of marijuana.

As a dispensary, we fully comply with the regulation that prohibits outdoor cultivation of marijuana. We want to assure you that no outdoor cultivation will not take place on the property. Our focus is on providing high-quality products to our customers, sourced from licensed and regulated indoor cultivation facilities to ensure safety, consistency, and adherence to all legal requirements.

2. Alarm Systems - Registered dispensaries and registered cultivation facilities shall have door and window intrusion alarms with audible and police notification components.

We take security and compliance seriously, and as a registered dispensary, we have implemented robust door and window intrusion alarms with audible and police notification components. These measures ensure the safety of our premises and provide timely alerts to law enforcement authorities in case of any security breach. Our commitment to maintaining a secure environment helps us protect both our staff and valued customers, allowing them to have a safe and positive experience at our establishment.

3. Exterior security lighting – registered dispensaries and registered cultivation facilities shall have spot lights with motion sensors covering the full perimeter of the facility.

To ensure comprehensive coverage, we have installed spotlights equipped with motion sensors that cover the full perimeter of our premises. These motion-activated lights serve as a proactive deterrent against potential intrusions, providing an added layer of protection during non-operational hours.

4. Video surveillance – registered dispensaries and registered cultivation facilities shall have recorded video surveillance covering all plants and the entire exterior. For registered cultivation facilities, the recorded video surveillance shall operate 24 hours a day, seven days a week and for registered dispensaries shall, at a minimum, operate at all times that the facility is not open to patients. Records of surveillance shall be kept for a minimum of 30 days.

As a registered dispensary, we prioritize the safety and security of our establishment and everyone inside it. To meet the regulatory requirements, we have installed comprehensive recorded video surveillance systems. This video surveillance covers all areas within the dispensary and the entire exterior.

Our video surveillance operates at all times, ensuring continuous monitoring and protection during non-operational hours. To comply with regulations, we diligently maintain video records for a minimum of 30 days. This approach enables us to review footage if needed, promoting transparency and enhancing safety for our staff, patients, and the community at large.

5. A registered dispensary may not be open to the public between the hours of 8:00 pm and 7:00 am.

In accordance with the regulations, our registered dispensary strictly adheres to the specified operating hours. As per the guidelines, we are not open to the public between 8:00 pm and 7:00 am. Our commitment to compliance ensures that we provide our services within the approved time frame, promoting responsible operation and maintaining a safe environment for our staff, patients, and the community.

6. Sufficient measures must be in place at all times to prevent smoke or odor from exiting a registered dispensary or registered cultivation facility.

As part of our dedication to adhering to regulations and ensuring a pleasant atmosphere, we want to emphasize that there will be no consumption within our registered dispensary that creates smoke. We strictly prohibit any form of smoking on our premises to prevent the emission of smoke or odors. These measures include state-of-the-art air filtration and ventilation systems that effectively contain any potential odors within our facility. Please refer to section 8.2 B.1 for the type of filtration.

b. Registered dispensaries must be located in area defined as Business/Commercial and Light Commercial Districts as of July 1, 2015 with a minimum of 500 feet from any public or private school, public library, playground, public park, church, chapel, parish house, other place of worship, or daycare measured by straight line from the dispensary property line to the property line of the protected location.

We have meticulously adhered to the minimum distance requirement of 500 feet from any public or private school, public library, playground, public park, church, chapel, parish house, other place of worship, or daycare. To measure this distance accurately, we have used a straight line from the dispensary property line to the property line of the protected location.

c. The facility may exist in the Town of Buxton and is limited to 2,500 square feet.

Our facility is located within the designated area allowed by the Town of Buxton. As per the regulations, our facility is limited to a maximum size of 2,500 square feet. We have diligently adhered to this restriction to ensure that our operations are in full compliance with the town's guidelines. Our Facility will be 1200 sqft in size.

d. Hours of operation shall be between 8:00 am to 5:00 pm, Monday through Saturday.

Our registered dispensary operates within the specified hours of operation as mandated by the regulations. We are open from 8:00 am to 5:00 pm, Monday through Saturday. These hours have been carefully chosen to ensure compliance with the guidelines while providing our valued customers with convenient access to our services.

8.2.B. The applicant shall present adequate evidence, where appropriate, in order for the Planning Board to find that:

8.2.B.1. The proposed use will not adversely affect the value of adjacent properties. The proposed use will not have a significant detrimental effect on the use and peaceful enjoyment of adjacent properties as a result of noise, vibrations, fumes, odor, dust, glare, or other causes.

The purpose of this business is to bring High-Quality Cannabis to our Medical patients in a safe and comfortable space. There will not be any additional Glare, Dust, Vibrations, or excessive noise during business hours (10 am - 7 pm). 11.27 5. A registered dispensary may not be open to the public between the hours of 8:00 pm and 7:00 am. Odor Remediation - There will be no significant added odor as this is a separate entity from the downstairs business. To balance the odor of this operation with the downstairs operation, we will include 2 C-A-N Filters 150's with Inline fans for constant air circulation and odor scrubbing. These Odor Scrubbers have already been approved by the town code enforcement officer for the downstairs business. This business will not build into or affect any residential properties abutting or adjacent to the business. Commercial properties such as Hannafords, Dollar Tree, Aubochon, Lowe's Market, Dunkin Donuts may see an increase in their revenue.

8.2.B.2. Access to the site from existing and proposed roads is safe and adequate. The proposed use will not cause or aggravate undue traffic congestion.

The existing parking lot will be suitable for vehicle/foot traffic. The 4 Corner light in Buxton will not see an influx of backups any different than your normal day-to-day. Our parking lot will be lined properly to facilitate the ease of entering and exiting the business and either side of the parking lot.

8.2.B.3. Any proposed development is in conformance with all flood hazard protection regulations as outlined in Article 14.

There will not be any changes to the landscape of the current commercial plot.

8.2.B.4. Adequate provision for the disposal of all wastewater and solid waste has been made.

All solid waste will be removed through our trash pickup contract. Nothing will impact or change our current wastewater plans (septic).

8.2.B.5. Adequate provision for the transportation, storage, and disposal of any hazardous materials has been made.

A hazardous material is any item or agent (biological, chemical, radiological, and/or physical) that has the ability to cause harm to humans, animals, or the environment. We cannot define any hazardous materials that this business will bring into the community, whether to humans or the environment. All of our waste is to be removed by Troiano Waste Services. Disposal of all non-usable products will be removed by Troiano Waste Services. Transportation of all products will be handled by the owner. Packages that are received and pass quality checks to be sold in our store will remain sealed and packaged properly to Maine standards and be labeled with the appropriate licensing numbers. All transactions will be recorded to ensure safe transportation and exchange of goods. Storage - All products to be locked behind 3 security doors minimum. And stored safely in a Fire Proof Gun Safe, that will be anchored to both the floor and the wall. Only the select board members/employees will have the ability to access.

8.2.B.6. A stormwater drainage system capable of handling a 25-year storm without adverse impact on adjacent properties has been designed.

Existing property has been deemed capable

8.2.B.7. An erosion and sedimentation control plan has been prepared by a qualified professional source.

As an indoor operation, all our activities take place within a controlled environment, minimizing the risk of erosion and sedimentation.

8.2.B.8. There is adequate water supply to meet the demands of the proposed use and for fire protection purposes.

The water supply is well water. Fire protection purposes are in place via detectors and fire extinguishers to be approved by the Fire Chief.

8.2.B.9. That all performance standards in this Ordinance, applicable to the proposed use, will be met.

We affirm that all performance standards outlined in this Ordinance, applicable to our proposed use, will be met without compromise. Our commitment to adhering to these standards is an integral part of our responsible and compliant operation.

~~ARTICLE 10. PERFORMANCE STANDARDS - GENERAL REQUIREMENTS~~

10.1 Access to Lots.

Access to our lots is readily available through existing approved roadways. We have carefully considered and complied with all necessary permits and regulations to ensure safe and efficient access for our customers.

10.2 Dust, Fumes, Vapors, and Gases.

Odor Remediation - There will be no significant added odor as this is a separate entity from the downstairs business. To balance the odor of this operation with the downstairs operation, we will include 2 C-A-N Filters 150's with Inline fans for constant air circulation and odor scrubbing. These Odor Scrubbers have already been approved by the town code enforcement officer for the downstairs business.

10.3 Erosion Control.

There will be no outside grading or site disturbance to require erosion control.

10.4 Explosive Materials.

We do not use any explosive materials in our operation.

10.5 Construction in Flood Hazard Areas.

We are not doing any construction to warrant flood hazard control.

10.6 Noise.

As a responsible facility, we are committed to maintaining a noise-free environment and have a track record of conducting operations without causing noise disturbances.

10.7 Off-Street Parking and Loading.

Our parking lot will be lined properly to facilitate the ease of entering and exiting the business and either side of the parking lot. There are 25 parking spots existing in the commercial lot.

10.8 Preservation of Landscape.

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10.9 Refuse Disposal.

we have partnered with Troiano Waste Services for our refuse disposal needs. Troiano Waste Services is a reputable waste management company known for its reliable and environmentally conscious practices.

10.10 Setbacks and Screening.

No exterior to warrant setbacks and screening.

10.11 Signs.

We are currently seeking advice from the town as to what type of signage they will permit us to use.

10.12 Soil Suitability.

No external soil disturbance.

10.13 Storm Water Management.

As there is no exterior disturbance, no stormwater management is required.

10.14 Water Quality.

No exterior disturbance required. All internal water usage is from the well.

10.15 Archaeological/Historic Sites.

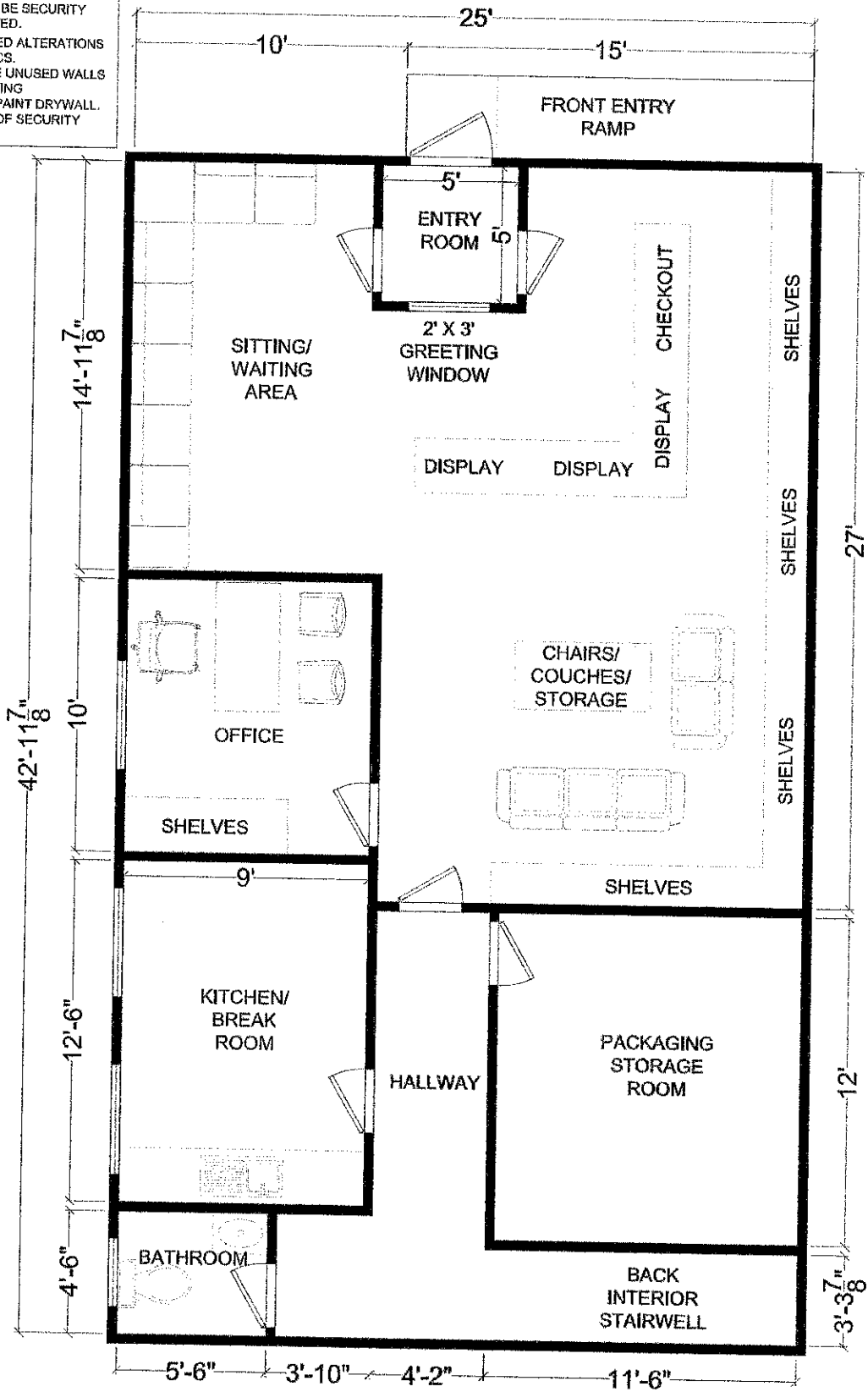
No exterior disturbance required.

10.16 Wetland Protection.

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GENERAL NOTES

- ALL DOORS TO BE SECURITY STEEL INSULATED.
- ONLY PROPOSED ALTERATIONS ARE AESTHETICS.
- DEMO OF SOME UNUSED WALLS
- UPDATE FLOORING
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SCALE: 3/16"=1'-0" @ A4

SCALE BAR: 0 1' 2' 3' 4' 5' 6'

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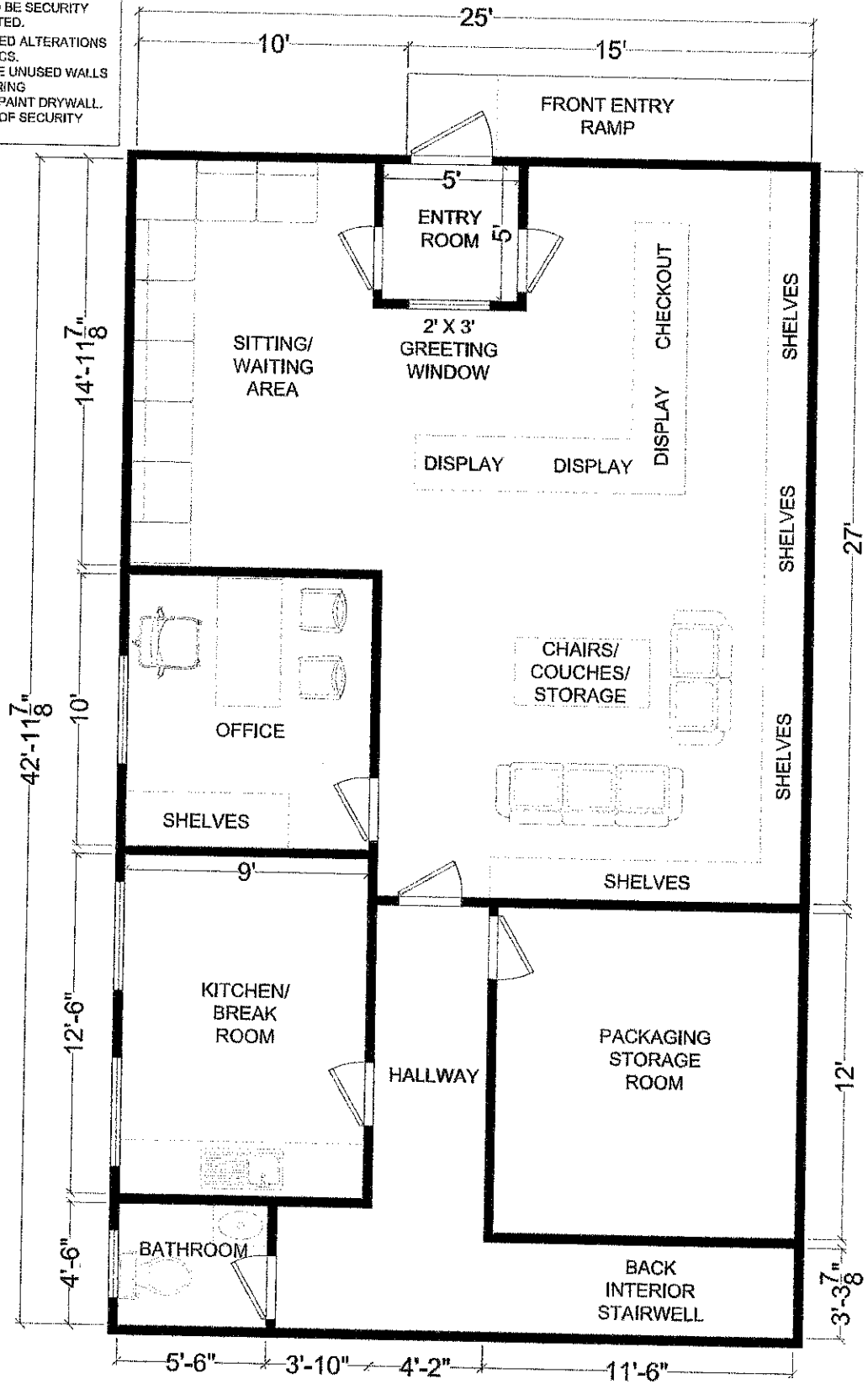
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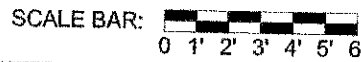
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GENERAL NOTES

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SCALE: 3/16"=1'-0" @ A4



Town of Buxton
Application for a Conditional Use

Map 10 Lot 1+2 District(s) _____ Lot Size _____ YC Deed Book _____ Page _____
Current Use _____ Proposed Use Dispensary
Name of Applicant(s) Max Varga
Mailing Address 42 Bacon St City/Town Biddleford Zip 04005
Telephone Number Days 207-710-8606 Evenings _____
Name of Owner if Different Gaben/Korthey Sander LLC
Name, Address & Phone Number to whom all correspondence shall be sent Max Varga
207-710-8606

Location of Property: Please describe how to find the property.
Next to Aubuchon Hardware on 400
Narragansett Drive

Is ANY PART OF THE PROPERTY WITHIN the 100-YEAR FLOOD PLAIN as shown on the Flood Insurance Rate Maps of Buxton? _____ Yes _____ No

IS APPROVAL FROM OTHER LOCAL, STATE OR FEDERAL AGENCIES REQUIRED?
 Yes _____ No If Yes, Please indicate agency names.
Office of Cannabis

IF construction of a SUBSURFACE WASTE WATER DISPOSAL SYSTEM IS PROPOSED a copy of the site evaluation and a copy of the plumbing permit MUST be submitted with this application.

Type of SEWAGE DISPOSAL Private septic
WATERSOURCE of property well

Does the use involve TRANSPORTATION, STORAGE, GENERATION OR DISPOSAL OF HAZARDOUS MATERIALS? (gas, oil, fuels etc.) _____ Yes _____ No

This application must include the following to be considered complete:

1. A SKETCH PLAN of the property which clearly shows the location of the proposed structures, driveways, parking areas, wastewater disposal areas, water supplies, outdoor lighting, signs and other improvements **MUST BE SUBMITTED WITH THIS APPLICATION.** Please show dimensions of all structures, distances from property lines as well as distances to abutting structures, wells and wastewater disposal areas. Unless Specifically waived by the Planning Board this information is required.

2. On a separate sheet LIST THE NAMES AND ADDRESSES OF ABUTTING PROPERTY OWNERS (including those on the opposite side of the Road directly across from the property under review.)

3. Answers to all questions in Section 8.2.B, Article 10 and if applicable 8.2.A and Article 11, ²⁷ **MUST BE RECEIVED WITH THIS APPLICATION** along with any other information you feel will assist the Planning Board in determining whether the standards in the Buxton Zoning Ordinance have been met.

4. Ten (10) copies of exhibits must be submitted with the completed application to start the process. If the applicant does not supply them, there will be a .10 per copy charge on the final billing.

5. Application fee of \$300.00 paid to the "Town of Buxton".

I certify the information contained in this application and its supplements are true and correct.

Signed _____ Date _____

Received by Helen Smith Date 7/25

Fee Received \$ 300.00 Check # _____ Cash X Date 7/25

Fee Received by _____ Conditional Use Scheduled to be

heard on 08/14/2023 at the Buxton Municipal Building on the Portland Road. The meetings start at 7:00 p.m. and are generally held the 2nd and 4th Monday of the month. All information and applications need to be in the office by noon one (1) week prior to the meeting.

Abutter's List

Name Langlois Narragansett Trail Inc Map 5 Lot 48
9 Sweetbrier Lane, Scarborough ME 04074

Name DG Strategic IT LLC Map 5 Lot 47-C
100 Mission Ridge Goodlettsville TN 37072

Name Constance B Thompson Map 5 Lot 47-D
108 Osprey Cove Loop Rd Myrtle Beach SC 29588

Name Matulonis, Douglas K Map 10 Lot 2A
396 Narragansett TRL Buxton ME 04093

Name Laverriere, Tyler M Map 10 Lot 2B
388 Narragansett TRL Buxton 04093

Abutter's List

MAP 10 LOTS 1+2

Name Doughty, Randall H. Map 10 Lot 2E
251 Main St Buxton ME 04093

Name Pate, Robert D Map 10 Lot 2G
PO Box 58 Saco ME 04072

Name Shaw, Rochelle D Map 10 Lot 27
PO Box 358 Hollis ME 04042

Name _____ Map _____ Lot _____

Name _____ Map _____ Lot _____
