

**WARRANT FOR SPECIAL TOWN MEETING**

Topsham, Maine  
 May 15, 2019  
 Sagadahoc, ss

TO: Chris Lewis, a Constable for the Town of Topsham  
 FROM: Municipal Officers of Topsham

GREETINGS: You are hereby required in the name of the State of Maine to notify and warn the Inhabitants of the Town of Topsham, qualified to vote on Town Affairs, to assemble at Mt. Ararat High School Commons on Wednesday, the 15<sup>th</sup> day of May, 2019 A.D. at 7:00 o'clock p.m. in the evening and then and there to act on Articles 1 thru 30 to wit:

**Article 1** - To elect a **Moderator** to preside at said meeting. **Robert Lenna**

**Article 2** - To have the Town vote to raise, appropriate and spend the sum of **\$1,262,975** for Debt Service.

	<u>2019-20</u> <u>Board of</u> <u>Selectmen</u> <u>Recommendation</u>	<u>Allocation</u>	<u>2019-20</u> <u>Finance Committee</u> <u>Recommendation</u>
<b>Monument Place Ext</b>	\$174,777	Interchange TIF	\$174,777
<b>Municipal Building</b>	\$104,877	By-Pass TIF	\$104,877
	\$100,000	Frost St. TIF	\$100,000
	\$570,721	Taxation	\$570,721
<b>Municipal Complex (Includes Sidewalks)</b>	\$30,500	Taxation	\$30,500
<b>Fire Truck</b>	\$31,636	Taxation	\$31,636
	\$11,938	By-Pass North TIF	\$11,938
	\$1,791	By- Pass TIF	\$1,791
	\$298	Village Candle TIF	\$298
	\$298	Bowdoin Mill TIF	\$298
	\$2,984	Interchange TIF	\$2,984
	\$8,953	Frost St TIF	\$8,953
	\$1,194	Downtown TIF	\$1,194
	\$597	Affordable TIF	\$597
<b>Equipment Bond (2015)</b>	\$46,400	Taxation	\$46,400
	\$1,289	By-Pass TIF	\$1,289
	\$2,363	Village Candle TIF	\$2,363
	\$2,363	Bowdoin Mill TIF	\$2,363
	\$10,741	By-Pass North TIF	\$10,741
	\$8,593	Interchange TIF	\$8,593
	\$6,444	Frost Street TIF	\$6,444
	\$5,156	Downtown TIF	\$5,156
	\$2,578	Affordable TIF	\$2,578
<b>Equipment Bond (2016)</b>	\$73,702	Taxation	\$73,702
	\$2,047	By-Pass TIF	\$2,047
	\$3,753	Village Candle TIF	\$3,753
	\$3,753	Bowdoin Mill TIF	\$3,753
	\$17,061	By-Pass North TIF	\$17,061
	\$13,648	Interchange TIF	\$13,648
	\$10,236	Frost Street TIF	\$10,236
	\$8,189	Downtown TIF	\$8,189
	\$4,095	Affordable TIF	\$4,095
	<b>\$1,262,975</b>	<b>Total</b>	<b>\$1,262,975</b>

Board of Selectmen Recommendation:  
Finance Committee Recommendation:

Ought to Pass  
Ought to Pass

**PASSED**

**Article 3-** To see what sum the Town will vote to spend for **General Government** under the following accounts and to see what sum the Town will vote to raise and appropriate for the same, and to authorize the Board of Selectmen to transfer funds from the Payroll Adjustment line in Insurance, to departments outside of General Government, for anticipated employee wage and benefit adjustments.

	<u>2018-19</u> <u>Approved</u> <u>Appropriation</u>	<u>2019-20</u> <u>Board of Selectmen</u> <u>Recommendation</u>	<u>2019-20</u> <u>Finance Committee</u> <u>Recommendation</u>
<b>General Government</b>			
1. Administration	\$345,885	\$348,684	\$348,684
2. Municipal Officers	\$18,621	\$18,723	\$18,723
3. Finance Manager	\$88,589	\$161,434	\$161,434
4. Central Services	\$133,100	\$136,600	\$136,600
5. Tax/Clerk	\$309,965	\$321,032	\$321,032
6. Codes	\$92,312	\$95,676	\$95,676
7. Assessing	\$128,270	\$139,831	\$139,831
8. Elections/Registration	\$13,064	\$16,664	\$16,664
9. Planning Office	\$242,006	\$251,434	\$251,434
10. Economic Development	\$124,400	\$132,485	\$132,485
11. Municipal Insurance	\$186,980	\$363,782	\$363,782
12. Facilities Maintenance	\$166,275	\$175,006	\$175,006
13. Parks & Recreation	\$408,582	\$481,250	\$481,250
14. Library	\$651,146	\$715,278	\$715,278
15. General Assistance	\$20,600	\$12,300	\$12,300
16. Contractual Services	\$117,600	\$129,100	\$129,100
17. Public Utilities	\$370,763	\$382,000	\$382,000
18. Municipal TIF Fund	\$106,147	\$82,265	\$82,265
19. TDI Enterprise Account	<u>\$0</u>	<u>\$100,000</u>	<u>\$100,000</u>
<b>TOTALS</b>	<b>\$3,524,305</b>	<b>\$4,063,544</b>	<b>\$4,063,544</b>

<u>Board of Selectmen</u> <u>Recommendation</u>	<u>Allocation</u>	<u>Finance Committee</u> <u>Recommendation</u>
\$399,699	Interchange TIF	\$399,699
\$689,545	State Revenue Sharing	\$689,545
\$865,157	General Revenue	\$865,157
\$500,000	Homestead Exemption	\$500,000
\$55,000	BETE Reimbursement	\$55,000
\$68,313	Surplus	\$68,313
\$90,409	Downtown TIF	\$90,409
\$9,371	Affordable Housing TIF	\$9,371
<u>\$1,386,050</u>	<u>Taxation</u>	<u>\$1,386,050</u>
<b>\$4,063,544</b>	<b>Total</b>	<b>\$4,063,544</b>

**Board of Selectmen Recommendation:**  
**Finance Committee Recommendation:**

**Ought to Pass**      **PASSED**  
**Ought to Pass**

**Article 4 –** To see what sum the Town will vote to spend for the **Capital Projects Fund** under the following accounts and to see what sum the Town will vote to raise and appropriate for the same:

	<u>2018-19</u> <u>Approved</u> <u>Appropriation</u>	<u>2019-20</u> <u>Board of Selectmen</u> <u>Recommendation</u>		<u>2019-20</u> <u>Finance Committee</u> <u>Recommendation</u>	
		<u>Raise</u>	<u>Spend</u>	<u>Raise</u>	<u>Spend</u>
<b><u>Administration</u></b>					
Computers/Photo Copier	\$7,000	\$24,000	\$24,000	\$24,000	\$24,000
Capital Maintenance	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Facility System Replacement (Furnaces, A/C, roof, etc.)	\$100,000	\$100,000	\$100,000	\$0	\$0
<b><u>Assessing</u></b>					
Commercial Appraisal	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
Revaluation	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
CAMA Upgrade	\$12,000	\$	\$0	\$0	\$0
<b><u>Fire Protection/Rescue</u></b>					
Tanker #1 Repairs	\$60,000	\$0	\$0	\$0	\$0
<b><u>Police</u></b>					
Cruiser	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000
Speed Sign Trailer	\$5,000	\$0	\$0	\$0	\$0
In-Vehicle MOT	\$0	\$25,000	\$25,000	\$25,000	\$25,000
Women's Locker Room Exp.	\$0	\$20,000	\$20,000	\$20,000	\$20,000
<b><u>Public Works</u></b>					
Dump Body	\$0	\$16,000	\$16,000	\$16,000	\$16,000
Road Construction	\$500,000	\$600,000	\$600,000	\$600,000	\$600,000
Mower	\$40,000	\$0	\$0	\$0	\$0

Elm St. Culvert	\$122,855	\$0	\$0	\$0	\$0
Elm St. Ext. Reconstruction	\$327,000	\$0	\$0	\$0	\$0
1 Ton Pick Up with Plow	\$70,000	\$0	\$0	\$0	\$0
Roller	\$0	\$20,000	\$20,000	\$20,000	\$20,000
River Road Culvert	\$0	\$60,000	\$60,000	\$60,000	\$60,000
Main Street Improvements	\$0	\$200,000	\$200,000	\$200,000	\$200,000
Weed Technics	\$0	\$22,700	\$22,700	\$22,700	\$22,700
Unit 34 Plow Truck	\$0	\$45,000	\$45,000	\$45,000	\$45,000
<b>Recreation</b>					
Facility Improvements	\$0	\$65,000	\$65,000	\$65,000	\$65,000
Court Resurfacing	\$4,000	\$0	\$0	\$0	\$0
Building Repairs	\$7,000	\$0	\$0	\$0	\$0
Zero Turn Mower	\$9,000	\$0	\$0	\$0	\$0
<b>Solid Waste</b>					
Loader Plow Unit	\$0	\$4,000	\$4,000	\$4,000	\$4,000
<b>Totals</b>	<b>\$1,355,355</b>	<b>\$1,293,200</b>	<b>\$1,293,200</b>	<b>\$1,193,200</b>	<b>\$1,193,200</b>

**Board of Selectmen  
Recommendation**

**Allocation**

**Finance Committee  
Recommendation**

\$239,250	Taxation	\$139,250
\$3,250	By-Pass TIF	\$3,250
\$7,300	Village Candle TIF	\$7,300
\$4,050	Bowdoin Mill TIF	\$4,050
\$4,050	By-Pass North TIF	\$4,050
\$84,900	Interchange TIF	\$84,900
\$1,300	Frost Street TIF	\$1,300
\$210,050	Downtown TIF	\$210,050
\$4,050	Affordable TIF	\$4,050
\$27,000	Targeted Capital Reserves	\$27,000
\$98,000	URIP	\$98,000
\$60,000	Surplus	\$60,000
<u>\$550,000</u>	<u>Excise</u>	<u>\$550,000</u>
<b>\$1,293,200</b>	<b>Total</b>	<b>\$1,193,200</b>

**Board of Selectmen Recommendation:**  
**Finance Committee Recommendation:**

**Ought to Pass**      **PASSED**  
**Ought to Pass**

**Article 5** - To see what sum the Town will vote to spend for **Public Safety** under the following accounts and to see what sum the Town will vote to raise and appropriate for the same:

	<b><u>2018-19 Approved Appropriation</u></b>	<b><u>2019-20 Board of Selectmen Recommendation</u></b>	<b><u>2019-20 Finance Committee Recommendation</u></b>
<b>Public Safety</b>			
Police Protection	\$1,807,432	\$1,805,522	\$1,805,522
Fire Protection/Rescue	\$1,002,511	\$1,182,325	\$1,182,325
<b>TOTALS</b>	<b>\$2,809,943</b>	<b>\$2,987,847</b>	<b>\$2,987,847</b>

**2019-20  
Board of Selectmen  
Recommendation**

**Allocation**

**2019-20  
Finance Committee  
Recommendation**

\$250,000	Excise	\$250,000
\$200,000	General Revenue	\$200,000
\$60,000	Surplus	\$60,000
<u>\$2,477,847</u>	<u>Taxation</u>	<u>\$2,477,847</u>
<b>\$2,987,847</b>	<b>Total</b>	<b>\$2,987,847</b>

**Board of Selectmen Recommendation:**  
**Finance Committee Recommendation:**

**Ought to Pass**      **PASSED**  
**Ought to Pass**

**Article 6-** To see what sum the Town will vote to spend for **Public Works, Solid Waste and Recycling Program** under the following accounts and to see what sum the Town will vote to raise and appropriate for the same: (The Public Works Department is authorized to spend funds from this article in support of Capital Projects.)

	<u>2018-19</u> <u>Approved</u> <u>Appropriation</u>	<u>2019-20</u> <u>Board of Selectmen</u> <u>Recommendation</u>	<u>2019-20</u> <u>Finance Committee</u> <u>Recommendation</u>
Public Works	\$1,228,995	\$1,319,447	\$1,319,447
Solid Waste/Recycling	<u>\$393,820</u>	<u>\$444,593</u>	<u>\$444,593</u>
<b>TOTALS</b>	<b>\$1,622,815</b>	<b>\$1,764,040</b>	<b>\$1,764,040</b>

	<u>2019-20</u> <u>Board of Selectmen</u> <u>Recommendation</u>	<u>Allocation</u>	<u>2019-20</u> <u>Finance Committee</u> <u>Recommendation</u>
	\$200,000	General Revenues	\$200,000
	\$1,000,000	Excise	\$1,000,000
	<u>\$564,040</u>	<u>Taxation</u>	<u>\$564,040</u>
	<b>\$1,764,040</b>	<b>Total</b>	<b>\$1,764,040</b>

**Board of Selectmen Recommendation:** **Ought to Pass**  
**Finance Committee Recommendation:** **Ought to Pass** **PASSED**

**Article 7-** To see what sum of money the Town will vote to spend for the **Topsham Community Fund**, which will be used to design and install trail signs and kiosks, and to support a municipal facilities study committee, and to see what sum the Town will vote to raise and appropriate for the same:

	<u>2018-19</u> <u>Approved</u> <u>Appropriation</u>	<u>2019-20</u> <u>Board of Selectmen</u> <u>Recommendation</u>	<u>2019-20</u> <u>Finance Committee</u> <u>Recommendation</u>
Community Fund	<u>\$15,000</u>	<u>\$27,000</u>	<u>\$27,000</u>
<b>TOTALS</b>	<b>\$15,000</b>	<b>\$27,000</b>	<b>\$27,000</b>

	<u>2019-20</u> <u>Board of Selectmen</u> <u>Recommendation</u>	<u>Allocation</u>	<u>2019-20</u> <u>Finance Committee</u> <u>Recommendation</u>
	\$22,000	Targeted Cap. Reserve	\$22,000
	<u>\$5,000</u>	<u>Taxation</u>	<u>\$5,000</u>
	<u>\$27,000</u>	<b>Total</b>	<u>\$27,000</u>

**Board of Selectmen Recommendation:** **Ought to Pass**  
**Finance Committee Recommendation:** **Ought to Pass** **PASSED**

**Article 8-** To see what sum the Town will vote to increase the maximum property tax levy limit established by State Law (L.D. 1) in the event that the municipal budget approved at this Town Meeting results in a tax commitment in excess of the maximum property tax levy otherwise applicable such that the increased maximum property tax levy hereby established will equal the amount committed: (By State Law, the vote on this article must be by written ballot.)

**Board of Selectmen Recommendation:** **No recommendation**  
**Finance Committee Recommendation:** **No recommendation** **\$0.00 ADOPTED BY SILENT VOTE**

**Article 9-** To see if the voters will accept David Drive as a Town-owned way **PASSED**

Exhibit 9

**Article 10-** To see if the voters will accept Somerset Place as a Town-owned way

Exhibit 10

**Planning Board Recommendation:** **Ought to Pass** **PASSED**

**Article 11-** To see if the voters will accept unnamed ROW off of Thomas Ave. as a Town-owned way.

Exhibit 11

**Board of Selectmen Recommendation:** **Ought to Pass** **PASSED**

**Article 12-** Shall the Town of Topsham vote to adopt the 2019 Topsham Comprehensive Plan

Exhibit 12

**Board of Selectmen Recommendation:** **Ought to Pass** **PASSED**

**Article 13** – To see if the Voters will adopt an Ordinance to Amend the Topsham Zoning Ordinance Chapter 225-6, Definitions and Chapter 225-33, Signs, to define public notice signs and allow the town and school district to utilize electronic message signage for public notice signs.

Exhibit 13

**Planning Board Recommendation:**

**Ought to Pass**

**PASSED**

**Article 14-** *To see if the Voters will adopt an Ordinance to Amend the Topsham Zoning Ordinance Chapter 225 – 6, Definitions, Chapter 225-20, Aquifer Protection Overlay District and Chapter 225-16 Attachment 1:1 Table of Use Regulations to define public water utility facility and allow the current public water utility facility in its existing location.*

**Underlined text are additions; Struck out text is proposed to be removed**

**§ 225-6 Definitions**

Public Water Utility Facility – Any buildings, property, roads, driveway, parking, and the like which are owned, leased or otherwise operated or funded by the Brunswick Topsham Water District.

**§ 225-20 Aquifer Protection Overlay District.**

C. Land use restrictions. All land uses, except the following, are prohibited: single-family dwellings; multifamily dwellings; agriculture; animal husbandry; public utility service lines; public water utility facilities; forest management; educational facilities; retail and service businesses which do not use chemical processes or require bulk storage of hazardous materials; and accessory uses, except those using chemical processes.

**§ 225-16 Table Of Use Regulations**

	R1	R2	R3	CC	RCU	MUL	MUC	MUC-1	BP	CC196	I	BP2	R4	LI	VC	MV	LV	R2B
Public Water Utility Facilities	X	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

**Planning Board Recommendation:**

**Ought to Pass**

**PASSED**

**Article 15 –** *To see if the Voters will adopt an Ordinance to Amend the Topsham Zoning Ordinance Chapter 225-70, Board of Appeals which aligns the Board of Appeals review procedures with State of Maine Statute.*

Exhibit 15

**Planning Board Recommendation:**

**Ought to Pass**

**PASSED**

**Article 16-** *To see if the Voters will adopt an Ordinance to amend the Topsham Subdivision Ordinance, Chapter 191-1, Definitions – to remove the definition for resubdivision and update the definition of subdivision to align with State of Maine Statutes.*

**Underlined text are additions; Struck out text is proposed to be removed**

**§ 191-1 Definitions.**

~~RESUBDIVISION – The division or any change of lot size therein or the location of any street or lot in a subdivision.~~

SUBDIVISION --The division of a tract or parcel of land into three (3) or more lots for the purpose, immediate or future, of lease, sale, development or building, whether this division is accomplished by immediate plotting of the land by metes and bounds. The term "subdivision" shall include the subdivision of land for nonresidential purposes and resubdivision of land. In addition, the definitions of "subdivision" set forth in 30 M.R.S.A. § 4956<sup>1</sup> shall apply for purposes of these regulations within any five (5) year period that begins on or after September 23, 1971 in accordance with 30-A M.R.S.A. §4401[4] and as that Subsection may be amended from time to time.

**Planning Board Recommendation:**

**Ought to Pass**

**PASSED**

**Article 17-** *To see if the Voters will adopt an Ordinance to Amend the Topsham Zoning Ordinance Chapter 225 - 16 Attachment 1:1, Table of Use Regulations to allow residential units on the first floor in the Mixed Use Commercial Zoning District which encompasses the Topsham Fair Mall and Park Drive area.*

**Underlined text are additions; Struck out text is proposed to be removed**

**Chapter 225-16 Table of use Regulations**

	R1	R2	R3	CC	RCU	MUL	MUC	MUC-1	BP	CC196	I	BP2	R4	LI	VC	MV	LV	R2B
Dwelling, single-family	P	P	P	P <sup>1</sup>	P <sup>6</sup>	P <sup>5</sup>	<u>X</u> P <sup>+</sup>	C <sup>1, 11</sup>	X	P	X	X	P	P <sup>22</sup>	X <sup>22</sup>	P	P <sup>22</sup>	P
Dwelling, two-family	P	P	P	P <sup>1</sup>	P <sup>6</sup>	P	<u>X</u> P <sup>+</sup>	C <sup>1, 11</sup>	X	P	X	X	P	P <sup>22</sup>	P <sup>22</sup>	P	P <sup>22</sup>	P
Dwelling, multifamily	P	P	P <sup>2</sup>	P <sup>1</sup>	P <sup>6</sup>	P	P <sup>+</sup>	C <sup>1, 11</sup>	X	X	X	X	P	P <sup>22</sup>	P <sup>22</sup>	P	P <sup>22</sup>	P

**Planning Board Recommendation:**

**Ought to Pass**

**PASSED**

**Article 18-** To see if the voters will adopt an Ordinance to amend the Topsham Code to add Chapter 150, Article II, Marijuana Business Licensing to regulate Registered Caregiver Retail Stores through an annual license review authorized through the Board of Selectmen as follows, to be enacted only if voters approve Article 21 permitting Registered Caregiver Retail Stores.

Exhibit 18

**Article 19 –** To see if voters will adopt an ordinance to the Topsham Town Code to add Chapter 150, Article I, Marijuana Business Licensing to regulate the establishment of marijuana cultivation, product manufacturing and testing facilities through an annual license review authorized through the Board of Selectmen as follows, to be enacted only if voters approve Article 21 permitting Marijuana Cultivation Facilities, Marijuana Products Manufacturing Facilities, Marijuana Testing Facilities.

**PASSED**

Exhibit 19

**Article 20 –** To see if the voters will adopt an ordinance to amend the Topsham Code to add Chapter 150, Article III, Marijuana Business Licensing to regulate Registered Caregivers through a registration process.

**PASSED**

Exhibit 20

**Article 21 -** To see if the voters will adopt an Ordinance to amend the Topsham Zoning Ordinance to Amend Chapter 225-6, Definitions, Chapter 225-16 Attachment 1:1, Table of Use Regulations, Chapter 225-60.17 Medical Marijuana Dispensaries, to permit and regulate Marijuana Business Registered Caregiver Retail Stores as follows, to be enacted only if the voters approve Article 18 which allows for the licensing of Registered Caregiver Retail Stores.

Chapter 225-6, Definitions, as follows:

**Underlined text are additions; Struck out text is proposed to be removed**

Registered Caregiver Retail Store. A Registered Caregiver Retail Store is a facility operated by a single medical marijuana registered caregiver and licensed to sell harvested marijuana to qualifying patients for the patients' medical use and may include an area for consultation with patients. A Registered Caregiver Retail Store is not authorized as an accessory use, and only where expressly allowed as a permitted use.

**MEDICAL MARIJUANA DISPENSARY**

~~A not for profit entity registered under M.R.S.A. Title 22, Section 2428 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and education materials to cardholders.~~

Amend Chapter 225-16 Attachment 1:1, Table of Use Regulations, as follows:

	R1	R2	R3	CC	RCU	MUL	MUC	MUC-1	BP	CC196	I	BP2	R4	LI	VC	MV	LV	R2B
<u>Registered Caregiver Retail Store</u>	X	X	X	P	<u>P<sup>27</sup></u>	X	P	X	X	P	X	X	X	X	X	X	X	X
<del>Medical Marijuana dispensary</del>	X	X	X	X	X	X	€	X	€	X	X	X	X	X	X	X	X	X

27 Only permitted in the RCU zone along the Route 196 Corridor, not an allowed use in the RCU zone along the Route 201 Corridor

Amend Chapter 225-60.17 Medical Marijuana Dispensaries, as follows:

~~§ 225-60.17 Medical marijuana dispensaries.~~

~~{Added 2-16-2011 STM, Art. 3}~~

~~Any medical marijuana dispensary shall meet the following standards:~~

- ~~A. — No such facility shall be located such that the entrance to the facility is any closer than 500 feet measured in a straight line, without regard to intervening structures or objects, to the nearest property boundary of a lot being used for a residential purposes, playground, church, school, park.~~
- ~~B. — No medical marijuana dispensary shall be located such that the entrance to the facility is any closer than 1,000 feet, measured in a straight line, without regard to intervening structures or objects, to the nearest property boundary of a lot being used for another medical marijuana dispensary.~~
- ~~C. — No medical marijuana dispensary shall open earlier than 8:00 a.m., nor close later than 8:00 p.m. This shall exclude the hours of operation for the cultivation of medicinal marijuana.~~

~~§ 225-60.17 Medical marijuana dispensaries.~~

~~{Added 2-16-2011 STM, Art. 3}~~

~~Any medical marijuana dispensary shall meet the following standards:~~

- ~~A. — No such facility shall be located such that the entrance to the facility is any closer than 500 feet measured in a straight line, without regard to intervening structures or objects, to the nearest property boundary of a lot being used for a residential purposes, playground, church, school, park.~~
- ~~B. — No medical marijuana dispensary shall be located such that the entrance to the facility is any closer than 1,000 feet, measured in a straight line, without regard to intervening structures or objects, to the nearest property boundary of a lot being used for another medical marijuana dispensary.~~
- ~~C. — No medical marijuana dispensary shall open earlier than 8:00 a.m., nor close later than 8:00 p.m. This shall exclude the hours of operation for the cultivation of medicinal marijuana.~~

**Article 22** - To see if the voters will adopt an Ordinance to amend the Topsham Zoning Ordinance Chapter 225-6, Definitions, Chapter 225-16 Attachment 1:1, Table of Use Regulations, Chapter 225-60.17 Medical Marijuana Dispensaries, to permit and regulate Marijuana Businesses, Cultivation, Manufacturing, and Testing Facilities as follows, to be enacted only if the voters approve Article 19 which allows for the licensing of Marijuana Cultivation Facility, Marijuana Products Manufacturing Facility, Marijuana Testing Facility.

Chapter 225-6, Definitions, as follows:

**Underlined text are additions; Struck out text is proposed to be removed**

Marijuana Business shall mean a Marijuana Cultivation Facility, a Marijuana Products Manufacturing Facility, a Marijuana Testing Facility, or a Registered Caregiver Retail Store.

Marijuana Cultivation Facility. A Marijuana Cultivation Facility is a facility licensed to cultivate, prepare and package adult use and/or medical marijuana and to sell adult use and medical marijuana to Marijuana Manufacturing Facilities, Marijuana Stores, and other Cultivation Facilities. A Marijuana Cultivation Facility is not authorized as an accessory use, and only where expressly allowed as a permitted use.

Marijuana Products Manufacturing Facility. A Marijuana Products Manufacturing Facility shall mean a facility licensed to purchase adult use and/or medical marijuana from a marijuana cultivation facility or another marijuana products manufacturing facility; to manufacture, label and package adult use and/or medical marijuana products; and to sell adult use and/ or medical marijuana products to other Marijuana Products Manufacturing Facilities and to Marijuana Stores. A Marijuana Products Manufacturing Facility is not authorized as an accessory use, and only where expressly allowed as a permitted use.

Marijuana Testing Facility. Marijuana Testing Facility is a Medical Marijuana Testing Facility or Adult Use Marijuana Testing Facility, as described within this definition. A Marijuana Testing Facility is not authorized as an accessory use, and only where expressly allowed as a permitted use:

Adult Use Marijuana Testing Facility: a facility licensed under Chapter 150 of the Topsham Code to develop, research and test adult use marijuana, marijuana products and other substances.

Medical Marijuana Testing Facility. Medical Marijuana Testing Facility is a public or private laboratory that:

A. Is authorized in accordance with 22 M.R.S. §2423-A, subsection 10 to analyze contaminants in and the potency and cannabinoid profile of samples; and

B. Is accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization by a 3rd-party accrediting body or is certified, registered or accredited by an organization approved by the State of Maine.

MEDICAL MARIJUANA DISPENSARY

A not for profit entity registered under M.R.S.A. Title 22, Section 2428 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and education materials to cardholders.

Amend Chapter 225-16 Attachment 1:1, Table of Use Regulations, as follows:

	R1	R2	R3	CC	RCU	MUL	MUC	MUC-1	BP	CC196	I	BP2	R4	LI	VC	MV	LV	R2B
<u>Marijuana Cultivation Facility</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>						
<u>Marijuana Product Manufacturing</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>						
<u>Marijuana Testing Facility</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>						
<u>Medical marijuana dispensary</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>X</u>	<u>C</u>	<u>X</u>								

Amend Chapter 225-60.17 Medical Marijuana Dispensaries, as follows:

§ 225-60.17 Medical marijuana dispensaries.

{Added 2-16-2011 STM, Art. 3}

Any medical marijuana dispensary shall meet the following standards:

- A. No such facility shall be located such that the entrance to the facility is any closer than 500 feet measured in a straight line, without regard to intervening structures or objects, to the nearest property boundary of a lot being used for a residential purposes, playground, church, school, park.
- B. No medical marijuana dispensary shall be located such that the entrance to the facility is any closer than 1,000 feet, measured in a straight line, without regard to intervening structures or objects, to the nearest property boundary of a lot being used for another medical marijuana dispensary.
- C. No medical marijuana dispensary shall open earlier than 8:00 a.m., nor close later than 8:00 p.m. This shall exclude the hours of operation for the cultivation of medicinal marijuana. ~~§ 225-60.17 Medical marijuana dispensaries.~~

[Added 2-16-2011 STM, Art. 3]

Any medical marijuana dispensary shall meet the following standards:

- A. ~~No such facility shall be located such that the entrance to the facility is any closer than 500 feet measured in a straight line, without regard to intervening structures or objects, to the nearest property boundary of a lot being used for a residential purposes, playground, church, school, park.~~
- B. ~~No medical marijuana dispensary shall be located such that the entrance to the facility is any closer than 1,000 feet, measured in a straight line, without regard to intervening structures or objects, to the nearest property boundary of a lot being used for another medical marijuana dispensary.~~
- C. ~~No medical marijuana dispensary shall open earlier than 8:00 a.m., nor close later than 8:00 p.m. This shall exclude the hours of operation for the cultivation of medicinal marijuana.~~

**Planning Board Recommendation:**

**Ought to Pass**

**PASSED**

**Article 23-** To see if the voters will vote to pay for tax abatements and applicable interest granted during the fiscal year of 2019/2020 from Overlay. (Explanation: The Assessor is authorized to raise Overlay under 36 MRSA, Section 710, but voter authorization is required to spend Overlay. Overlay cannot be more than 5% of the Tax Commitment)

**Board of Selectmen Recommendation:**

**Ought to Pass**

**PASSED**

**Article 24-** To see if the Town will fix the date of Wednesday, May 20, 2020 for the Special Town Meeting.

**Board of Selectmen Recommendation:**

**Ought to Pass**

**ARTICLES 24-30 PASSED  
AS ONE VOTE**

**Article 25-** To see if the Town will fix the dates when taxes are due and payable, Tuesday, October 15, 2019 and Wednesday, April 15, 2020 and to see if the Town will fix a rate of interest to be charged on taxes after said date at 9% or the maximum amount determined by the State Treasurer.

**Board of Selectmen Recommendation:**

**Ought to Pass**

**PASSED**

**Article 26 -** To see if the Town will establish a **maximum interest rate** to be paid on abated taxes:

**9% or the maximum rate established by the State Treasurer**

**For delinquent taxes the interest rate to be paid by the Town reduced by 2%**

**Board of Selectmen Recommendation:**

**Ought to Pass**

**PASSED**

**Article 27-** To see if the Town will authorize the Selectmen to dispose of **Town-Owned personal property** with value of \$5,000 or less under such terms they deem advisable.

**Board of Selectmen Recommendation:**

**Ought to Pass**

**PASSED**

**Article 28-** To see if the Town will authorize the Selectmen to **accept gifts** on behalf of the Town under such terms they deem advisable.

**Board of Selectmen Recommendation:**

**Ought to Pass**

**PASSED**

**Article 29-** To see if the Town will authorize the Selectmen to convey by deeds of quit-claim title or other titles as appropriate any real estate acquired by the Town to such persons for such considerations as the Selectmen may in each case determine.

**Board of Selectmen Recommendation:**

**Ought to Pass**

**PASSED**

**Article 30-** To see if the Town will authorize the Selectmen to apply for grants, approve the acceptance of grants, receive grants, appropriate the Town's share of the grant from funds raised at a Town Meeting and expend the grant for the purpose stated in the grant.

**Board of Selectmen Recommendation:**

**Ought to Pass**

**PASSED**

**GIVEN UNDER OUR HANDS 11<sup>th</sup> DAY OF April, 2019 BY THE BOARD OF SELECTMEN:**

\_\_\_\_\_  
David Douglass, Chair

\_\_\_\_\_  
William Thompson, Vice-Chair

\_\_\_\_\_  
Marie Brilliant

\_\_\_\_\_  
Roland Tufts

\_\_\_\_\_  
Ruth Lyons

The Registrar of Voters office located at the Municipal Building is open Monday - Friday during regular business hours; for the purpose of accepting new registrations and to make address, name and /or enrollment changes. In addition, the Deputy Registrar will be present at the Special Town Meeting from 6pm -7pm on May 15, 2019.

A true copy of the warrant.

Attest: \_\_\_\_\_  
Clerk of: Topsham