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## PLANNING BOARD

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Paul Mattor, Chair  
Don Roth Jr, Vice Chair  
Peter Lovell  
Heather Sullivan  
Jessica Brackett  
Tom Witkowski  
Gregg McPherson

### Minutes of Planning Board Meeting 18 November 2021

**Members Present:** Paul Mattor, Chair; Don Roth Jr, Vice Chair; Peter Lovell, Heather Sullivan, Tom Witkowski, Jessica Brackett, Gregg McPherson.

**Others Present:** Dave McCubrey, Mary Hoffman, Select Board; Tammy Munson CEO; David Galbraith SMPDC; Sam Tibbetts, Charles Tibbetts, Peter Cutrone, Tyler Cutrone, Joy Cutrone, Lindsay Holden, Richard Van Langen, Deborah Van Langen, Melissa Jo Cady, Eliot Cady, Stephen Pleau, Tate Hrinchuk, Shane Ward, Terry Walters, Amy Easler, Randy Easler, Mark Hodgdon, Todd Hurtubise, Jim Fisk.

**Call to Order:** With all members present, the meeting was called to order by Chair Paul Mattor at 6:35 PM. Mr. Mattor welcomed new member Gregg McPherson.

**Minutes:** Motion was made to approve minutes of 10 November 2021. Motion was seconded; carried 5-0-2.

**Correspondence:** None

**Reports:** Mr. McCubrey reported that the Hollis Conservation Commission is interested in purchasing the Tea House property at the entrance to Indian Cellar. This will be the subject of a special town meeting on Wednesday, December 1, at 7:15 at the Hollis Community Building. All residents are encouraged to attend; you must be present to vote.

**Unfinished Business: Public Hearing** for Joy Cutrone, three adult use marijuana businesses to be located at Moment's Peace Farm, 44 Hanson Lane: Tier 1 Cultivation (#2201-4146), Tier 2 Cultivation (#2201-4147), and Manufacturing (#2201-4151). Motion was made and seconded to suspend the regular meeting and open the public hearing. Motion carried 6-0-1.

Terry Walters expressed concerns about odor abatement plans. He inquired about having information from the vendor or from an engineer describing the system in use and whether it is suitable for the operation. Mr. Witkowski read an email from abutters Chris Lawrence and Phil Latini expressing concerns about odor, property values, security and safety, and deliveries by 18-wheel delivery trucks. Motion was made and seconded to close the public hearing and resume the regular meeting. Motion carried 6-0-1.

Ms. Sullivan referred to the town's Marijuana Business Ordinance, page 7, which states: "the odor of Marijuana must not be perceptible at the property line." Ms. Cutrone stated that they have a double-walled building, carbon filters, and negative air flow vent fans. Ms. Sullivan stated that carbon filters are general practice in the industry. Mr. McCubrey noted that the town's ordinance requires regular inspections, and imposes heavy penalties for violations. Mr. Lovell emphasized that the system must be properly sized to handle the volume of the building. Mr. Mattor asked if the Planning Board could be provided with spec sheets for the systems in use, as well as maintenance schedules. Ms. Munson offered to review these documents with the applicant prior to next meeting. Motion was made and seconded to request the applicant to provide plans and specs for odor control systems. Motion carried 6-0-1.

Security plans were discussed, including video surveillance and alarm systems. Ms. Cutrone stated that the state requires them to keep surveillance footage for 45 days. She noted that she is installing a Knox box at the request of Chief Young. Regarding concerns about property values and community safety and security, Ms. Brackett noted that it will just look like a farm, it won't look any different. Ms. Cutrone emphasized that the farm is not open to the public; deliveries will be made by vans and box trucks, not 18-wheelers.



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Lengthy discussion of whether tractor trailer trucks can be prevented from delivering to Hanson Lane, perhaps restricting the weight of the trucks. Mr. Galbraith offered the services of SMPDC to craft some language regarding truck traffic. Motion was made and seconded to ask SMPDC to work with the applicant regarding such appropriate traffic control language. Motion carried 6-0-1.

Motion was made and seconded to table further discussion until receipt of odor control documents and truck traffic language. Motion carried 6-0-1.

**Unfinished Business: Public Hearing** for Stephen Pleau (#2201-4150), Maine Only LLC, Adult Use Marijuana Retail Store to be located at 321 Hollis Road. A site visit was held at this location prior to tonight's meeting. Motion was made and seconded to suspend the regular meeting and open the public hearing. Motion carried 6-0-1.

Richard Van Langen, an abutter, expressed concerns about traffic speeds, turning traffic, and trucks being passed, as well as the location of the school bus stop. He also expressed concerns about children playing in his back yard which abuts Mr. Pleau's property. Mark Hodgdon voiced similar concerns, and asked if DOT could be approached about changing speed limits and perhaps making it a double yellow line so trucks can't be passed at this location. Amy Easler expressed concerns about truck traffic, safety and security procedures, and the presence of children at the school bus stop in this residential community. Randy Easler asked about stormwater drainage. Deborah Van Langen expressed concerns about the presence of children as well as older couples living in the area. Charles Tibbetts stated that his driveway is directly across from 321 Hollis Road. He expressed general concerns about the presence of a marijuana-related business in this residential area. Richard Van Langen asked who would be contacting the DOT regarding traffic concerns.

Motion was made and seconded to close the public hearing and reopen the regular meeting. Motion carried 6-0-1.

Ms. Sullivan reviewed the definition of a school vs. a day care or pre-school. She noted that the proposed location at 321 Hollis Road appears to comply with State law as well as Hollis ordinance. Ms. Munson noted that this particular property is specifically designated for a commercial use, and it meets the requirements of the Hollis Zoning Ordinance.

Mr. McCubrey stated that Hollis Road is a State road and DOT sets the speed limits and installs signs. He noted that DOT plans to work on this stretch of Hollis Road as well as the Salmon Falls Bridge in the near future. He will talk to DOT about the safety concerns in this area.

Landscaping issues were discussed, including the presence of a large area of bamboo along Cynthia Lane. The applicant plans to discontinue and cover up the existing gravel way at the rear of the property, so there will be no access from Cynthia Lane. The applicant plans to leave the existing vegetation and add additional vegetative buffer so the property is physically and visually screened, using arbor vitae or similar vegetation that is green year-round.

Motion was made and seconded to ask the applicant to create a landscaping plan that includes blocking off the entrance from Cynthia Lane, adding evergreens for visual as well as physical barrier, as well as blocking the rear property line as agreed with the abutter. Motion carried 6-0-1.

**Unfinished Business: Public Hearing** for Lindsay Holden (#2201-4143) Pine Tree Maine 2, Adult Use Marijuana Retail Store at 415 Hollis Road. Motion made and seconded to suspend the regular meeting and open the public hearing. Motion carried 6-0-1. Mr. Mattor explained that this project has already had a public hearing, but all of the appropriate abutting property owners were not notified. He asked if there was anyone present who would like to offer any comments regarding this application. No comments were offered. Motion made and seconded to close the public hearing and reopen the regular meeting.



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Mr. Mattor stated that at the meeting on 27 October, when the Pine Tree Maine 2 application was approved, the Board neglected to review the "Conditional Use Permit Application Submission Requirements" section in the Hollis Marijuana Business Ordinance. Mr. Mattor reviewed items 1 – 13 on page 7 of the ordinance, shown below with results of voting on each:

In submitting a complete Conditional Use Permit application, an Applicant for a Marijuana Business shall:

1. *Provide all information required for a Conditional Use Permit application under the Hollis Zoning Ordinance.* Application is complete. Carried 6-0-1.
2. *State the type of Marijuana Business for which the Applicant is seeking a permit.* The application is for an Adult Use Marijuana Retail Store. Carried 6-0-1.
3. *Provide a map of the property to demonstrate that the site is not located within 1,000 feet of a public/private school.* Map provided; store will not be located within 1,000 ft. Carried 6-0-1.
4. *If the proposed Premises are leased or otherwise not owned by the Applicant, provide a signed certification by the property owner allowing the operation of the Marijuana Business on the Premises.* Copy of signed lease provided. Carried 6-0-1.
5. *If the Applicant is a Business Entity, provide the names and addresses of every officer, director, manager and general partner of the Business Entity.* All names and addresses provided. Carried 6-0-1.
6. *Provide a copy of the approved Conditional State License.* License provided. Carried 6-0-1.
7. *Provide a waste disposal plan.* Waste disposal plan provided. Carried 6-0-1.
8. *Provide fumes and odor control plan.* Specs provided. Carried 6-0-1.
9. *Provide a security plan.* Security plan provided. Carried 6-0-1.
10. *Provide a signage plan.* Adequate signage plan provided. Carried 6-0-1.
11. *Provide a State of Maine License for pesticide application (if applicable).* No pesticides. Carried 6-0-1.
12. *Provide a State of Maine License for the use of Inherently Dangerous Substances (if applicable).* None used; not applicable. Carried 6-0-1.
13. *Provide a State of Maine License for edible food products (if applicable).* Not applicable. Carried 6-0-1.

Motion was made and seconded to confirm the approval of the Conditional Use Permit and the Marijuana Business Application #2201-4143 for Pine Tree Maine 2, Adult Use Marijuana Store, for 415 Hollis Road, with standard conditions of approval. Motion carried 6-0-1. The application can now move on to Select Board Review.

**Plan for Next Meeting:** Thursday 2 December 2021, 7:00 PM; Wednesday 8 December 2021, 7:00 PM; Thursday 16 December 2021, 7:00 PM. There will be no meeting on 22 December.

**Adjourn:** Meeting adjourned 9:55 PM.

Minutes submitted by Martha Turner, Secretary  
Approved by Planning Board 2 December 2021

***DRAFT***