

**PUBLIC HEARING NOTICE
TOWN OF LYMAN
SELECT BOARD**

**11 SOUTH WATERBORO ROAD
LYMAN, ME. 04002
www.lyman-me.gov
1-207-247-0642**

NOTICE OF SCHEDULED PUBLIC HEARING BY THE SELECT BOARD

The **LYMAN SELECT BOARD** will hold a **PUBLIC HEARING** on Monday, May 6th, 2019 at 6:30 pm at the Lyman Town Hall. This hearing is to receive public comment on the referendum questions to be voted on Tuesday, June 11th, 2019 at the Municipal Election

ARTICLE 3: Shall the Comprehensive Plan dated 2004 be repealed and accepted and replaced by the 2019 Comprehensive Plan? (A copy of the proposed plan is posted together with this warrant and hereby incorporated into this warrant by reference. Copies of the text of the amendment are available from the Town Clerk's Office.)

ARTICLE 4: Shall the Town enact amendments to Article 5 Land Use Table, Article 10 Performance Standards and Article 12 Definitions of the Lyman Zoning Ordinance, to allow and regulate Medical Marijuana Caregiver Home Productions and Medical Marijuana Production Facilities? (A copy of the proposed amendment is posted together with this warrant and hereby incorporated into this warrant by reference. Copies of the text of the amendments are available from the Town Clerk's Office.)

ARTICLE 5: Shall the Town enact amendments to Section 7 of the Lyman Zoning Ordinance to authorize the Electric Inspector to disconnect service under hazardous conditions? (A copy of the proposed amendment is posted together with this warrant and hereby incorporated into this warrant by reference. Copies of the text of the amendment is available from the Town Clerk's Office.)

ARTICLE 6: Shall the Town enact amendments to Section 15 Land Use Table and Section 17 Definitions of the Shoreland Zoning Ordinance to allow and regulate Medical Marijuana Home Production and Medical Marijuana Production Facilities? (A copy of the proposed amendment is posted together with this warrant and hereby incorporated into this warrant by reference. Copies of the text of the amendments are available from the Town Clerk's Office.)


John Tibbetts, Chair


Pauline Weiss, Town Clerk

**Municipal Officers' Certification of Official Text of a
Proposed Ordinance Amendment**

To the Town Clerk of the Town of Lyman

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of the plan entitled "Town of Lyman Comprehensive Plan", which is to be presented to the voters for their consideration on June 11th, 2019.

April 1st, 2019

Municipal Officers of the Town of Lyman, Maine



John Tibbetts, Chair



David Dulong; Vice Chair



William Single



Thomas Guillemette



Ralph Blackington

Attest: A True Copy



Pauline F. Weiss, Town Clerk

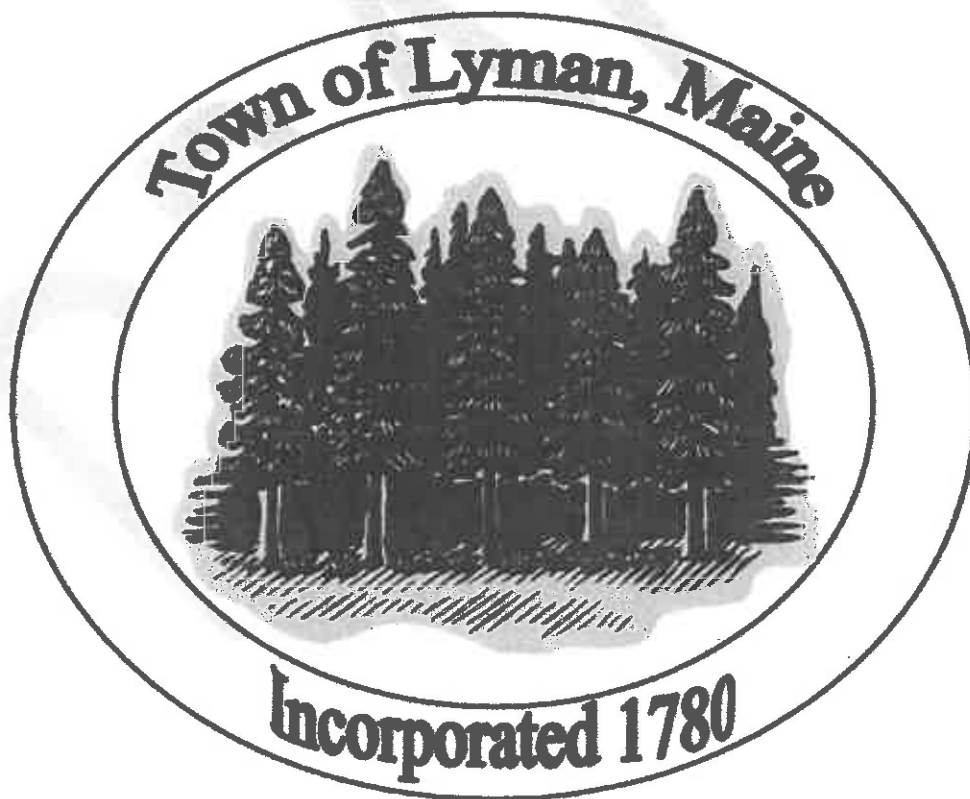
April 5, 2019

To be voted on June 11, 2019

Town of Lyman

2019

Comprehensive Plan



2019

TOWN OF LYMAN

COMPREHENSIVE PLAN COMMITTEE

Active Members

George Cheney / Chairman
Patricia Hussey / Vice Chairman
Donald Hemon
Nathaniel Poissant
Joshua Girard, Secretary
Maurice St. Clair
Rodney Hammond
Roger Hooper/Fire Chief
John Tibbetts/ Selectman
Patti McKenna, Codes/ Land Use Director

2018 Board of Selectmen

John Tibbetts / Chairman
David Dulong / Vice Chairman
Ralph Blackington
William Single
Thomas Guillemette

Planning Board

Roderick Tetu / Chairman
Donald Hemon/ Vice Chairman
Cecile Dupuis / Secretary
Kelly Demers
Joseph Wagner
Michael Rancourt

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INTRODUCTION

The 2019 Comprehensive Plan is an update of the 2004 Comprehensive Plan currently in use by the Town of Lyman. This updated Plan will be a guide for managing Town affairs for the next ten years. This Plan will serve as the legal foundation for the Town Ordinances and zoning regulations.

The intention of the Comprehensive Plan Committee was to gain an understanding of our Town government and seek a consensus of the majority. The committee held public meetings, a public hearing and provided surveys at the November 2016 elections. Town officers, committees and community organizations were consulted. In all areas, the committee was sensitive to protect private property rights and the public interest. To the best of our knowledge, the Plan is based on the desires of the majority of citizens.

One of the key findings of the committee was that the majority of the residents want to maintain Lyman's semi-rural and small-town lifestyle. A majority also wanted to develop and protect conservation land that will be open to the public. In response to this feedback it is suggested to start a land trust or conservation committee.

The town amended zoning in 2014 to allow residents in the residential zoning district to raise animals for their own food. There were conditions placed on residential farming to protect abutting property owners. The trend over the last few years is for people to want to eat healthier and to grow and raise their own food or buy locally grown and raised foods. To this end, this plan makes provisions to establish a land trust to protect prime agricultural land and open space for the future.

Regional planners predicted an increase of 50,000 people in York County over the period of ten years from 2004 – 2014. In the years between 2006 – 2017 Lyman had 240 new houses. The rate of growth is such that Lyman has not felt the need to consider utilizing growth caps as some area towns still do.

Our Municipal Government structure in Lyman is lean. The town went from three Selectmen to five Selectmen since the 2004 plan update. There has been much discussion over the last few years about the need for a town manager form of government. Lyman adopted a Charter in 2012 and attempted to amend it since to adopt a town manager form of government. That failed. The Selectmen are still acting as the managers of the town and existing staff manages the day to day functions of the Town to provide full service to the residents. This plan recommends encouraging more participation in local government by developing a newsletter to keep residents informed.

The trend over the last ten years is for families to attempt to live in multi units on the same property. The town has adopted changes to allow one attached or detached accessory dwelling per single family lot with provisions that one of the dwellings is owner occupied. This committee discussed lowering lot size requirements to allow families to reside as a unit but in their own homes.

As new subdivisions are being developed this plan asks for subdivision projects and commercial projects to contribute to Lyman's infrastructure. It also asks that regulations require developers to provide water for rural fire fighting that meets National Fire Protection standards.

The town adopted the concept of contract zoning in 2016. This is a tool for the town to contract with a property owner for a use that is not permitted in the zone the property is located in. This was in keeping with the 2004 plan which suggested broadening the use of Conditional Use applications. While Lyman is primarily a residential community, more people are wanting to earn their living on their property or in Lyman instead of commuting elsewhere. This helps add to the tax base and relieves the burden somewhat from the residential tax base. This Plan encourages this trend to continue with emphasis on keeping and protecting the rural atmosphere of the town.

The town adopted a provision in the ordinance to provide for a service road in the commercial zoning district and then retracted that provision. Zoning should be amended to require businesses in the commercial zone to connect to each other off the main roads of Route 111 or Route 202/5.

The committee discussed the needs of our aging population and possibly the need for a facility where our residents can age in place. This would require a zoning amendment to increase the density of dwellings allowed per lot. The committee also discussed ways to keep our youth living in Lyman instead of moving away. This might also be accomplished by allowing apartments to be constructed on smaller lots.

As of the writing of this plan, the State Police provide law enforcement coverage for Lyman. There hasn't been a demand for additional police coverage.

There is a desire to reduce the cost of trash removal. The committee discussed ideas to encourage the town to investigate new and inventive ways to reduce solid waste.

There are over 3400 voters listed in Lyman. Less than 50 voters have attended some of our annual Town Meetings to determine a \$7 million budget where ultimately the tax rate is determined.

The Comprehensive Plan Committee encourages fellow citizens to participate in the governance of Lyman. Your votes, tax dollars and your participation will decide how Lyman evolves.

ECONOMY

Goals:	To promote environmentally compatible economic development that broadens the town's tax base and job opportunities while preserving the towns rural and village character.
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Policies:	Consideration should be given for a limited business category to allow for small-scale operations that exceed the limits of a home occupation.
	Allow low impact home businesses that are compatible with their surroundings.
	Review commercial zoning to ensure that current zoning guidelines meet the needs for future development.
	Encourage local infrastructure improvement in order to attract and maintain business development.
	Pursue planning strategy to reduce traffic hazards and congestion in the commercial zone along Route 111.
	Ensure businesses are constructed and operate in a manner to reduce community risk, promote life safety and minimize environmental impact.

Strategies	Responsible Party
Investigate expansion and utilization of fiber optic high-speed internet access (3-ring binder).	Board of Selectmen
Investigate installing 3-phase power access along major roads.	Board of Selectmen
Investigate expansion of water, sewer and natural gas lines along major roads.	Board of Selectmen
Develop zoning amendments to allow for small business that are not considered home-businesses to operate outside of commercial zones.	Planning Board/ Ordinance Review Committee
Tools such as contract zoning should be utilized to consider a commercial use that is not permitted in that zone.	Planning Board/Board of Selectmen
Develop design standards for commercial development with emphasis on preserving the town's rural and village character.	Planning Board/Ordinance Review Committee
Amend commercial zoning to allow for connectivity of new developments in the commercial zone.	PB/ORC
Develop ordinances to require the periodic inspection of businesses and commercial facilities for compliance with codes and statutes.	PB/ORC, CEO/GMFD

EDUCATION

Goals:	To promote accessible, quality educational opportunities for all residents.
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Policies:	Support efforts by the RSU that allow all students the opportunity to learn and participate in innovative educational approaches.
	Support programs that promote vocational training and skilled trades development.
	Support the educational opportunities for all ages provided by the Community Library, Parks and Recreation programming, and future Community Center.

Strategies:	Responsible Party
Work with the RSU administrators and school board members to promote the success and achievements of the students.	Board of Selectmen
Provide funding for the Community Library to allow for educational programs and services.	Board of Selectmen
Continue to disperse funds for the Town's scholarship programs, including the Horace Cousens Scholarship.	Horace Cousen's Scholarship Committee

FISCAL MANAGEMENT

Goals:	Plan, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.
	Serve the citizens through prudent and conservative financial management of the town's income and expenses

Policies:	Control cost through sound financial management.
	Property revaluations should be completed as directed by state mandate.

Strategies	Responsible Party
Develop a Capital Improvement Plan with input from all departments and fund on an annual basis.	Board of Selectmen

HOUSING

Goals:	To encourage affordable and safe housing opportunities for all Lyman residents.
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Policies:	Support zoning that allows for mobile home and alternative models, e.g. tiny houses, for housing development to allow for increased density.
	Continue to encourage cluster development to preserve open space.
	Encourage affordable housing development and senior housing to account for the shortage of these housing opportunities.
	Continue to require that all homes built in Lyman and all mobile home site in Lyman be constructed according to appropriate building codes for safety.
	Provide areas of higher density zoning to accommodate various forms of multi-unit housing.

Strategies – Housing	Responsible Party
Investigate the condition of home share-rentals, seasonal rental units and residential rentals in general, to address life safety code issues and tax considerations.	Code Enforcement Officer/Assessor
Investigate zoning changes to create new areas of high-density development.	Planning Board/ Ordinance Review Committee
Review and recommend changes to the existing ordinance that will allow housing units with more than 6 dwelling units.	Planning Board/ Ordinance Review
Create a housing committee that would assess the demand for an elderly housing project or policies to facilitate aging in place and multi-generational housing. If demand exists, the committee should take appropriate action to encourage the development of suitable housing. The committee should work with neighboring towns to assess whether regional solutions are possible.	Board of Selectmen
Review and recommend ordinances to require periodic inspection of residential and multi-unit rental properties to ensure compliance with Life Safety Code, State Fire Marshal's rules and applicable statutes.	CEO, Fire Chief

LAND USE

Goals:	Guide the location and the manner of development so that the Town's rural character, open farmland and forests are maintained. Strive to promote the businesses, services and employment opportunities.
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Policies:	Investigate establishing differing lot sizes in rural areas; smaller lot sizes near existing developed areas and larger lot sizes near farmland, natural resources, or large tracts of open space.
	Maintain zoning which protects prime agricultural and valuable forestland.
	The Ordinance Review Committee shall amend/rewrite Lyman Zoning to adhere and conform to the 2018 Town of Lyman Comprehensive Plan.

Strategies	Responsible Party
Review Zoning Ordinances and Zoning Maps to ensure broad land use goals are being achieved, and make changes to those boundaries or land requirements that would be in the long-term best interests of the Town.	Planning Board/ORC
Develop overlay district zoning rules that would include other small homes in addition to mobile homes.	Planning Board/ORC
Develop varying land use density patterns, which maintain the semi-rural character of the community by adopting lot requirements in specific areas of the residential zone that would allow for denser development.	Planning Board/ORC
Consider establishment of a low density and a medium density rural zone. Low-density lot sizes between 2-5 acres should be considered to protect rural areas. One-acre lot sizes should be considered near existing development in suitable areas.	Planning Board/ORC
Cluster development rules should be revised to allow non-buildable land to count as open space required for the development.	Planning Board
Create an Agriculture/Conservation Committee that would identify forested and agricultural land, and interview landowners to facilitate transfer of land parcels with recreational, agricultural, and conservation value into future management by an existing or new land trust.	Board of Selectmen
Establish ordinances that would preserve the historic character of the Goodwins Mills village area.	Planning Board/ORC
Revise zoning ordinances to provide for wider application of Site Plan Review, with appropriate performance standards for all non-residential uses. This approach would neither automatically deny nor automatically allow these land uses to be created in those zones. Instead, approval	Planning Board/ORC

would be conditional upon the proposed land use meeting appropriate "performance standards" (as specified in the Zoning Ordinance). The "Site Plan Approval" is not a use permitted by right, but only a use permitted after all performance standards are met. Proposed development complying with the performance standards shall be eligible to receive "Site Plan Approval". This procedure is intended to prevent incompatible development and broaden the allowable uses for all zones.	
Performance standards should be used to assure that uses do not cause traffic or other public safety problems, or environmental degradation.	Planning Board
Extractive industries (e.g. mining and gravel pits) shall be conducted with proper regard for the environment and neighboring property owners. Any burden which such extractions place on municipal services or facilities (such as town roads), shall be recoverable from the operating firm. All permits shall require that the land be subsequently restored for some form of beneficial use acceptable to the Town.	Planning Board

MUNICIPAL GOVERNMENT AND SERVICES

Goals:	To plan for, finance, and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development and meet the needs of the citizens both now and in the future.
	Enhance Lyman's sense of community.
	Encourage town projects to utilize efficient alternative and renewable energy sources.

Policies:	Create partnerships with local land trusts or create a conservation committee/ land trust to increase access for the public to land for recreation, to conserve natural areas, and protect farm land.
	Create partnerships with neighboring municipalities for reduction of duplicated services. Promote regionalized approach to delivery of services.
	Explore alternative energy sources and systems.
	Conduct property revaluations as required.

Strategies	Responsible Party
Establish a capital improvement plan to determine the need and scope of improvements within the town with annual funding.	Board of Selectmen
Create a regular newsletter and increase the use of inter-active social	Board of Selectmen

media and emergency notification to inform citizens of town developments and community activities.	
Renegotiate cable franchise contract and use franchise fees for AV equipment to televise meetings.	Board of Selectmen
Examine existing town committees to consider consolidation or termination and the need to establish new committees.	Board of Selectmen
Evaluate and prepare cost estimates for municipal land acquisition as well as an inventory of all non-taxed and unidentified property.	Board of Selectmen
Encourage landowners to consider establishing conservation easements or negotiating agreements to allow conditional public access.	Board of Selectmen
Existing public points of access to bodies of water should be maintained and adequately posted. Determine priorities for acquiring additional access points and to secure rights to such access points for public use.	Board of Selectmen
Establish a policy to require commercial and subdivision developers to provide for expansion of municipal services and facilities.	Planning Board/Fire Chief
Install water supplies for rural fire fighting to meet the most current edition of NFPA standard 1142.	Planning Board/ Fire
Require future subdivisions to provide an adequate water source or install residential sprinklers. Provide adequate access and turn-around areas for emergency vehicles.	Planning Board/Fire Chief
Establish an ongoing program for improving existing agreements for police, fire protection and emergency medical services between neighboring communities. Support and promote participation in regional programs to benefit the Town.	Fire Commission, Fire Chief or Board of Selectmen
Develop municipal services to meet the demand of the growth of the town. Provide facilities and skilled staff for the required services, along with the requisite planning and management support, which may be on a shared basis.	Board of Selectmen
Encourage the development of a community center to promote educational and social activities.	Board of Selectmen
Support the implementation of GIS technology in mapping the Town to ensure accurate data for private and publicly owned land and infrastructure.	Board of Selectmen

ROADS AND TRANSPORTATION

Goals:	To plan for, finance and develop a road and bridge management program that minimizes safety hazards, maintenance and operational cost, while enhancing economic growth.
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Policies:	Consider bicycle or pedestrian safety in any future public road construction and reconstruction.
	Plan, finance and develop a road and bridge management program that minimizes safety hazards, maintenance and operational cost.
	Develop street and road design standards.
	The highway system shall be appropriate for existing and projected needs with respect to the natural environment. Natural features shall be protected.
	Public transportation within both the community and the region shall be encouraged with particular attention to the needs of the elderly and handicapped as well as promoting energy conservation.

Strategies	Responsible Party
Review/revise regulations (e.g. Subdivision Regulations, Site Plan Review) to require bike and pedestrian friendly features are incorporated.	Planning Board
Create an inventory of local roads and establish a strategic capital improvement and maintenance plan.	Road Commissioner/Board of Selectmen/Land Use Director
Identify and develop landing zones for Life Flight helicopters in strategic locations.	Fire Commission
Coordinate with the Town of Dayton and the Maine DOT to develop Goodwins Mills into a pedestrian and bicycle friendly area.	Board of Selectmen/Road Commissioner

SOLID WASTE

Goal:	Conduct periodic reviews of the current solid waste program to increase recycling and reduce municipal solid waste.
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Policies:	Maintain the Town's program for acceptance and removal of hazardous waste while promoting a regional approach of disposal.
	Recycling of materials shall be the major focus of the town's solid waste plan.

Strategies:	Responsible Party
Coordinate programs for hazardous waste disposal.	Board of Selectmen
Construct a building for year-round exchange of used items, a "share/swap shop".	Board of Selectmen
Implement a town wide "pay as you dispose" program or other incentives to raise the recycling rate.	Board of Selectmen

ARTICLE 4: Shall the Town enact amendments to Article 5 Land Use Table, Article 10 Performance Standards and Article 12 Definitions of the Lyman Zoning Ordinance, to allow and regulate Medical Marijuana Caregiver Home Productions and Medical Marijuana Production Facilities? (A copy of the proposed amendment is posted together with this warrant and hereby incorporated into this warrant by reference. Copies of the text of the amendments are available from the Town Clerk's Office.)

Additions are underlined and ~~Omissions are strikethrough~~

Article 5 Table of Land Uses:

	Residential	General Purpose	Comm/Res
<u>Medical Marijuana Home Production</u>	YES	YES	YES
<u>Medical Marijuana Production Facility</u>	SR	SR	SR

**Recreational Marijuana Retail is prohibited until laws at the State level are determined. After that point, the town will decide whether to opt in and if so, will review the Recreational Marijuana definition and Land Use Table.

Article 10

Section 10.22 Performance Standards for Medical Marijuana

Purpose: The purpose of this section of the ordinance is to ensure that all cultivation, processing, storage, and distribution of medical marijuana does not have an adverse impact on the health, safety, and general welfare of the residents of the Town of Lyman, while still allowing for treatment and alleviation of a qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition.

Exemptions: As an accessory use, Medical Marijuana Home Production shall be allowed in any qualifying patient's residence or any medical marijuana caregiver's primary year-round residence in every zone following the rules of Home Occupation and Section 10.22. Medical marijuana caregivers not required to register with the State and qualifying patients are not regulated under this section.

Section 10.22-A Medical Marijuana Home Production Facilities are permitted within the caregiver's primary year-round residence as a home occupation subject to the following performance standards, in addition to the requirements of the districts in which the caregiver use is located:

1. The caregiver shall be least twenty-one (21) years of age;
 2. The caregiver resides in the dwelling unit as his/her primary year-round residence in conformance with the Maine Medical Use of Marijuana State Administrative Rules or as otherwise specified in Maine statutes and/ or administrative rules;
 3. A caregiver who does not own his or her primary residence shall obtain notarized written permission from the property owner prior to cultivating marijuana and shall make the written permission available to the Town.
 4. Caregivers shall cultivate medical marijuana within an enclosed, locked building or within an outdoor area which is accessible only by the individual authorized to cultivate the marijuana in conformance with the Maine Medical Use of Marijuana State Administrative Rules or as otherwise specified in the Maine statutes and /or administrative rules.
 5. Medical Marijuana shall be distributed to medical marijuana patients within an enclosed building. Drive thru, drive-up or window service is prohibited.
 6. No exterior evidence of cultivation, including signs, shall be visible from a public way or area. Marijuana plants shall be entirely screened from common visual observation from a public way or area by natural objects, plantings, or a solid fence at least six (6) feet or taller in height, density and depth sufficient to accomplish complete screening of plants from ordinary view. Should the plants grow higher than the screening such they are visible from a public way or area, either the plants shall be cut to not extend higher than the screening or the individual who is authorized to cultivate the marijuana shall install additional screening sufficient to conceal the plants from public view within ten (10) days of notification of the violation by the Code Enforcement Officer.
 7. Compliance with health and safety codes. The primary residence, outbuilding, garage, or other structure where marijuana is grown, cultivated, processed, and/or stored shall meet all applicable requirements of the adopted building code, electric, fire and other health safety and technical codes.
 8. Ventilation and odor management. Any primary residence, outbuilding, garage, or other structure used for cultivation shall have proper ventilation to prevent mold damage and to prevent odors or particles from becoming a nuisance to surrounding properties or the public.
 9. Gases. The use of gas products for extraction processes, including but not limited to carbon dioxide, sulfur dioxide and butane, and ozone generators are prohibited.
 10. Dispensing of medical marijuana to medical marijuana patients shall not take place prior to 7:00 a.m. or later than 8:00 p.m. on any day.
 11. If electric service increases beyond 200 amps and an upgraded transformer is required, that transformer may only service the buildings wired to receive the increased amperage.
- Section 10.22-B Medical Marijuana Production Facility are permitted subject to the following performance standards, in addition to the requirements of the State of Maine;

1. Medical Marijuana Cooperatives and Medical Marijuana Production Facilities are allowed in every zone.

They shall not be located: on parcels of land with a lot line located within 500 linear feet of any pre-existing public or private school facility, or any pre-existing and licensed day-

care center or day-care home, public park, public playground, athletic field, juvenile or adult halfway house, correctional facility, other Marijuana production facilities, substance abuse rehabilitation or treatment center or church. Applications for such public or private schools, child care providers, parks, playgrounds, or churches which are proposed within 500 feet of any existing medical marijuana production facility shall be required to sign a form, which may be obtained from the Code Enforcement Office, which indicates that they are aware that an existing medical marijuana production facility is located within 500 feet of their proposed site.

2. Medical Marijuana Cooperatives and Medical Marijuana Production Facilities are permitted in the Residential and General-Purpose districts on lots of 5 acres or more and any legal lot within the Commercial/ Residential district. In all districts Planning Board approval is required through site plan review process in section 8 of this ordinance.
3. Fire suppression will be required in conformance with the most current version of NFPA 1 Chapter 38 and the current State of Maine adopted version of NEC standards.
4. All Marijuana Cooperatives and Production Facilities shall submit an Odor Control Plan with the site plan application.

Odor Control Plans shall consist of the following:

- a. Specific odor- emitting activity(ies) – This section should describe the odor emitting activities or processes (e.g., cultivation) that take place at the facility, the source(s) (e.g., budding plants) of those odors, and the location(s) from which they are emitted (e.g., flowering room).
 - b. Odor Mitigation Practices – For each odor emitting source/ process outlined in Section 1 of the odor control plan, specify the administrative and engineering controls the facility will implement to control odors.
 - c. The best control technology for marijuana cultivation facilities is carbon filtration.
 - d. The town may use contracted staff and peer review escrow fees to review an odor control plan in agreement with the applicant at the applicant's expense.
5. Parking: The property shall provide parking that meets the requirements of section 10.12 of this ordinance, and such additional parking as may be required by the Planning Board.
 6. Security: All growing of medical marijuana within a production facility shall occur inside and only within a completely enclosed structure. A greenhouse is a structure. This does not apply to home growing of medical marijuana. The building shall be constructed with a security system with recordable video surveillance. Exterior lighting must be sufficient to deter nuisance activity and facilitate surveillance. The Planning Board may require a chain link fence or solid fence, six feet in height, surrounding the building (s) and parking area. All security measures shall be consistent with State requirements. Security cameras are also required around the perimeter of the structure
 7. Operating hours of the property:
 - a. Dispensing of medical marijuana products and materials shall not take place prior to 7:00 a.m. and later than 8:00 p.m. on any day.
 - b. Deliveries shall not take place prior to 7:00 a.m. and later than 8:00 p.m. on any day.

8. Signs: All signage and advertising for any facility responsible for the cultivation, manufacturing, sale or distribution of marijuana shall comply with all applicable provisions of the land use ordinance. Signs may not contain any visual depiction of marijuana or marijuana paraphernalia. Outdoor displays, window displays, or displays visible from the outside of the building intended to attract attention to or generate interest in the uses on the property shall be prohibited.
9. Drive through, drive up, or window services are prohibited.
10. All activities of dispensaries, cultivation facilities, processing facilities and marijuana establishments shall be conducted indoors.
11. If electric service increases beyond 200 amps and an upgraded transformer is required, that transformer may only service the buildings wired to receive the increased amperage.
12. Annual safety inspections by the Fire Department and Code Enforcement Office shall be conducted. A fee set by the Board of Selectmen will be associated with these inspections.
13. Extraction of marijuana concentrates, such as but not limited to oil, butter, wax or shatter shall be permitted subject to compliance with NFPA (1) Chapter 38 standards and the current version of NEC (National Electric Code) standards.

Section 10.22-C

Medical Marijuana Qualifying Patient and/ or Caregiver: A caregiver who is not required to be registered with the state. This caregiver is limited to serving no more than 2 qualifying patient household members or family members. These caregivers are not allowed to sell marijuana wholesale, organize as a business entity or operate a retail store. This is considered an accessory use to a legally permitted residential dwelling unit.

This does not require a use permit from the town. Any electric wiring requires a permit and must follow all Electric Code requirements and be inspected by the town's electrical inspector.

Agriculture – the production, keeping or maintenance for sale or lease, of plants and/or animals, including but not limited to forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and greenhouse products. Agriculture does not include forest management and timber harvest activities or the growing, production, testing, sale or processing of marijuana.

Medical Marijuana Qualifying Patient and Caregiver: A caregiver who is not required to be registered with the state. This caregiver is limited to serving no more than 2 qualifying patient household members or family members. These caregivers are not allowed to sell marijuana wholesale, organize as a business entity or operate a retail store. This is considered an accessory use to a legally permitted residential dwelling unit.

Medical Marijuana Home Production: Growing, cultivating, processing, and/or storing medical marijuana by a registered medical marijuana caregiver at his/her primary residence as a home occupation use.

Medical Marijuana Production Facility: A building used for cultivating, processing, testing, storing of medical marijuana; and / or distribution by a medical marijuana caregiver at a location which is not the caregiver's primary year-round residence or their qualifying patient's primary year-round residence. This shall be considered a commercial use.

Amend Article 12 Definitions:

Agriculture I: Limited to the raising and sale of crops and plants out of doors. Agriculture I does not include the growing, production, testing, sale or processing of marijuana.

Agriculture II: The business of producing or raising of plants and crops, including gardening as a commercial operation with or without the use of a greenhouse. Agriculture II does not include the growing, production, testing, sale or processing of marijuana.

Farming: The cultivation of soil for the production or raising of food, crops, or other valuable or useful products, including the raising or boarding of livestock and poultry for personal or commercial purposes. Farming does not include the growing, production, testing, sale or processing of marijuana.

Medical Marijuana: Marijuana specifically permitted pursuant to the Maine Medical Use of Marijuana Act and Rules.

Medical Marijuana Caregiver: A caregiver who is not required to be registered with the state. This caregiver is limited to serving no more than 2 qualifying patient household members or family members. These caregivers are not allowed to sell marijuana wholesale, organize as a business entity or operate a retail store. This is considered an accessory use to a legally permitted residential dwelling unit.

Medical Marijuana Cooperative: Two or more medical marijuana caregivers claiming a location as a primary residence in order to conduct medical marijuana home production. Medical marijuana cooperatives are considered medical marijuana production facilities under this ordinance.

Medical Marijuana Home Production: Growing, cultivating, processing, and/or storing medical marijuana by a registered medical marijuana caregiver at his/her primary residence as a home occupation use.

Medical Marijuana Production Facility: A building used for cultivating, processing, testing, storing of medical marijuana; and / or distribution by a medical marijuana caregiver at a location which is not the caregiver's primary year-round residence or their qualifying patient's primary year-round residence. This shall be considered a commercial use.

Medical Marijuana Qualifying Patient: A person who has been a resident of the State for at least 30 days and who possesses a valid written certification regarding medical use of marijuana.

Medical Marijuana Registered Caregiver: A person, licensed hospice provider or licensed nursing facility that is designated by a qualifying patient to assist the qualifying patient with the

medical use of marijuana in accordance with state law. A person who is a medical marijuana caregiver must be at least 21 years of age and may not have been convicted of a disqualifying drug offense.

Medical Use: Medical use means the acquisition, possession, cultivation, manufacture, use, delivery, transfer or transportation of medical marijuana or paraphernalia relating to the administration of medical marijuana to treat or alleviate a patient's debilitating medical condition or systems associated with the qualifying patient's debilitating medical condition.

ARTICLE 5: Shall the Town enact amendments to Section 7 of the Lyman Zoning Ordinance to authorize the Electric Inspector to disconnect service under hazardous conditions? (A copy of the proposed amendment is posted together with this warrant and hereby incorporated into this warrant by reference. Copies of the text of the amendment is available from the Town Clerk's Office.)

Additions are underlined and ~~Omissions are strikethrough~~

Plumbing and Electric Permits Required

~~7.5.2 All electric work requires a valid electric permit. All electric installations shall be in accordance with the current version of the State of Maine adopted Electric Code.~~

~~A. Any use or property that requires an electric transformer that is larger than a typical residential transformer shall make provisions with the electric company for that transformer to serve only that use or property.~~

7.5.2 Residential Electric Services

All electric work requires a valid electric permit. All electric installations shall be in accordance with the current version of the State of Maine adopted Electric Code.

A.

1. No residence, nor any associated accessory structure or garage of the residence, or any combination thereof may install, activate, or receive more than a single 200 AMP combined electric service for such structures.
2. The limitation of a single combined 200 AMP service is meant and intended for each residence and accessory structure or garage in combination on that structure's parcel.
3. A person or party may apply for an electric service greater than 200 AMP if the intended use is permitted by town zoning, and following review and approval of electric load calculations by the town's Electric Inspector; and, after on-site-review and separate approval by the Code Enforcement Office.
4. It shall be a violation of this code for any person or party, including a licensed or non-licensed electric or general contractor, to install or activate any electric services that do not meet these conditions and requirements. Further, it shall be a violation of this code for any property owner to install, maintain, activation on operation of any electrical service that does not meet these conditions or requirements.

B. Hazardous conditions and authority to disconnect

1. If the Electric Inspector finds a dangerous installation, alteration, or repair of electrical work, the Electric Inspector shall provide notice that shall:

Be served on the owner or occupant of the premises and the licensee by:

- Telephone,
 - Personal service,
 - first class mail or posting the property as unsafe; and
2. The Electric Inspector, with the approval of the Code Enforcement Officer or Fire Chief may disconnect public utilities, including electric supply, to a building, structure, or system regulated by this section if:
- Repairs are not made under this section; or
 - Hazardous condition exists that threatens or may threaten the public health and safety.
3. The Electric Inspector or his designee shall notify:
- The serving utility; and
 - The owner and occupant of the building, structure, or service system of the decision to disconnect;
 - Where possible, prior to disconnecting; or
 - As soon as practical, after disconnecting.
4. Supervising Official

The Electric Inspector who must be licensed by the State of Maine as a master electrician is herewith designated as the town official to supervise and enforce this section. The Electric Inspector will be under the direction of the Building Inspector, who will act as his/ her immediate supervisor.

ARTICLE 6: Shall the Town enact amendments to Section 15 Land Use Table and Section 17 Definitions of the Shoreland Zoning Ordinance to allow and regulate Medical Marijuana Home Production and Medical Marijuana Production Facilities? (A copy of the proposed amendment is posted together with this warrant and hereby incorporated into this warrant by reference. Copies of the text of the amendments are available from the Town Clerk's Office.)

Additions are underlined and ~~Omissions are strikethrough~~

Agriculture – the production, keeping or maintenance for sale or lease, of plants and/or animals, including but not limited to forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and greenhouse products. Agriculture does not include forest management and timber harvest activities or the growing, production, testing, sale or processing of marijuana.

Medical Marijuana Qualifying Patient and Caregiver: A caregiver who is not required to be registered with the state. This caregiver is limited to serving no more than 2 qualifying patient household members or family members. These caregivers are not allowed to sell marijuana wholesale, organize as a business entity or operate a retail store. This is considered an accessory use to a legally permitted residential dwelling unit.

Medical Marijuana Home Production: Growing, cultivating, processing, and/or storing medical marijuana by a registered medical marijuana caregiver at his/her primary residence as a home occupation use.

Medical Marijuana Production Facility: A building used for cultivating, processing, testing, storing of medical marijuana; and / or distribution by a medical marijuana caregiver at a location which is not the caregiver's primary year-round residence or their qualifying patient's primary year-round residence. This shall be considered a commercial use.

TABLE 1. LAND USES IN THE SHORELAND ZONE

<i>LAND USES</i>	<i>DISTRICT</i>				
	SP	RP	LR	LC	GD
1. Non-intensive recreational uses not requiring structures such as hunting, fishing and hiking	yes	yes	yes	yes	yes
2. Motorized vehicular traffic on existing roads and trails	yes	yes	yes	yes	yes
3. Forest management activities except for timber harvesting & land management roads	yes	yes	yes	yes	yes
4. Timber harvesting	yes	CEO ¹³	yes	yes	yes
5. Clearing or removal of vegetation for activities other than timber harvesting	CEO	CEO ¹	yes	yes	yes
6. Fire prevention activities	yes	yes	yes	yes	yes
7. Wildlife management practices	yes	yes	yes	yes	yes
8. Soil and water conservation practices	yes	yes	yes	yes	yes
9. Mineral exploration	no	yes ²	yes ²	yes ²	yes ²
10. Mineral extraction including sand and gravel extraction	no	PB ³	PB	PB	PB
11. Surveying and resource analysis	yes	yes	yes	yes	yes
12. Emergency operations	yes	yes	yes	yes	yes
13. Agriculture	yes	PB	yes	yes	yes
14. Aquaculture	PB	PB	PB	yes	yes
15. Principal structures and uses					
A. One and two family residential, including driveways	PB ⁴	PB ⁹	CEO	CEO	CEO
B. Multi-unit residential	no	no	PB	PB	PB
C. Commercial	no	no ¹⁰	no ¹⁰	PB	PB
<u>Medical Marijuana Production Facility</u>	No	No	No	No	No
D. Industrial	no	no	no	no	PB
E. Governmental and institutional	no	no	PB	PB	PB
F. Small non-residential facilities for educational, scientific, or nature interpretation purposes	PB ⁴	PB	CEO	CEO	CEO
G. Medical Marijuana home Production	CEO	CEO	CEO	CEO	CEO
H. Medical Marijuana Qualifying Patient and Caregiver	Yes	Yes	Yes	Yes	Yes
16. Structures accessory to allowed uses	PB ⁴	PB	CEO	CEO	yes
17. Piers, docks, wharfs, bridges and other structures and uses extending over or below the normal high-water line or within a wetland					
a. Temporary	CEO ¹¹	CEO ¹¹	CEO ¹¹	CEO ¹¹	CEO ¹¹
b. Permanent	PB	PB	PB	PB	PB
18. Conversions of seasonal residences to year-round residences	LPI	LPI	LPI	LPI	LPI
19. Home occupations	PB	PB	PB	CEO	yes
20. Private sewage disposal systems for allowed uses	LPI	LPI	LPI	LPI	LPI
21. Essential services	PB ⁶	PB ⁶	PB	PB	PB
A. Roadside distribution lines (34.5kV and lower)	CEO ⁸	CEO ⁶	yes ¹²	yes ¹²	yes ¹²
B. Non-roadside or cross-country distribution lines involving ten poles or less in the shoreland zone	PB ⁶	PB ⁶	CEO	CEO	CEO
C. Non-roadside or cross-country distribution lines involving eleven or more poles in the shoreland zone	PB ⁶	PB ⁹	PB	PB	PB
D. Other essential services	PB ⁶	PB ⁶	PB	PB	PB
22. Service drops, as defined, to allowed uses	yes	yes	yes	yes	yes
23. Public and private recreational areas involving minimal structural development	PB	PB	PB	CEO	CEO
24. Individual, private campsites	CEO	CEO	CEO	CEO	CEO
25. Campgrounds	no	no ⁷	PB	PB	PB
26. Road construction	PB	no ⁸	PB	PB	PB
27. Land management roads	yes	PB ¹³	yes	yes	yes
28. Parking facilities	no	no ⁷	PB	PB	PB
29. Marinas	PB	no	PB	PB	PB
30. Filling and earth moving of <10 cubic yards	CEO	CEO	yes	yes	yes
31. Filling and earth moving of >10 cubic yards	PB	PB	CEO	CEO	CEO
32. Signs	yes	yes	yes	yes	yes
33. Uses similar to allowed uses	CEO	CEO	CEO	CEO	CEO
34. Uses similar to uses requiring a CEO permit	CEO	CEO	CEO	CEO	CEO
35. Uses similar to uses requiring a PB permit	PB	PB	PB	PB	PB

**** Recreational Marijuana Retail is prohibited until laws at the State level are determined. After that point, the Planning Board decide whether to opt in and if so, will review the Recreational Marijuana definition and Land Use Table.**

