

**St. George Planning Board
On-site Inspection
56 Mussel Farm Road
October 5, 2020 - 5 p.m.**

The on-site inspection began at 5 p.m. Planning Board members present were: Anne Cox, Chair; Ray Emerson, Michael Jordan, Mary K. Hewlett, and Alan Letourneau. (Jane Brown was absent.) Also present were: CEO Terry Brackett, Richard Bates, Mark and Kate Bourne, Anne Cogger, Holly Carlson, Paul and Jeanette Lombardo, Rebecca and Alan Lord, Malcolm Beam, Gardner Stratton and J. Dayne Lamb, Sue Ferra, Van LaLiberty, Donald and Nancy Gauvin, and Kyle Murdock.

The applicant is Midcoast Marijuana Company (MMC), 56 Mussel Farm Road. The owner is Kyle Murdock. The property owners are John and Winnie Murdock. The Shoreland Zone District is CFMA and the Floodplain Designation is AE-12.

The facility sits on approximately 7.5 acres of land with 690' of water frontage. The Murdock family is currently using the facility for commercial fishing and bait storage. The marijuana cultivation operation is proposed to be located on the second floor. Murdock is proposing to utilize a portion of the building for growing and harvesting marijuana that includes a hallway and three finished rooms. The business entrance is currently blocked off because the steps are in disrepair. The steps and door will be repaired, and they will be used for the caregivers and patients to enter and exit the building.

The Planning Board and other interested parties observed the cultivation area on the second floor. Chair Cox explained to the interested parties that some of their questions might not be pertinent to the on-site inspection and those questions should be asked at the Public Hearing.

Murdock explained the scope of the project. He stated Maine's medical marijuana law allows patients to cultivate for themselves or to designate caregivers who are small business owners to cultivate medical marijuana for the patients and provide it for them. He can serve anyone who has a Maine patient identification card. He has patients that he specifically grows for and can dispense it to other caregivers and other patients, but they must be participants in the Medical Marijuana program. He cannot take his product to a retail store in Rockland and sell it.

Murdock is currently licensed to grow 12 flowering plants. If his business expands, he could use more of the second-floor space. The wing is 4,000 sq. ft., but he will not have plants occupying every single square foot.

Murdock stated consumers must have a prescription from their doctor and any provider must be licensed by the Maine State Office of Marijuana Policy which oversees the administration of the Maine Medical Marijuana program.

Chair Cox, "What are these room spaces going to be used for in your process?"

Murdock, "There are three completed rooms and then there are these that are still just framed. We would start in the completed rooms which has more than enough space for us. We would

have our separate crops in those grow rooms. The plants go through different light stages that require different types of lighting. They start in a vegetative stage which allows the plant to grow and they require whiter light during that time to maintain that part of their life cycle. Then we would switch them into a flowering phase where we dropped the light cycle to 12 hours of light and 12 hours of total darkness which triggers their flowering hormones. What we harvest is the flowers that we dry and that is our product. These rooms would be for any of the various stages from seedling to vegetative to flowering growth stages as well as creating a smaller space like this for a climate-controlled environment for the actual curing of our flowers.”

Question: The water is on-site. Is there any discharge on-site?

Murdock stated the water comes from their well on-site. They will use a maximum of 100 gallons a week. The wastewater/waste liquid fertilizer will be taken to the wooded area on the back part of the property away from the shoreland zone, and spread there where it will be consumed by the native flora instead of running into the water table.

Question: That’s excess water? Murdock stated yes. Question: You are not going to put it overboard? Murdock stated no.

Question: Where will all the stems and leaves go (that are the leftover parts of the plants)?

Murdock stated he has two options he is currently investigating. One is to work with a third party who will take the waste products and reprocess them to create different products. The other option is the state allows it to be mixed with an equal amount of shredded paper and then it can be thrown away like common trash.

Question: With this process, there will be no need to use the waterfront property or water access?

Murdock stated, he does not anticipate water access needs at this time. Interested party: That is not part of your request? Murdock stated no.

Question: You are going to use the hall to sell some of it? Murdock said no, he will use a certain part of the warehouse.

Question: Has any part of the facility ever been used to grow marijuana before?

Murdock explained part of the facility was used to cultivate marijuana in 2018 and that he was not the proprietor of that business. When Onacraft first moved in, he did some consulting for them on the setup of the building.

Murdock, “Behind, you can see the three finished grow rooms. That will give you a pretty good idea of what we are going to do. I’m anticipating setting up a system called drip-fed rockwool where the plants are grown in an inert cube of stone wool and then they are drip-fed liquid nutrients. It is a common method for growing cannabis as well as other leafy greens and tomatoes, hydroponically. It seems to, with the space that we have, afforded the best results and minimal water use.”

Chair Cox, "The material that it will be growing in the stone wool. Would that be something you will be disposing of, periodically?"

Murdock, "Yes. Every now and then, it will be disposed of. It is an inert compound that is made from chalk. They heat chalk to a hot temperature, extrude it, and then make this wool, but it is made out of chalk."

Question: Are you going to have security here 24 hours a day? Murdock stated there will be alarms connected to a call-in center and he will have 24-hour camera surveillance. The interested party stated, but no human being. Murdock said no and gave a reference of scale. The dollar value of product he will be keeping on-site will be considerably less than the dollar value of product the lobster processing plant had on-site.

Chair Cox asked about the entrance for patients and caregivers.

Murdock pointed out the access door. "As you can see it has been boarded over. That is why we could not use it; but it goes out to the front of the building. Our customers would be invited on a pre-approval, pre-appointment basis to visit the facility or we could do a delivery to them, especially with COVID going on. That would probably be more the route that we would be going. As long as we can confirm their identity and they would have to pre-submit to us a copy of their driver's license and their prescription card from their doctor."

Question: What hours will you be open to serve these people? Murdock stated he will only take appointments between 8 a.m. and 4 p.m., but it is a cultivation operation and there is always work to be done so he cannot say there will not ever be people working outside of those hours.

Chair Cox, "Have you figured out how many people would be working here other than yourself?"

Murdock, "It will only ever be one because that is all the state allows me to have." Chair Cox stated so, it will be a maximum of two people.

Question: What is the difference now and the last time that you didn't get a variance or a hardship? What has changed? Chair Cox stated that question can be asked at the public hearing.

The interested party responded, "And I am trying to learn what has changed. That's why I'm here." Chair Cox asked him to attend the public hearing and ask the question.

Question: This request. Is it for a specific square foot usage of this building, or is it limited to these three or four rooms?

Murdock explained he plans to use the hallway and the rooms off the hallway. Murdock, "I don't know how much the Planning Board wants to define the permit. This is the only area that I have any anticipation of using." He explained the rest of the facility will be used for his family's fishing related business.

Question: Is the light going to be self-contained in here, or will it shine out into (the lot)?

Murdock, "It is a very important part of the growing process that you be able to maintain perfect darkness during the time the lights are off which means that if no light can be getting into the room, also no light can be getting out of the rooms."

Chair Cox felt the Planning Board had seen everything they needed to see inside and suggested they go outside to continue.

Question: If someone wants to use the rest of the facility for fishing, where will their access be? Murdock stated they will use the access door on the loading dock but there is also another point of access.

Question: How are you going to get down here in the winter when there is 10' of snow? Who is going to plow the road? Murdock stated the road is used all winter long.

Question: But who plows it? My son plows it because he owns the dock next door. The wharf next door. You guys should be helping him. This is a right of way. It is not our road. It is not his road. It is the town road. So, somebody should be helping with that. Chair Cox stated that is a good question regarding the plowing and winter access.

Question: What about hours of operation? Is it an all-night deal? Chair Cox reiterated. The hours will be 8 a.m. to 4 p.m., and people will come to pick up the product during those hours. There will be no more than two people operating the facility at a time, but there may be times when they need to work outside the 8 a.m. to 4 p.m. hours due to the type of operation it is.

Question: So, there will be people down here after 4 p.m.? Who will monitor that? Murdock stated he will monitor it and will be one of the two people.

Question: This is a growing operation, at this point. You have no plans for any other license? Murdock stated that is correct.

Question: I heard through the grapevine that you tried this once before here. Chair Cox stated the question was not germane to the on-site inspection.

The interested party stated, "That is beside the point, though. If he could not be trusted then, how can he be trusted now?" Chair Cox, "That's not what we are going to talk about."

Question: Was there any water usage discharge done by the previous owner? Chair Cox said it was her understanding that that had nothing to do with why it closed.

Interested party: But that is part of the Site Review. Chair Cox stated absolutely. Question from interested party: How will the water be discharged?

Question: How about parking? That is part of the Site Review. Chair Cox said yes, and people can observe where he plans to have the parking when they leave. Cox asked Murdock how many customers will be there at a time, and he stated one. Chair Cox, "So at a maximum, it sounds like there would be three vehicles here at a time."

Question: How many plants did you say you had a license to grow? Murdock said he is licensed for 12, but the class of license he has can be expanded to 30.

Question: How many pounds of product does that provide?

Murdock, "It varies. It depends on how large the plants can get, how long you grow them for, as well as what type of strain it is. A single plant can grow anywhere from just a couple of ounces to a pound or more. The turnover that I am looking at is about 12 to 15 weeks."

Question: Are there any other grow facilities nearby that are located next to marine resources and if so, what has the impact on those marine resources been? Chair Cox felt that was a question to be asked at the public hearing. The interested party stated, "But this site is next to a threatened marine resource." Chair Cox stated the Planning Board understands that.

Question: Can you explain what the town of St. George has for laws against these kinds of endeavors, or is that a question for the public hearing? Chair Cox felt the question should be asked at the public hearing and encouraged everyone to attend.

Question: What about the marine zoning in this area? Is that going to be changed? Or is that going to be a request somewhere down the road? Chair Cox said one does not know. The interested party said he knew.

Murdock, "Our application right now is agriculture is an allowable use in this district." Chair Cox stated they were not going to argue the case at the on-site.

Question: Is any wastewater going to go across the road? Murdock stated he is proposing to spread the waste fertilizer on the upland portion of the property.

An attendee stated, "And that is going to go right into the cove." Another attendee stated, "That goes down. It is forest here. It goes right down into the cove." Someone else asked, "Can you prove that it does not?" Chair Cox stated those are the sort of questions the Planning Board will be dealing with.

Question: If I am correct in understanding this, you are just going to spray it with a hose over there? How is that going to work? Usually, things have to go through a leach field, have a perc test.

Murdock, "The spreading of manure fertilizers is an allowable thing to do in the Shoreland Zone, and in any other zone, there are certain restrictions on how much fertilizer you can spread per acre. We will not come anywhere near those limits. We won't even hit 10% of what those limits are. We are going to be using less than 100 gallons of liquid fertilizer a week which will be disposed of."

Question: With that leach field, won't it grow in there?

Murdock, "One of the reasons we don't want to put it through the leach field is that is a more direct entry into the water table. By spreading on the surface, it will get consumed by the plants growing on the upland portion before it can run off into the water table. If we ever started to

reach the limits that are allowable for fertilizer manure spreading, there are holding tanks on the property which we would utilize to hold it and then have it removed by a company like Interstate Septic.”

Chair Cox stated the town ordinances are clear on these issues.

Question: With all due respect, not everyone knows what these ordinances are, and they have a right to ask him these questions. Chair Cox said, absolutely but would like that to happen at the public hearing. CEO Brackett stated that all the ordinances can be found on the town’s website. Chair Cox noted that the town office can also provide a printed copy.

Question: How many plants can the area accommodate? Murdock said he did not anticipate running out of space even if he were to grow 30 plants. He noted that the way the life cycle of plants works is you can make them small or you can make them very large by the time they get to harvest.

Question: So, you could put a lot more plants in there? Murdock stated there are different styles of growing that involve growing 100’s of small plants in a very small area and his license allows him to use that kind of growth style.

Question: Who is going to be at the final meeting to decide what is going on? Are we going to be able to vote on it?

Chair Cox stated no, the Planning Board will be deciding. She explained a Public Hearing will be held to hear all the concerns, and then the Planning Board will hold its meeting and make a decision on Murdock’s application.

The public hearing and Planning Board meeting has been scheduled for October 13, 2020, at 7 p.m. via Zoom. Chair Cox asked that abutters and interested parties contact the town office on how to access the Zoom meeting or how to telephone into the meeting. She also noted that interested parties and abutters can mail in or email their questions or drop them off at the office.

Question: Has Terry (Brackett) needed to be involved yet, at all, with looking at this site and being sure that all this process meets the requirements? Chair Cox stated this is what the CEO and the Planning Board are working through, and the on-site inspection is part of the process.

Chair Cox stated she felt there were no other questions about the site. There being no other comments, the onsite visitation ended at 5:40 p.m.

Respectfully submitted,

Marguerite R. Wilson
Planning Board Recording Secretary