

PLANNING BOARD - TOWN OF MACHIAS

MAY 5, 2022

This meeting was called to order at 7:00 PM by Acting Chairman Arthur McCurdy. In attendance were Board members Ed Pellon and Rich Rolfe; Secretary Cathy Lord; Town Manager Bill Kitchen; Robert Boggia, Falin Robinson, David Clark, Mary Angarola, Bruce Smith.

1. MINUTES - REVIEW AND ACTION

On a motion by Rich Rolfe, seconded by Ed Pellon, the Board voted to approve the minutes of the April 6, 2022 Board meeting.

2. BUILDING PERMIT APPLICATIONS - REVIEW AND ACTION

(No building permits were presented for review)

3. APPLICATION FOR MEDICAL MARIJUANA BUSINESS

Mr. Kitchen advised the members of the Board that Mr. Robert Boggia has submitted a completed application for a medical marijuana dispensary to be located on Main Street. Robert Boggia told the members of the Board that he has submitted an application for a medical marijuana dispensary to be located on Main Street. He advised the members of the Board that he has purchased the property on Main Street where the business will be located. The members of the Board reviewed the application.

Mr. Boggia told the Board that the business will have plenty of public parking. Mr. McCurdy advised Mr. Boggia to include a handicapped parking space in front of the building with signage. Mr. Boggia noted that there will be five to ten parking spots on the property. Mr. Boggia told the Board that he would like to have art designs painted on the building by local artists. Mr. McCurdy asked if there would be security cameras installed with lighting on the front of the building? Mr. Boggia said that he is still figuring this out. Mr. Boggia told the Board that he understands that the biggest issue at his last dispensary across the street was the loitering problem. He assured the Board that he would take steps to make sure this would not reoccur at the new business location. Mr. Kitchen noted that he has had several discussions with Mr. Boggia cautioning him that there will be no large marijuana flags on the property since the building is located squarely in the middle of the downtown area. Mr. McCurdy also pointed out that there is a public sidewalk in front of the building which cannot be blocked by any type of signage. Mr. Bruce Smith cautioned that any signage must not block the visibility of an intersection located nearby.

Mr. Rolfe pointed out that Mr. Boggia's next step is to present the application to the Board of Select-people. The Board reviewed Code Enforcement Officer Kevin Brodie's review of the application with Mr. Brodie's plans to monitor the business.

On a motion by Arthur McCurdy, seconded by Rich Rolfe, the Board
VOTED:

That it is the consensus of the Machias Planning Board that the application is complete and will be forwarded to the Board of Select-people.

4. OTHER BUSINESS

A. Mr. Kitchen advised the Board that he has had conversations with Mr. Justin King regarding Mr. King's plan to divide land located on Outer Broadway into several lots. Mr. Kitchen distributed a letter from Mr. Dana Altwater, a licensed site evaluator, explaining a site evaluation of a twelve acre lot with soil test pits. Mr. King joined the meeting by speakerphone. He asked the Board to

grant a variance for a road leading to the lots to be located on the twelve acres. Mr. McCurdy explained that the Planning Board cannot grant a variance on a state-owned road; he explained that the Maine Department of Transportation controls state roads and that Mr. King would need to make a formal request to MDOT. He cautioned Mr. King that the access road needs to meet state requirements and that the MDOT will examine the road to see if it meets state requirements. Mr. King said that he would contact MDOT before he left the meeting. The Board discussed Mr. King's plans. It was agreed that what Mr. King is doing is creating a subdivision and that the creation of subdivisions are governed by the town's subdivision ordinance. Mr. Kitchen said that he would contact Mr. King and advise him that a subdivision ordinance exists and that Mr. King would need to present a subdivision plan to the Board.

B. Mr. Smith expressed concern that the fence in front of the area where the Nash building was removed creates a safety issue.

C. Mr. Smith expressed concern that a house was demolished and the debris has not been removed creating another safety issue.

On a motion by Arthur McCurdy, seconded by Rich Rolfe, the Board voted to adjourn the meeting at 7:57 PM.