

From: [Phil Crowell](#)
To: [Susan Clements-Dallaire](#)
Subject: FW: Medical Marijuana and Adult Use Zoning and Ordinances
Date: Friday, March 29, 2019 12:25:43 PM

Phil

Phillip L. Crowell, Jr.
Assistant City Manager
City of Auburn
60 Court Street
Auburn, Maine 04210
207-333-6601 Ext. 1212

From: Jason Felter <jayfelter81@gmail.com>
Sent: Thursday, March 28, 2019 9:36 PM
To: Phil Crowell <pcrowell@auburnmaine.gov>
Subject: Fwd: Medical Marijuana and Adult Use Zoning and Ordinances

To: City of Auburn, Maine - City Council

My name is Jason Felter and I writing to you as a participant of the Maine Medical Marijuana program. Specifically, I am an employee of a primary caregiver cultivation facility in the city of Auburn, Maine. I want to thank you personally for your time and efforts towards the city of Auburn's zoning and ordinance requirements related to medical marijuana and the adult use program. I know this is a complicated issue taking a lot of time and work while requiring careful consideration in the creation of these rules.

A little bit about myself I have worked in Auburn now for three years - two years as a consultant and just about one year as an employee of a primary caregiver. I love working in the cannabis industry. It has granted me many amazing opportunities and has provided me a life style and career I could never have imaged. Several years ago I suffered from severe anxiety and depression. Like many of us a number of uncertainties stacked up in my life and I questioned what my career would be or my path in life. Since moving and working in the cannabis industry in Maine those uncertainties have begun to fade away. With these improvements in my life style a better mind set has taken control. I am happy.

Recently though I have learned that the ordinance draft includes a 1,000 foot set back between marijuana business including cultivation facilities. I am concerned about this aspect of the ordinance as it would disqualify the current cultivation facility I work at from being included into the adult use program. Even though the cultivation facility would be grandfathered into the medical program I personally believe the medical program will only exist as a bridge to adult use - and once the adult use program takes hold the medical marijuana program will slowly fade away. In all honestly this uncertainty has created for a large stress in my life - I fear not being able to work in the City of Auburn participating in the cannabis industry. I am considering moving and buying a home in Auburn - but cannot justify it if my place of work will potentially be out of business. I know a growing number of participants in the medical marijuana program in the City of Auburn with similar concerns.

I agree the 1,000 foot set backs should be required when discussing retail store fronts, however I do not think having this set back when located in the proper zones for cultivation facilities should be required. At

the end of the day even though the use of the building is different (medical versus adult use) the same plants, cultivation practices and canopy space will remain the same. Would it be possible to grandfather current medical marijuana cultivation facilities into the adult use program? I understand the change of use is an area of concern related to grandfathering, however it seems arbitrary (I mean no offense at all) that the business I work for can cultivate cannabis in the medical program, but not in the adult use program. Why not support these businesses as they have provided many jobs, some tax benefit and cleaned up areas in Auburn through the renovation of old buildings and build out of new commercial facilities. I have noticed many new buildings built for the cultivation of cannabis in the same area I work (Hotel Rd., Minot Ave., Manley Rd) what is to happen to these buildings if and when they become empty again?

I have reached out to the planning board to see what their recommendations are. They indicated to contact the Auburn City Council and that they were specifically cautious to make recommendations on issues that they are asked to help regulate - one of those being setbacks or buffers. They expressed to me they did not see the purpose of 1,000 foot set backs for marijuana cultivation facilities.

Lastly, I notice often the biggest issue related to cannabis is the stigma attached to it - and It will take time and education for that to fade away. I understand that, but I hope in this certain instance it can be seen that cannabis businesses are no different than the brew pubs that brew their own beer, or liquor stores on the corner of a main street, or the multiple pizza and gas station locations that operate in the same vicinity freely.

Again thank you for your time and reading through this. Please email me with any questions, comments or concerns. The facility I work at would be willing to open its doors anytime and give you a tour. This is tiny alteration in the ordinance, but would literally have the potential to change the lives for many. I hope you have a great rest of the week.

Sincerely,

Jason Felter

From: [Holly Lasagna \(Council\)](#)
To: [Susan Clements-Dallaire](#)
Subject: Fw: Medical Marijuana and Adult Use Zoning and Ordincances
Date: Friday, March 29, 2019 12:42:44 PM

Sue,

Phil suggested that I forward you this email I received so that it can be added to the others for the record.

Holly

From: James Katz <james.katz13@gmail.com>
Sent: Thursday, March 28, 2019 11:20 PM
To: Holly Lasagna (Council)
Subject: Fwd: Medical Marijuana and Adult Use Zoning and Ordincances

Hi Ms. Lasagna,

My name is Jim Katz. First I'd like to thank you for your involvement with the ordinances and zoning related to medical marijuana and the adult use program in the city of Auburn. I think it says a lot that the city of Auburn is taking this serious and is on the front end of this complicated issue.

I currently operate a medical cannabis cultivation. My family (wife plus two young boys) and I moved from upstate New York almost three years ago after a few short visits to some friends who had already dove head first into the cannabis industry here in Maine.

I am writing you in regards to the current ordinance specifically related to the 1,000 foot setbacks between marijuana businesses. I would love to talk or set up a time to give you a tour of the facility. It seems one of the major concerns with marijuana businesses is odor control in certain zones. This is something we have had first hand experience with at our cultivation-only location at 23 Manley Road, Auburn, Maine. When we first started cultivating there three years ago we received two odor control complaints. We worked quickly while coordinating with the town to remedy the issue. Since then there have been no other issues and the systems in place go through scheduled maintenance to ensure no further problems arise.

With the ordinances proposed the way they are I believe my business will not be able to succeed and move forward successfully for more than a few years. . Would it be possible for you to reconsider the 1,000 foot set backs related to cultivation facilities? I understand the need in some locations near schools or neighborhoods full of children, however without some revision it will severelyt hinder some of us already operating in full compliance.

From my understanding the planning board help two separate meetings on these ordinances, allowed for public comment and spent a fair amount of time discussing them to. After hearing and reading public comments they noted the did not see the merit of 1000 foot setbacks for marijuana cultivations. They do recommend the 1,000 foot setbacks for marijuana retail stores though.

I would love to walk you through our facility, show you how it works, along with answering any questions you may have. We just harvested as well it would be a perfect time. I understand if you are unable to do so, but I do hope to hear back from you. Again thank you for your time and involvement in moving this industry forward,.

Best regards,
Jim Katz

Dear Members of the Auburn City Council,

We believe the 1,000-foot setback included in the Adult Use and Medical Marijuana Ordinance, to be erroneous, costly, and troublesome for cultivators, employees, and their patients. A business is a business. There's an Irving and a Mobil on each corner. A Dollar General and a Family Dollar are also right next to each other. Just because cannabis cultivations are not fully regulated yet, we believe this setback to be unfair business practices to single us out.

We fear for the results of these setbacks, that the City will be pushing people out of business. Many of the existing cultivations in Auburn do not meet the requirements of this setback. Any current establishments will be forced to relocate, or possibly be forced to close down for good. This will be putting many hardworking and upstanding caregivers and employees out of work. It will also affect a patient's ability to acquire their preferred medicine that works the best for them. Additionally, we hope you can reconsider this ordinance, because the ability to create competition will eradicate any undesirable and corrupt businesses within the City of Auburn.

My company, my employees/patients, and the stores that we deal with, have always been in compliance with city and state rules, even though they are ever changing and sometimes unclear. We will continue to be open and upfront with our business practices. We will continue to invest a lot of time and money, and we will continue to convey ultimate transparency with our cultivation of medicinal cannabis for our patients.

Our door is always open for City Council Members. We are pleased to answer any questions you may have, and are willing to meet with you at anytime.

We hope the Auburn Planning Board will discuss this minor adjustment to the Ordinance, as the effect on the citizens of Auburn will be major.

Sincerely,
BKH Enterprises