



# Nederland Planning Commission

## MINUTES

Wednesday, June 25, 2014 ~ 7:00 pm

Nederland Community Center  
750 Highway 72 North

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### 1. CALL TO ORDER

Vice Chairman Cornell called the meeting to order at 7:05 p.m.

### 2. ROLL CALL

**Present:** Vice Chairman Roger Cornell, Commissioner Betty Porter, and Trustee Liaison Topher Donahue

**Absent:** Commissioners Lisa Mayhew, Mikki Osterloo and Steve Williams

**Staff present:** Town Administrator Alisha Reis, Deputy Clerk Cynthia Bakke

Due to a lack of quorum, the Planning Commission postponed a scheduled Public Hearing regarding an application for Minor Subdivision and Special Review Use permit for 80 Big Springs Drive to a date certain of July 23, 2014. Town Administrator Reis explained procedure for what the Commissioners are able to do at this meeting.

### 3. APPROVAL OF MINUTES from April 23, 2014

Due to the lack of quorum, approval of the minutes was postponed until the next regular meeting.

### 4. PUBLIC COMMENT

There was no public comment.

### 5. INFORMATION ITEMS

Reis said the Community Center Site Plan NPP presentation will be on July 9. Any recommendations from boards or endorsements will be forwarded to the Board of Trustees once compiled by the CC Site Plan Steering committee.

Reis said the Joint Work Session of the Board of Trustees/Planning Commission will take place on July 29 at 6pm at the Community Center, multi-purpose room. The town staff is researching residential zoning issues, particularly related to marijuana cultivation, the maintenance of business diversity, and the impacts of various marijuana-related businesses upon utilities, energy usage, byproducts, and neighborhood impacts, she said. Reis asked that any specific research requested by the

Commission be forwarded to her.

## **6. ACTION ITEMS**

### **1. Election of Officers**

This item was tabled from the April 23 meeting. There is still one vacancy upon the Commission. This item will continue until the Commission has filled the position.

### **2. Consideration of a Minor Subdivision and concurrent Special Review Use Application (SRU) by Steve Karowe at 80 Big Springs.**

Reis explained that due to Commission absences, the vacant position, Trustee Liaison Donahue's inability to hear the before the BOT, the Public Hearing will have to be postponed. She suggested that each member try to recruit for the vacant Commission position to be filled and approved by the BOT on July 1, which would allow for the Commission to hear the case at a future meeting this summer.

Applicant Steve Karowe graciously expressed his desire for the Commission to hear the case at the soonest date, due to seasonal limitations upon build-out timeline.

Chairman Cornell postponed to a date certain of July 23, the Planning Commission's next regular meeting.

## **7. DISCUSSION ITEMS**

### **1. Discussion of Recreational Marijuana Zoning Issues**

Reis introduced this item. Chairman Cornell requested that Commissioners look at the Sec. 16-32 use group tables in general, to eliminate any irrelevant uses. He said that changes will need to be made with respect to marijuana cultivation to clarify allowances.

Commissioner Porter asked about how other municipalities are regulating these businesses. Town staff has been researching what other municipalities are allowing, Reis said, noting that since the ordinance was adopted last fall there has been forthcoming guidelines and the unintended consequences mentioned in the last meeting. The gap that is being seen is in the area of enforcement.

SAB member Jesse Seavers discussed the sustainability aspects with respect to cultivation, and said there are few tools/mechanisms for achieving the Vision 20/20. He feels that local food production falls short, but suggested an incentive structure between town and marijuana growers to utilize their knowledge for food cultivation.

Trustee Liaison Donahue said he has been considering how to suggest desired elements to cultivators and others within the industry, as well as the town. He mentioned Commissioner Osterloo's suggestion from a previous meeting that only organic marijuana be allowed in town. He said the regulatory process can be improved to create higher quality products. As no town in the state has established organic cultivation yet, this would allow more regulation and an ability to brand Nederland, and create a "destination" product, he said.

Vice Chairman Cornell said he would like to ensure lowered energy usage, and to perhaps have a "green stamp" to indicate these high-quality standards.

Commissioner Porter inquired if the Town can mandate aspects like that. Reis said that any of these conditions can be included, and she will discuss how to incorporate with the Town attorney.

Reis explained the timeline for applicants. She said that as of July 1, any new retail businesses will notify the state about applying for a license, with cultivators able to be licensed as of October 1. Reis said that interest has mainly been expressed about marijuana cultivation facilities, with lesser interest in retail stores and medical marijuana infused product facilities (MMIPs). There has been no interest in testing facilities, but she said she anticipates having 3-4 retail stores and maybe 2-3 MMIPs.

Vice Chairman Cornell said that the Commission needs to discuss how the percentage for Home Occupations can be determined, and how this type of licensing will occur. Trustee Donahue said that if products were certified organic with reduced utility usage, he would be more inclined to approve the existing 50% floor area allowed, or if not, to decrease the percentage allowed. Donahue said that the organic certification process may allow town to hire someone specifically to regulate these businesses.

#### **8. OTHER BUSINESS**

Reis noted that the Sustainability Action Plan matrix has been ranked by the Board of Trustees as a basis for their 2014-2016 term Board Goals, and is currently being reviewed by town staff.

#### **9. ADJOURNMENT**

Vice Chairman Cornell motioned to adjourn the meeting, seconded by Commissioner Donahue, all in favor. The meeting was adjourned at 7:40pm.

Approved by the Planning Commission,



Roger Cornell, Vice Chairman, Planning Commission

ATTEST:



Cynthia Bakke, Deputy Town Clerk