



Town of Damariscotta

Administrative Offices

21 School Street

Damariscotta, Maine 04543

Telephone – 207-563-5168

Fax – 207-563-6862

The accompanying application submitted for Above and Beyond Cannabis, LLC (Above and Beyond) has been reviewed by the town staff. While there are a few outstanding items, we felt it was important to keep the public hearing scheduled with the expectation that the remaining information will become available. Above and Beyond has been an active business in Damariscotta for multiple years now and is only before the town now as their previous lease expired. The owners are seeking to open the same business in a different location, one that has been approved by the Planning Board, see the findings included in the packet.

The following are the requirements for hearing or considering a new applicant for medical marijuana establishments.

902.7 – Action on Application

1. Public Hearing: The Town Clerk, upon receipt of a completed application and upon receipt of the reports required under Section 6 above, shall schedule a public hearing at a regular or special meeting of the Board of Selectmen and shall arrange for public notice of the public hearing to appear in the newspaper of general circulation within the Town of Damariscotta at least six (6) days prior to the date of the scheduled public hearing. The scheduling of the hearing may be delayed if there are more applications than the total number of licenses allocated per Section 902.13. Costs of the hearing notice shall be paid out of the application fee. This public hearing before the Board of Selectmen is in addition to any public hearing that may be required before the Planning Board in accordance with the Town's Land Use and Site Plan Review Ordinances.

902.5 – New Applications

Each applicant for a medical marijuana establishment license shall complete and file an application on the form provided by the Town Clerk, together with the applicable nonrefundable application fee, as well as the following supporting materials:

1. A copy of the applicant's State registration application and supporting documentation, as submitted to the State registration authority.
2. Evidence of all State approvals or conditional approvals required to operate a medical marijuana establishment, including, but not limited to, a State registry identification card or registration certificate.
3. If not included in the applicant's State registration application, a description of the form of ownership of the business enterprise together with attested copies of any articles of incorporation, bylaws, operating agreement, partnership agreement or articles of

association that govern the entity that will own and/or operate the medical marijuana establishment.

4. If not included in the applicant's State registration application, an affidavit that identifies all owners, officers, members, managers or partners of the applicant, their ownership interests, and their places of residence at the time of the application and for the immediately preceding three (3) years. Supporting documents, including but not limited to motor vehicle operator's license, motor vehicle registration, voter registration or utility bills shall be provided.
5. A release for each applicant and for each officer, owner, member, manager or partner of the applicant seeking a license allowing the Town of Damariscotta to obtain criminal records and other background information related to the individual.
6. A Statement as to the precise nature of the business with a description of the nature of all products and services offered to its customers.
7. A description of the premises for which the license is sought, including a plan of the premises and a list of all equipment, parts and inventory used in the operation of the medical marijuana establishment.
8. Evidence of an interest in the premises in which the medical marijuana establishment will be located, together with the form of interest, along with the written consent of the owner of the premises for such use if the applicant is not the owner.
9. Evidence of all land use approvals or conditional land use approvals required to operate the medical marijuana establishment, or applications that have been filed and are pending for the required approvals, including but not limited to building permit, conditional or special use approval, change of use permit and/or certificate of occupancy.
10. Evidence of all other approvals or conditional approvals required to operate the medical marijuana establishment, including any applicable food or victualer's license.
11. Evidence of compliance with the requirements of this ordinance and Planning Board approval.

902.6 – Investigation of applicant, officers, etc..

Upon receipt of an application or of a notice of a change of any of the individuals listed in Section 5 above, the Town shall provide copies of the completed application to the following staff members for purposes of conducting the investigations and issuing reports as listed below:

1. The Code Enforcement Officer shall inspect the location or the proposed location to determine whether the applicable ordinances relating to land use issues and building and safety codes issues have been satisfied and shall report findings in writing to the Town Clerk.
2. The Fire Chief or his/her agent shall inspect the location or proposed location to determine if all Town ordinances and any other applicable regulations concerning fire, health, and safety have been satisfied and shall report findings in writing to the Town Clerk; and
3. The Police Chief or his/her agent shall investigate the application, including the criminal history record information and shall report findings in writing to the Town Clerk.

902.7 – Action on Application

2. Board of Selectmen action. The Board after notice and public hearing, shall determine whether the applicant complies with the requirements of this ordinance. In issuing or renewing licenses, the Board shall give consideration to:
 - a. The character of the applicant
 - b. the location of the place of business
 - c. The manner in which the business has been operated; and
 - d. Whether the operation has endangered the safety of persons in or on areas surrounding the place of business."

Upon determination by the Board that the applicant has met the requirements of this ordinance, the Board shall approve the application and authorize the Town Clerk to issue the license upon payment of the license fee. Failure to pay the license fee within 30 days of Board action on the application shall constitute disapproval of the application and any fees paid to date shall be forfeited.

902.10 – Standards for Approval, denial, revocation, penalties

A license application for a medical marijuana establishment shall be denied by the Board of Selectmen, and an existing license may be suspended or revoked by the Board of Selectmen after notice and hearing, if the applicant, or any owner of the applicant or licensee:

1. Fails to meet the requirements of this ordinance.
2. Is not at least twenty-one (21) years of age.
3. Is not a resident of the State of Maine.
4. Has had a license for a marijuana establishment revoked by a municipality or by the State.
5. Has not acquired all necessary State and local approvals prior to issuance of the license including any approvals required by the Planning Board or Code Enforcement Officer.
6. Has been convicted of a disqualifying drug offense.
7. Has provided false or misleading information in connection with the license application.
8. Fails to begin operation and become fully operational within the following time frames:
 - a. Registered caregiver retail store shall begin operation within sixty (60) days of issuance of the town license and shall be fully operational within one hundred twenty (120) days of issuance of said license.
 - b. All other medical marijuana establishments shall begin operation within one hundred twenty (120) days of issuance of the town license and shall be fully operational within one (1) year of issuance of said license.

PAID DEC 20 2022

Town of Damariscotta
Application for License for Adult Use and Medical Marijuana Stores,
Manufacturing Facilities and Testing Facilities
and Adult Use Cultivation Facilities

APPLICANTS SHOULD READ THE DAMARISCOTTA ADULT USE AND MEDICAL MARIJUANA LICENSING ORDINANCES BEFORE COMPLETING THIS APPLICATION.

ALL DOCUMENTS REQUIRED BY ORDINANCE UNDER 902.5 OF THE MEDICAL MARIJUANA LICENSING ORDINANCES AND 903.5 OF THE ADULT USE MARIJUANA MUST BE ATTACHED

Each applicant for a license shall provide a copy of a criminal background check (to include all present and former names) dated not more than three days prior to submission of application. This can be done on-line here: <http://www5.informe.org/online/per>

NAME OF BUSINESS (Please print): (Caregiver) Danielle Simmons / Above and Beyond Cannabis LLC
BUSINESS ADDRESS: 95 Biscay RD Damariscotta
BUSINESS MAILING ADDRESS: PO Box 961
Damariscotta ME 04543
OWNER'S NAME: Danielle Simmons

- NEW APPLICATION Fee: \$500
- EXISTING FACILITY AS OF 12/13/18 Fee: \$500
- RENEWAL APPLICATION Expires: _____ - No Fee (Renewal Applicants need only complete those sections where information has changed since the new application or most recent renewal application was submitted but must provide a copy of their current State license for adult use and caregiver registration for medical marijuana.)

TYPE OF BUSINESS:

ADULT USE MARIJUANA BUSINESS:

MEDICAL MARIJUANA BUSINESS:

- Retail Store
- Manufacturing Facility
- Cultivation Facility:
 - Nursery
 - Tier I Cultivation (up to 500 SF of mature plant canopy)
 - Tier II Cultivation (500-2,000 SF of mature plant canopy)
 - Tier III Cultivation (2,001-7,000 SF of mature plant canopy)

- Caregiver Retail Store
- Manufacturing Facility
- Testing Facility

DAYS OF THE WEEK AND HOURS OF OPERATION:

S-m 9-7 Summer / Spring / Fall
 S-m 10-6
 T-S 9-7 winter

Attach a copy of all current State Marijuana License(s) as follows:

- Medical Marijuana Business: State of Maine caregiver registration application and registration certificate
- Adult Use Marijuana Business: State License application and Conditional license or current license in the case of a renewal

MAP & LOT OF SUBJECT PROPERTY:

Map: 1 Lot: 67 Zone: C-2

Physical Address of Subject Property:

95 Biscay RD

OWNER OF BULDING/UNIT (if different from applicant):

PRINTED NAME: Raymond Cole

OWNER'S ADDRESS: PO Box 1267 Damariscotta Phone No.: 563 1010

PLEASE ATTACH A COPY OF LEASE (if applicable)

Property owner Signature: [Signature] Date: 12/23/22

Has applicant been denied an application for an adult use or medical marijuana license by another jurisdiction?

No Yes (If yes, explain on a separate sheet)

Has applicant had an adult use or medical marijuana license suspended or revoked by another jurisdiction?

No Yes (If yes, explain on a separate sheet)

Has applicant(s) or any officer, partner, director, stockholder, or member ever been convicted of any violation of the law, other than minor traffic violations in a federal, State or other court? No Yes (If yes, complete the following)

Name: _____ Date of conviction: _____

Offense: _____

Location: _____

Disposition: _____

For Marijuana Store, a Marijuana Cultivation Facility, or a Marijuana Products Manufacturing Facility license applicant:

I certify that I do not have an ownership in, or a direct or indirect financial interest in a Marijuana Testing Facility License.

Applicant Signature *Danielle Simmons*

Applicant Printed Name Danielle Simmons Date 12/21/22

For Marijuana Testing Facility license applicants:

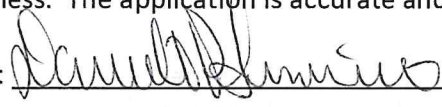
I certify that I do not have an ownership in, or a direct or indirect financial interest in a Marijuana Store, a Marijuana Cultivation Facility, or a Marijuana Manufacturing Facility.

Applicant Signature _____

Applicant Printed Name _____ Date _____

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

I, Danielle Simmons Owner/Operator/Agent of the business, hereby authorize the release of any criminal history record information to the Town Clerk. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto. I further stipulate that I am aware that deliberate falsification of the information herein shall be sufficient cause for denial of a license to operate the business. The application is accurate and true to the best of my knowledge.

Applicant Signature:  Date: 12/21/22

THE OMISSION OF FACTS OR ANY MISREPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.

Town Office to complete the following:

Application date & time: received 12/27/2022  License issued on: _____

Application fee: \$ 500 Annual License fee (payable when Town License is issued): \$ _____

Initial fee and annual fees for both adult use medical commercial facilities:

<i>Adult Use Retail or Registered Caregiver Store</i>	<i>\$5,000</i>
<i>Manufacturing</i>	<i>\$2,500</i>
<i>Testing</i>	<i>\$2,500</i>
<i>Cultivation (Adult-Use only)</i>	
<i>Nursery</i>	<i>\$1,000</i>
<i>Tier I</i>	<i>\$1,000</i>
<i>Tier II</i>	<i>\$1,500</i>
<i>Tier III</i>	<i>\$2,500</i>

**MAINE MEDICAL USE OF CANNABIS PROGRAM****162 STATE HOUSE STATION, 19 UNION STREET, AUGUSTA, ME 04333-0162, FIRST FLOOR**Transaction Type: **Renew my Individual Caregiver Registration** | License: **CGR26326****Transaction Receipt****Attachments/Documentation Needed**

Attachments/Documentation Needed: Your application cannot be processed until you have provided the required documentation described in the Supporting Information section(s) for the following items:

- Local Authorization
- Tobacco Retailer License
- Retail Food Establishment License
- Scale Certification

Transaction Details

- Date of Transaction: **12/25/2022 03:28 PM**
- Transaction Number: **3092478-2947856**
- Applicant: **DANIELLE P SIMMONS**
- Transaction Type: **Renew my Individual Caregiver Registration**
- License Type: **INDIVIDUAL CAREGIVER**
- License: **CGR26326**
- Regulator:

**MAINE MEDICAL USE OF CANNABIS PROGRAM
162 STATE HOUSE STATION, 19 UNION STREET, AUGUSTA, ME 04333-0162, FIRST FLOOR**

- Fee Paid:
Fees are nonrefundable.

Total: \$0**Application Instructions**

Complete this Individual Caregiver Registration renewal application online. After you electronically submit the application, you will receive an email notification with the Notice of Background Check Fee. Upon receipt of the background check fee, if required, the Office of Cannabis Policy will review the application to determine if the Office is in possession of all required forms, supplemental information, criminal history records checks and any other licensing requirements. The Office of Cannabis Policy will notify you by email of the Office's decision on the CGR registration. For more complete instructions, visit the OCP website.

Documents That May be Uploaded with This Application

You will be asked for the following documentation in addition to the basic application information. The online application allows for uploading these required documents. When uploading required documents, please title each document similar to the following examples beginning with last name followed by the document title: LastnameFirstName_Photo, LastnameFirstName_InformationRelease.

Please have documents ready if you wish to upload them with your online application; otherwise, you will be required to provide them to the Office through the "Upload Outstanding Application Documents" option online, by email to Licensing.OCP@maine.gov, or by mail to MAINE MEDICAL USE OF CANNABIS PROGRAM, 162 STATE HOUSE STATION, 19 UNION STREET, FIRST FLOOR, AUGUSTA, ME 04333-0162. This application is not complete and will not be processed until all documentation is provided. Forms referenced below may be found on [OCP's Medical Use Applications and Forms page](#).

- Copy of State-issued photographic identification
- Copy of business operating agreement, if applicable
- Copy of commercial or home kitchen license, if applicable
- Copy of bottling/beverage plant license, if applicable
- Copy of retail food establishment license, if applicable
- Copy of Resale Certificate, if applicable
- Copy of Scale Certification
- Proof of local authorization for caregiver retail store, if applicable
- Copy of tobacco retail/distributor license, if applicable
- Copy of pesticide applicator license, if applicable

Individual Information

Please review the information below. If this information is incorrect, you may contact MAINE MEDICAL USE OF CANNABIS PROGRAM for correction.

First Name: DANIELLE
Full Legal Middle Name: P
Last Name: SIMMONS
Suffix:
Birth Date: 10/26/1992

Sales Tax ID Requirement

You must have a Sales Tax ID before completing this application.

Is your Sales Tax ID number in your individual name, another individual's name, or a business name?: **An individual's name (my own or another's)**

Individual Identification Information

You must provide both a valid State ID (driver's license or State ID) issued by the state in which you currently reside AND a Sales Tax ID. If you do not have a Sales Tax ID, please contact Maine Revenue Services at (207)624-9693 or complete the application online at: <https://www5.informe.org/cgi-bin/online/suwtaxreg/index>.

State ID Information

- ID Type: Driver's License
- ID Number: 9999317
- ID State: Maine
- ID Expire Date: 10/26/2026

Sales Tax ID

****This is not your social security number or IRS issued FEIN number**

- Sales Tax ID Number (must be 7 digits): 1205746

Licensee Contact Information

Address

Address: **95 BISCAY RD, DAMARISCOTTA, ME 04543-4217 US** (Edited)
Address Type: **Retail Location**

Address: **961 BISCAY RD, BREMEN, ME 04551 US**
Directions: **Property owner; Charles Simmons, 961 Biscay Rd Bremen 04551**
Address Type: **Grow Location Mature, Residential Street Location**

Address: **PO BOX 131, BREMEN, ME 04551-0131 US**
Address Type: **Mailing**

Phone

Number: **+1 (207) 380-7627**
Type: **Primary**

Email

A primary email address is required for transaction confirmation purposes. In addition, you must provide an email address to be used for establishing credentials in OCP's inventory tracking system.

Email Address: **aboveandbeyondcannabisllc@gmail.com**
Email Type: **Primary**

Property Owner(s)

Please provide property owner information below as applicable. If you yourself are the owner, you may just enter "SELF".

Legal Name of Property Owner of GROW LOCATION, if applicable: **Charles Simmons**

Grow Location Property Owner Address: **961 Biscay RD
Bremen ME, 04551**

Legal Name of Property Owner of RETAIL LOCATION, if applicable: **Raymond Cole**

Retail Location Property Owner Address: **Po box 1267
Damariscotta ME, 04543**

Legal Name of Property Owner of MANUFACTURING LOCATION, if applicable:

Manufacturing Location Property Owner Address:

Doing Business As Name

Name: **ABOVE AND BEYOND CANNABIS**

Registered Caregiver Authorized Activities

Please select all that apply.

Cultivation activities: **Yes**

Manufacturing of cannabis without the use of inherently hazardous substance extraction: **No**

Manufacturing of cannabis using inherently hazardous substances: **No**

Manufacturing edible cannabis products: **No**

Transfer, donation and/or sale of medical cannabis, concentrate and products to patients: **Yes**

Operation of one caregiver retail store: **Yes**

Purchase or other receipt of wholesale cannabis from other caregivers or dispensaries: **Yes**

Sale or other transfer of wholesale cannabis to other caregivers or dispensaries: **Yes**

Authorized Cultivation Level

Please review the information below and indicate whether you are requesting changes to the cultivation level: **No, the cultivation information displayed here is still accurate**

Type of Cultivation Authorization: **Authorization for mature plants grown under 500 square foot canopy/1,000 square foot immature canopy**
Indoor/Outdoor/Both Canopy: **Both Indoor and Outdoor**

Cultivation Details

Do you use pesticides as defined by the Maine Department of Agriculture, Conservation and Forestry (<https://www.maine.gov/DACF/php/pesticides/public/index.shtml#what-is>)?: **No**

Retail Store Information

Do you sell tobacco products as defined by the Department of Health and Human Services as a product that is made from or derived from tobacco, or that contains nicotine, that is meant to be smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means? Tobacco products include, but are not limited to, cigarettes, cigars, hookah, pipe tobacco, chewing tobacco, snuff, snus, electronic smoking devices, and any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes and liquids used in electronic smoking devices, whether or not they contain nicotine.: **Yes**

Do you sell edible cannabis products?: **Yes**

You must provide proof of local authorization for your retail operation.
You have agreed to provide this information as requested.

Wholesaler Information

Do you sell or distribute tobacco products as defined by the Department of Health and Human Services, which includes but is not limited to cartridges whether or not they contain nicotine?: **Yes**

Tobacco Retailer License

As you have indicated that you sell tobacco products, you must provide a copy of your tobacco retailer license.
You have agreed to provide this information as requested.

Retail Food Establishment License

As you have indicated that you sell edibles, you must provide a copy of your retail food establishment license.
You have agreed to provide this information as requested.

Scale Certification

You must provide a copy of your scale certification in accordance with 10 MRS, ch 501.
You have agreed to provide this information as requested.

Controlled Substance Convictions

Have you ever been convicted of a violation of a state or federal controlled substance law that is a crime punishable by imprisonment for one year or more, whether in Maine or elsewhere?: **No**

Photo Identification

You must provide a copy of State-issued photographic identification issued by the state in which you currently reside.
ID.jpg

Attestations

Please read and attest to the following:

- A. All information on this application is true and correct. Misrepresentation on this application may jeopardize my status as a registered caregiver in the Maine Medical Use of Cannabis Program (MMCP).: **Agree**
- B. I have reviewed the rules and statute to allow me to execute my duties, rights and responsibilities as a caregiver under the laws and regulations governing the MMCP.: **Agree**
- C. In the event that law enforcement, OCP staff, and/or their representatives question my status as a card holder, I must provide my registry identification card and current government-issued photo ID.: **Agree**
- D. I will comply with inspections, as required, and refusal of entry could jeopardize my status as a caregiver.: **Agree**
- E. I will comply with applicable regulations and requirements if I am producing edibles with medical cannabis or using pesticides in the cultivation of medical cannabis.: **Agree**
- F. I will abide by packaging and labeling requirements as defined in MMCP rules and statute.: **Agree**
- G. I will not sell, furnish or give cannabis to a person who is not allowed to possess cannabis for medical purposes.: **Agree**
- H. I may operate one retail store to sell harvested cannabis to qualifying patients for the patients' medical use.: **Agree**
- I. I may employ assistants to assist in performing the duties of the caregiver and they must be registered with the State of Maine in accordance with state law.: **Agree**
- J. I have provided my social security number or federal identification number for reporting to the Maine Revenue Service for tax purposes only.: **Agree**
- K. I will collect and remit sales tax related to my sales and transactions of medical cannabis.: **Agree**
- L. I have reviewed local/town/municipal ordinances and my status as a caregiver does not violate any ordinances currently in place.: **Agree**
- M. I will submit to annual background checks as required in statute or as required by program policy.: **Agree**
- N. I must submit a new application each time I apply for a card and renew a card.: **Agree**
- O. If any of my information changes after this application is processed, I must notify OCP.: **Agree**
- P. If I do not comply with these requirements, the Department of Administrative and Financial Services may revoke authorization to serve as a caregiver under the Maine law.: **Agree**

Applicant's Signature: **Danielle Simmons**

Background Check

Has the Office of Cannabis Policy completed a background check for you in the past 12 months for a Caregiver Assistant, Dispensary Employee Registration, or Registry Identification Card?: **No**

Attest & Agree

You cannot submit this request unless you attest to the accuracy of the information provided within this application.

I hereby certify that the information provided on this application is true and accurate to the best of my knowledge and belief.

Questions about this service? Contact MAINE MEDICAL USE OF CANNABIS PROGRAM at: (207) 287-3282 or email: Licensing.OCP@maine.gov

Credits



Copyright © 2019
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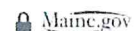
Information

[Maine.gov](#)

[Site Policies](#)

[Contact technical support.](#)

Transaction Security





Maine Medical Use
Of Marijuana

Date Issued: 03/18/2021
Expires: 03/17/2022

Individual Caregiver

DANIELLE P. SIMMONS

DBA: ABOVE AND BEYOND CANNABIS

DOB: 10/26/1992

Retail Location: 464 MAIN ST, DAMARISCOTTA, ME
04543-4677

Registration #: CGR26326

Control #: 361910

Authorized for: Plant Canopy-500 square feet

To whom it may concern,

At the address 95 Biscay RD, we intend to put in a medical marijuana caregiver retail store, along with a tobacco smoking accessories store under Above and Beyond. We opened this store at the location 464 Main ST in October 2020 during the pandemic. It became a concern of ours in September 2022 when our lease was up that the building is being sold. This store has offered new job opportunities to the community as well as allowing patients to get top quality products locally at reasonable prices.

We plan to continue to be open 7 days a week between the hours of 9am-7pm. We have two shifts with the caregiver on duties at times. The shifts are 830am-530pm and 10:30am-730pm. We will use the main entrance as a glass store and convert the already existing partition into an operational medical marijuana retail store front. We will include all necessary security measures for compliance with state and town laws. At the time of closure, our store was seeing 30-40 people on an average day.

Our employees have been trained to check people's IDs as soon as someone enters through the door. There will be a 21+ or medical card only sign on the door. If someone does not reach one of these standards, they will not be allowed entrance (unless grandfathered under MT21). If they request to go into the medical room, they will have to show ID and medical card to the employee, if they do not they will be told they cannot be served.

We have hired a security specialist to install a top of the line security system to be monitored by seacoast security in Rockport. We will have cameras covering every interior and exterior inch of the store making sure everything is visible at all times. We will have cameras pointing at every door before people come in. We will also have a camera pointed at every pos monitor and cash register. The hard drive holding these files will be capable of holding them for at least 90 days and will have a cloud backup. We will have locks and deadbolts on every door including locks on the windows. Motion detectors inside and an alarm system that is audible and monitored. The monitoring will allow the licensee and police to be called need be. We will also install motion detecting lights outside the entire building.

We have a fully registered caregiver, Danielle who can employ the employees legally to sell medical marijuana to patients who come in. We will sell items including but not limited to concentrates, tinctures, edibles, pre rolls etc. along with other items related to marijuana. We will use the biotrackthc POS system to monitor and keep track of all of our sales and stock. We will put in a uvb ventilation and sterilization system in the building to eliminate the odor. The limited access areas will be behind the cash registers.

The medical partition will be in the already separated room through the door. When you enter the partition there will be 2 display cases with all our different products that we listed. Behind the display we will have two locking refrigerators to refrigerate concentrates and edibles. The customers will not be able to access any marijuana themselves. In this room we will offer patients with a medical marijuana card to purchase product such as but not limited to, medical marijuana, concentrates, pre rolls, the vape cartages, edibles, tinctures, capsules and pain rubs.

The smoking accessories store will be a business where the employees help get the glass items out of cases and the items that are behind the counter. They will direct them to the items they are looking for and check them out at the pos system. They will wrap the glass items with bubble wrap and tape and bag them up. They are responsible for receiving the money and putting it into the pos system. They will also keep track of inventory according to the pos system and take in deliveries, stock items, and add them to the pos. These display cases will have papers, lighters, bowls, chillums, and other smoking accessories. We will have shelves for different accessories behind the counter including butane torches, butane, Cbd and other nic-nacs.

The medical marijuana retail storefront employee will have a more intricate job. They will be responsible for checking the medical cards of the patient they are serving as well as putting their information into the indicaonline program. They will be responsible for telling the patient the medical capabilities of each strain and item as well as weighing them up on a scale if we do not have it prepackaged. They will be responsible for receiving the money given to them and putting it into the register.

I have attached our current inventory for both glass and medical marijuana.

Sincerely,
Danielle Simmons



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Date of this notice: 09-25-2020

Employer Identification Number:
85-3176725

Form: SS-4

Number of this notice: CP 575 A

ABOVE AND BEYOND CANNABIS LLC
CHARLES A SIMMONS MBR
464 MAIN ST
DAMARISCOTTA, ME 04543

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 85-3176725. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 940	01/31/2021
Form 1065	03/15/2021
Form 944	01/31/2021

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

MAINE
LIMITED LIABILITY COMPANY

STATE OF MAINE

CERTIFICATE OF FORMATION

Filing Fee \$175.00

File No. 20212013DC Pages 2
Fee Paid \$ 175
DCN 2202582330027 DLLC
---FILED---
09/11/2020


Deputy Secretary of State

A True Copy When Attested By Signature

Deputy Secretary of State

Pursuant to 31 MRSA §1531, the undersigned executes and delivers the following Certificate of Formation:

FIRST: The name of the limited liability company is:

above and beyond cannabis llc

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "L.L.C.," "LLC," "L.C." or "LC" or, in the case of a low-profit limited liability company, "L3C" or "L3c" - see 31 MRSA 1508.)

SECOND: Filing Date: (select one)

- Date of this filing; or
 Later effective date (specified here): _____

THIRD: Designation as a low profit LLC (Check only if applicable):

This is a low-profit limited liability company pursuant to 31 MRSA §1611 meeting all qualifications set forth here:

- A. The company intends to qualify as a low-profit limited liability company;
- B. The company must at all times significantly further the accomplishment of one or more of the charitable or educational purposes within the meaning of Section 170(c)(2)(B) of the Internal Revenue Code of 1986, as it may be amended, revised or succeeded, and must list the specific charitable or educational purposes the company will further;
- C. No significant purpose of the company is the production of income or the appreciation of property. The fact that a person produces significant income or capital appreciation is not, in the absence of other factors, conclusive evidence of a significant purpose involving the production of income or the appreciation of property; and
- D. No purpose of the company is to accomplish one or more political or legislative purpose within the meaning of Section 170(c)(2)(D) of the Internal Revenue Code of 1986, or its successor.

FOURTH: Designation as a professional LLC (Check only if applicable):

This is a professional limited liability company* formed pursuant to 13 MRSA Chapter 22-A to provide the following professional services:

(Type of professional services)

FIFTH: The Registered Agent is a: (select either a Commercial or Noncommercial Registered Agent)



Commercial Registered Agent

CRA Public Number: P10154

United States Corporation Agents, Inc.

(Name of commercial registered agent)



Noncommercial Registered Agent

(Name of noncommercial registered agent)

(physical location, not P.O. Box – street, city, state and zip code)

(mailing address if different from above)

SIXTH: Pursuant to 5 MRSA §105.2, the registered agent listed above has consented to serve as the registered agent for this limited liability company.

SEVENTH: Other matters the members determine to include are set forth in the attached Exhibit _____, and made a part hereof.

****Authorized person(s)**

Dated 9/10/2020



(Signature of authorized person)

Cheyenne Moseley, Assistant Secretary, LegalZoom.com, Inc.

(Type or print name of authorized person)

(Signature of authorized person)

(Type or print name of authorized person)

***Examples of professional service limited liability companies are accountants, attorneys, chiropractors, dentists, registered nurses and veterinarians. (This is not an inclusive list – see 13 MRSA §723.7)**

****Pursuant to 31 MRSA §1676.1.A, Certificate of Formation MUST be signed by at least one authorized person.**

The execution of this certificate constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453.

Please remit your payment made payable to the Maine Secretary of State.

Submit completed form to:

Secretary of State
Division of Corporations, UCC and Commissions
101 State House Station
Augusta, ME 04333-0101
Telephone Inquiries: (207) 624-7752

Email Inquiries: CEC.Corporations@Maine.gov

Current Inventory

Product	Remaining Count
\$18 Banana Runtz	53.00
\$18 Blue Diamond Sugar Wax	29.00
\$18 Blue Dream	63.00
\$18 Cake Batter	15.00
\$18 Clementine	66.00
\$18 Durban Poison	53.00
\$18 Ekto Cooler	54.00
\$18 Garanimals Sugar Wax	34.00
\$18 Gelato Sugar Wax	49.00
\$18 Glazed Apricot Gelato	56.00
\$18 Granddaddy Purp	37.00
\$18 Green Crack Sauce	14.00
\$18 Last Supper	12.00
\$18 Night Terror OG	9.00
\$18 OG Kush	54.00
\$18 PB Breath	12.00
\$18 Pineapple Express	19.00
\$18 Silver Kush Sugar Wax	2.00
\$18 Super Lemon Haze	64.00
\$18 Super Sour Diesel	62.00
\$18 Tangie Sugar Wax	28.00
\$18 Watermelon Zkittles	42.00
\$18 Wedding Cake	38.00
\$18 Wedding Pie Sugar wax	19.00
\$18 White Widow Sauce	35.00
\$18 Zkittles	55.00
\$25 Conc Disc	1.00
10 For \$105 Kief Coat	58.00
10mg Gummies Lemon	58.00
1g Distillate Dart	3.00
1g Kief	13.00
1g RSO	17.00
1g RSO	4.00
2 For \$22 Kief Coat	30.00
3.5g Orange Cookies sugar wax	9.00
3.5g Tangie Sugar Wax	4.00
30mg Gummies Lemon	24.00

5/108 Concentrates	35.00
AB Dark Choc 300mg	16.00
AB Dark Sea Salt Choc 300mg	8.00
AB Milk PB Choc 300mg	8.00
AB Pep White Choc 300mg	10.00
AB Single Dark 25mg	20.00
AB Single Dark Salted 25mg	2.00
Acapulco Gold Pre Roll	22.00
Acapulco Gold Pre Roll	23.00
Animal Cookies Sauce	61.00
Animal Tree Diamonds	23.00
Apple Mac Diamonds	5.00
Apples and Bananas Flower	14.00
BT Capsules 1:1 CBD:THC 250mg	20.00
BT Capsules THC 250mg	10.00
BT Cart Blackberry Kush .5g	3.00
BT Cart Blood Orange .5g	10.00
BT Cart Blue Rasp .5	4.00
BT Cart Blueberry .5g	11.00
BT Cart Forbidden Fruit .5g	12.00
BT Cart Gelato 33 .5g	8.00
BT Cart Lemon Drop .5g	7.00
BT Cart Orange Pineapple .5	12.00
BT Cart Pineapple Express .5g	8.00
BT Cart Trop Cookies .5	11.00
BT Cart Watermelon Zkittles .5	7.00
BT Crispy Choc 100mg	4.00
BT Crispy Fruity 100mg	1.00
BT Drink Blueberry Lemonade 100 mg	8.00
BT Drink Fruit Punch 100mg	18.00
BT Drink Grape 100 mg	8.00
BT Drink Lemon Iced Tea 100 mg	4.00
BT Drink Original Lemonade 100 mg	3.00
BZ Gummies Blue Dream 150mg	6.00
Bahama Busdown Pre Roll	91.00
Bahama Mama Kief Coat	44.00
Bahama Mama Pre Roll	37.00
Banana Pie w/Kief	57.00
Banana Runtz Cart	12.00
Bruce Banner Sauce	11.00

Burnham Redeye Sugar Wax	17.00
C207 Blueberry Muffin	56.00
C207 Ice Cream Candy	56.00
C207 Shire 2.0	56.00
C207 Sundae Driver	56.00
Cheese Quake Crumble	22.00
ChemDawg Diamonds	20.00
Cookies and Cream Flower	136.50
Dirigo 100mg Blue Rasp	1.00
Dirigo 100mg Blueberry	8.00
Dirigo 100mg Grape	10.00
Dirigo 100mg Grape	2.00
Dirigo 100mg Lemon	9.00
Dirigo 100mg Peach	4.00
Dirigo 100mg Pineapple	10.00
Dirigo 100mg Pineapple	4.00
Dirigo 100mg Sour Apple	4.00
Dirigo 100mg Sour Rasp	9.00
Dirigo 100mg Strawberry	14.00
Dirigo 100mg Watermelon	11.00
Dirigo Blue Rasp 300mg	7.00
Dirigo Cart Gorilla Glue	1.00
Dirigo Cart Wedding Cake	6.00
Dirigo Cart Zkittles	15.00
Dirigo Lemon 300mg	8.00
Dirigo Mango 300mg	1.00
Dirigo Peach 300mg	2.00
Dirigo Sour Apple 300mg	6.00
Dirigo Strawberry 300mg	13.00
Dirigo Watermelon 300mg	5.00
Dosido Sauce	61.00
Durban Poison Cart	12.00
Durban Poison Pre Roll	26.00
First Class Funk Sauce	64.00
GDP Cart	11.00
Green Crack Sauce	69.00
Guava Bars Pre Roll	75.00
Guava Cream Flower	24.50
Guava Cream Preroll	55.00
Guava'Z Pre Roll	33.00
Gushcanna Flower	35.00

Gushcanna Kief Coat	35.00
Gushers Pre Roll	102.00
HC Alaskan Thunder Fuck	26.00
HC Apple Jack	18.00
HC Apple Jack	16.00
HC Banana Runtz	21.00
HC Biscotti	25.00
HC Blueberry	17.00
HC Chemdawg	25.00
HC Clementine	22.00
HC Diablo OG	24.00
HC Dragon Berry	19.00
HC GMO	25.00
HC Gelato	20.00
HC Grape Stomper	27.00
HC Headband	25.00
HC Jungle Cake	18.00
HC Motor Breath	23.00
HC Pineapple Express	29.00
HC Pink Panties	29.00
HC Sour Cherry Sherb	18.00
HC Sour Diesel	35.00
HC Sour Lato	23.00
HC Strawnana	24.00
HC Thin Mint Cookies	15.00
HC White Widow	18.00
HC Yoda OG	14.00
HT 420 Mega Rope 420mg	4.00
HT Coffee Creamer 320mg	3.00
HT Hard Candy Fruity Mix 100mg	3.00
HT Hard Candy Sour Mix 100mg	7.00
HT Honey Jar THC 400mg	1.00
HT Honey Sticks 20mg	34.00
HT Ice Pop Lemonade 100mg	2.00
HT Lil Biggie 200mg	5.00
HT Lolli 100mg Grape	10.00
HT Lolli 100mg Orange Creamcicle	2.00
HT Lolli 100mg Orange Creamcicle	1.00
HT Lolli 100mg Root Beer Float	8.00
HT Lolli 100mg Strawberry	13.00

HT Lolli 100mg Wild Maine Blueberry	2.00
HT Lolli 50mg Grape	10.00
HT Lolli 50mg Grape	4.00
HT Lolli 50mg Orange Creamsicle	10.00
HT Lolli 50mg Orange Creamsicle	1.00
HT Lolli 50mg Rootbeer Float	5.00
HT Lolli 50mg Strawberry	4.00
HT Lolli 50mg Wild Maine Blueberry	3.00
HT Nugz 3 Nugetteers 100mg	12.00
HT Nugz Birthday Cake Nug 100mg	3.00
HT Nugz Deez Nug100mg	3.00
HT Nugz Deez Nug100mg	4.00
HT Nugz Peanut Butter 100mg	3.00
HT Nugz Peanut Butter 100mg	4.00
HT Snacks Ranch-Itz 100mg	6.00
HT Snacks Wing Nuts 100mg	9.00
HT Squares Banana Split 150mg	3.00
HT Squares Key Lime Coconut 150mg	8.00
HT Squares Raspberry Chocolate 150mg	7.00
HT Squares Tumbledown Mints	8.00
HT Sugar 240mg	3.00
HT Sugar Stix 50mg	46.00
HT THC Pain Rub 1000mg	5.00
HT THC Pain Rub 1000mg	3.00
HT THC Pain Rub 250mg	1.00
HT THC Pain Rub 250mg	3.00
HT THC Pain Rub 500mg	5.00
HT THC Pain Rub 500mg	3.00
Hazlenut Cream Flower	52.50
Headband Sugar Wax	22.00
Hulkberry Pre Roll	58.00
Hulkberry Sauce	24.00
Inzane Honeycomb	29.00
Jungle Fruit Flower	133.00
Jungle Fruit Honeycomb	32.00
Jungle Fruit Pre Roll	50.00
Jungle Fruit Pre Roll	22.00
Kind Dark - Dark Macadamia Bar 300mg	3.00
Kind Dark - Dark Mint Bar 300mg	9.00
Kind Dark - Dark Salted Almond Bar 300mg	4.00
Kind Dark - Dark Toffee Crunch Bar 300mg	4.00

Kind Dark - Extra Dark Bar 300mg	52.00
Kind Dark - Peppermint Bar 300mg	8.00
Kind Milk - Classic Milk Bar 300mg	15.00
Kind Milk - Milk Cookie Crunch Bar 300mg	3.00
Kind Milk - Milk Salted Almond Bar 300mg	4.00
Kind Milk - Milk Toffee Crunch Bar 300mg	8.00
Kind Milk - Peanut Butter Bar 300mg	6.00
Kind Milk - Rice Crispies Bar 300mg	4.00
Kind Milk - Strawberry Bits Bar 300mg	5.00
Kind Milk - Toasted Coconut Bar 300mg	3.00
Kind Pretzels Carmel 300mg	11.00
Kind Pretzels Milk 300mg	5.00
Kind Pretzels Peanut Butter 300mg	3.00
Kind Pretzels White 300mg	5.00
Kind White - Caramel Bar 300mg	4.00
Kind White - Classic White 300mg	3.00
Kind White - Fruity Pebbles Bar 300mg	9.00
Kind White - Salted Pistachio Bar 300mg	6.00
Kind White - White Macadamia Bar 300mg	3.00
LF Chocolate Caramels 250 mg	4.00
LF Gummies Cherry 300 mg	8.00
LF Gummies Grape 300 mg	1.00
LF Gummies Green Apple 300 mg	5.00
LF Gummies Peach 300 mg	5.00
LF Gummies Peach 300 mg	4.00
LF Nerd Bites Cherry	1.00
LF Nerd Bites Grn Apple	3.00
LF Sherblato Badder	2.00
Lemon Lush Pre Roll	6.00
Lemon Lush Pre Roll	50.00
Lemon Skunk Preroll	50.00
Lemon Tree Flower	150.50
Master Kush Sugar Wax	18.00
Meat Breath Flower	70.00
Mojo 1000mg Gummies Berry Lemonade	1.00
Mojo 1000mg Gummies Magic Dew	1.00
Mojo 1000mg Gummies Mango Tango	1.00
Mojo 1000mg Gummies Vanilla Cola	1.00
Mojo 100mg Drink Berry Patch Tea	3.00
Mojo 100mg Drink Mulled Cider	1.00

Mojo 100mg Drink Trop Lemonade	2.00
Mojo 200mg Drink - Indica Rasp Hibiscus	3.00
Mojo 200mg Drink - Sativa Rasp Hibiscus	6.00
Mojo 500mg Gummies Berry Lemonade	8.00
Mojo 500mg Gummies Magic Dew	9.00
Mojo 500mg Gummies Mango Tango	3.00
Mojo 500mg Gummies Vanilla Cola	7.00
Mojo Fudge Chocolate	3.00
Mojo Fudge PB	5.00
Mojo Gummies Vegan 100mg	4.00
Mojo Hot Coco Mix 100mg	5.00
Mojo Lolli 100mg Green Apple	22.00
Mojo Lolli 100mg Nerd Citrus Burst	1.00
Mojo Lolli 100mg Nerd Sour Rasp	1.00
Mojo Lolli 50mg Blue Raspberry	18.00
Mojo Lolli 50mg Lemon Lime	6.00
Mojo Lolli 50mg Rootbeer	8.00
Mojo Lolli 50mg Strawberry	1.00
Mojo Lolli 50mg Tangerine	4.00
Mojo Lolli 50mg Watermelon	10.00
Mojo Pebble Bites Dark	5.00
Mojo Pebble Bites White	6.00
Mojo Pot Ramen Original 100mg	2.00
Mojo Pot Ramen Spicy Korean 100mg	4.00
Mojo Rising Dark Chocolate 1500MG	6.00
Mojo Rising Dark Salted PB 1500mg	1.00
Mojo Rising Milk Chocolate Almond 1500mg	4.00
Mojo Rising Milk Chocolate Coconut 1500mg	3.00
Mojo Rising Milk Cripsy 1500MG	3.00
Mojo Rising Vegan Milk Choc 1500MG	4.00
Mojo Rising White - Gone 'Ishing 1500mg	2.00
Mojo Rising White Blueberry Cheesecake	6.00
Mojo Rising White Blueberry Cheesecake	2.00
Mojo Rising White Chocolate Raspberry 1500mg	5.00
Mojo Rising White Plain 1500MG	3.00
Mojo Sug FREE Pack 20mg	14.00
Mojo Sugar Packet 20mg	54.00
Mojo Tincture 1:1 300mg CBD/THC	5.00
Mojo Tincture Inda-Couch	4.00
Mojo Tincture Sativ-Up	9.00
Mojo Tincture THC 1200mg	7.00

Mojo Tincture THC 600 mg	3.00
Moon Rocks	0.70
Moon Rocks	20.00
Nite Life Pre Roll	2.00
Nitelife Kief Coat	54.00
OG Kush Cart	14.00
Orange Cookies Sugar Wax	39.00
PTA Gummies Blue Rasp	16.00
PTA Gummies Grape Soda	18.00
PTA Gummies Sour Apple	18.00
PTA Gummies Sour Cherry	16.00
PTA Gummies Watermelon	16.00
PTA: Cart 24K Gold Punch	26.00
PTA: Cart Agent Orange	4.00
PTA: Cart Banana Kush	6.00
PTA: Cart Blackberry Kush	11.00
PTA: Cart Blue Dream	8.00
PTA: Cart Blue Zkittles	10.00
PTA: Cart Cherry Sherbert	11.00
PTA: Cart Clementine	15.00
PTA: Cart Double Bubble OG	13.00
PTA: Cart Ekto Cooler	38.00
PTA: Cart Golden Pineapple	26.00
PTA: Cart Grape Goji OG	36.00
PTA: Cart Grapefruit Rom	13.00
PTA: Cart Lemon Jack	21.00
PTA: Cart Mai Tai	21.00
PTA: Cart Maui Wowie	23.00
PTA: Cart Strawberry Shortcake	16.00
PTA: Cart Tropicana Cookie	14.00
PTA: Cart Watermelon Zkittles	15.00
PTA: Cart Wedding Cake	10.00
Papaya BX Kief Coat	22.00
Papaya BX Preroll	64.00
Papaya Power Preroll	37.00
Papaya Power Preroll	50.00
Peanut Butter Breath Flower	10.50
Pineapple Runtz Pre Roll	67.00
Pre Roll Pack Bahama Mama	5.00
Pre Roll Pack Guava Bars	8.00

Pre Roll Pack Papaya BX	11.00
Pre Roll Pack Strawberry Candy	8.00
Pre Roll Pack Trop Haze	6.00
Pre Roll Pack Zummy Bears	2.00
Pre Roll Pack Zummy Bears	10.00
Rambutan Flower	119.00
Rambutan Pre Roll	7.00
SBF 100mg Taffy Lemonde	5.00
SBF 100mg Taffy Melon	2.00
SBF 100mg Taffy Orange Cream Caramel	3.00
SBF 100mg Taffy Pomegranate	5.00
SBF 100mg Truffles Banana	3.00
SBF 100mg Truffles Boston Cream	1.00
SBF 100mg Truffles Caramel	10.00
SBF 100mg Truffles Coconut	3.00
SBF 100mg Truffles PB	6.00
SBF 100mg Truffles Rasp Fudge	1.00
SBF Gummies Sour 100mg	17.00
SBF Gummies Sour 500mg	18.00
SBM FS Chocolate Salty Balls 100 mg	4.00
SBM FS Drink 300mg Fruit Punch	7.00
SBM FS Drink Apple Cider 200 MG	6.00
SBM FS Drink Fruit Punch 200 MG	14.00
SBM FS Drink Lemonade 200mg	5.00
SBM FS Drink Pineapple Mango 200 MG	8.00
SBM FS Jolly Beans 100mg	17.00
SBM FS Jolly Beans 200mg	6.00
SBM FS Mermaid Tears 100mg	9.00
SBM FS Mermaid Tears 200mg	2.00
Salmon River OG Crumble	1.00
Sour Diesel Budder	5.00
Squier's 100mg Rasp Lime	1.00
Squier's 10mg Straw Rhubarb	3.00
Squier's 400mg Cran Apple	2.00
Squier's 800mg Blue Lemon	3.00
Straw Bubbles Kief Coat	7.00
Straw Candy Kief Coat	17.00
Strawberry Bubbles Pre Roll	46.00
Strawberry Cough Sugar Wax	42.00
Strawberry Cream Kief Coat	76.00
Strawnana Sauce	42.00

Sunset Sherbet Sauce	33.00
Super Lemon Haze Cart	3.00
TG 207 Franken Cakes Shatter	40.00
TG 207 Garanimals	136.50
TG 207 Purple Chemdawg	35.00
TG 207 Slap n Tickle Shatter	38.00
TG 207 Tyde Podz	17.50
TG 207 Tyde Podz	42.00
TG Gary Payton 1g	25.00
TG Guava Gream 1g	13.00
TG Hot Sauce 1g	28.00
TG MAC 1g	35.00
TG Purple Punch 1g	41.00
TG Vapor Fuel 1g	19.00
TG207 Trop Cherry Flower	70.00
Tangie	17.00
Tangie Candie Flower	112.00
Tangie Pre Roll	12.00
Tangie Pre Roll	17.00
Titty Sprinkles Preroll	57.00
Tropicana Cookies Sauce	54.00
Tropicanna Haze Preroll	38.00
Watermelon Zkittles Flower	126.00
Wedding Cake Sugar Wax	28.00
White Truffle Flower	38.50
ZGF .5g Cherry Zkittles	10.00
ZGF .5g Ekto Cooler	10.00
ZGF .5g Peach Dream	10.00
ZGF .5g Runtz	5.00
ZGF .5g Strawberry Diesel	11.00
ZGF Gastro Pop	38.50
ZGF Lemon Lava	108.50
ZGF Mr Clean Flower	24.50
Zummy Bears Kief Coat	83.00
	7881.20

Glass

Current Inventory

Product	Remaining Count
\$10 Fee	3.00
8in Octopus Bong	1.00
AnB Keychain \$5	243.00
Ash Catcher \$35	1.00
Ash Catcher \$40	5.00
Ashtray Silicone Pot Leaf \$25	1.00
Avocado Clip \$20	2.00
BT CBD Dog Treats Peanut Butter 100mg	6.00
BT CBD Full Spec Soft Gels 600mg	3.00
Banger \$20	27.00
Banger \$25	66.00
Banger \$30	35.00
Banger \$35	2.00
Banger Cold Start \$3	9.00
Banger Glass Reclaim \$45	18.00
Banger Kit 45 Deg \$35	1.00
Banger Kit 90 Deg \$35	3.00
Banger Kit Glasshouse \$35	8.00
Banger Kit SK Blue \$40	1.00
Banger Kit SK Fuschia \$40	2.00
Banger Kit SK Green \$40	2.00
Banger Kit SK Orange \$40	3.00
Banger Kit SK Salmon \$40	3.00
Banger Kit SK Yellow \$40	3.00
Banger Kit X Aleaf \$40	9.00
Banger Kit Z Aleaf \$40	4.00
Banger Reclaim WR \$18	30.00
Bic Lighter	11.00
Blazer Big Buddy Blue \$60	1.00
Blazer Big Buddy Green \$60	1.00
Blazer Big Buddy Orange \$60	2.00
Blazer Big Buddy Pink \$60	1.00
Blazer Big Buddy Purple \$60	2.00
Blazer Big Buddy White \$60	1.00
Blazer Big Shot \$110	1.00
Blazer Silicone Nozzle Guard Black	1.00
Blazer Silicone Nozzle Guard Purple	1.00

Blazer- Turbo Guard Black	1.00
Blazer- Turbo Guard Silver	1.00
Blazy Susan Pink Qtip	4.00
Bluntlife Spray \$6	44.00
Bong \$100	8.00
Bong \$105	11.00
Bong \$120	6.00
Bong \$125	1.00
Bong \$130	7.00
Bong \$160	1.00
Bong \$190	1.00
Bong \$210	2.00
Bong \$240	1.00
Bong \$25	2.00
Bong \$260	1.00
Bong \$30	6.00
Bong \$35	2.00
Bong \$40	3.00
Bong \$40	2.00
Bong \$40	1.00
Bong \$45	2.00
Bong \$45	2.00
Bong \$50	13.00
Bong \$50	3.00
Bong \$55	1.00
Bong \$60	9.00
Bong \$65	5.00
Bong \$70	1.00
Bong \$70	3.00
Bong \$75	4.00
Bong \$75	4.00
Bong \$80	16.00
Bong \$80	1.00
Bong \$85	3.00
Bong \$85	1.00
Bong \$85	1.00
Bong \$90	1.00
Bong \$90	2.00
Bong \$90	3.00
Bong \$95	1.00

Bong All in One \$150	1.00
Bong Clip 14mm \$2	197.00
Bong Clip 19mm \$2	200.00
Bong Connect \$80	1.00
Boveda Large \$10	7.00
Boveda Small \$3	5.00
Bowl \$90	2.00
Bowl Head \$10	22.00
Bowl Head \$15	5.00
Bowl Head \$20	7.00
Bowl Head \$25	18.00
Bowl Head \$30	2.00
Bowl Head \$35	9.00
Bowl Head \$40	2.00
Bowl Head \$65	1.00
Bowl Head \$65	1.00
Bowl Head Martini \$10	18.00
Bowl Head Martini \$8	6.00
Bowl Head Ooze \$10	8.00
Bowl Local \$25	4.00
Bowl Local \$30	2.00
Bowls \$20	13.00
Bowls \$25	15.00
Bowls \$30	21.00
Bowls \$35	23.00
Bowls \$40	1.00
Bowls \$40	14.00
Bowls \$45	12.00
Bowls \$55	7.00
Bowls \$55	1.00
Bowls \$65	1.00
Bowls \$75	2.00
Bowls Local \$45	2.00
Bowls Local \$55	3.00
Butane \$12	20.00
CBD Pet Oil 1000mg Beef	2.00
CBD Pet Oil 1000mg Chicken	2.00
CBD Pet Oil 250mg Beef	2.00
CBD Pet Oil 250mg Chicken	1.00
Carb Cap \$20	35.00
Carb Cap \$60	1.00

Carb Caps \$15	26.00
Carb Caps \$20	33.00
Carb Caps \$30	10.00
Carb Caps \$35	8.00
Charger \$5	43.00
Dab Kit \$50	9.00
Dab Kit \$55	2.00
Dab Kit 18mm \$45	2.00
Dab Kit Dual Nectar/Bong \$45	3.00
Dab Kit Metal \$25	2.00
Dab Kit Micro NC \$35	4.00
Dab Mat \$18	51.00
Dab Puck \$10	12.00
Dab Puck \$15	9.00
Dab Puck \$20	4.00
Dab Puck \$5	84.00
Dab Straw \$10	68.00
Dab Straw \$15	9.00
Dab Straw \$20	11.00
Dab Straw \$25	25.00
Dab Straw \$30	6.00
Dab Straw \$35	1.00
Dab Straw Electric Ooze Black \$60	1.00
Dab Straw Electric Ooze Gold \$60	1.00
Dab Straw Electric Ooze Silver \$60	1.00
Dab Straw Electric SK \$55	4.00
Dab Straw Tips \$10	40.00
Dab Tool \$10	57.00
Dab Tool \$15	12.00
Dab Tool Dab Inc \$10	7.00
Dab Tool Glass \$20	3.00
Dabeast Cream 600mg	1.00
Dabeast Sour Gummies 750mg	8.00
Downstem \$10	19.00
Downstem \$12	24.00
Drop Down Adaptors \$10	8.00
Dual Connectors \$5	9.00
Elements Single Wide	12.00
Foam Ball Ash Tray \$35	1.00
Formula 420 - 12OZ	25.00

Formula 420 - 4OZ	4.00
Formula 420 Cleaning Cap LG	24.00
Formula 420 Cleaning Cap SM	20.00
Formula 420 Natural	16.00
Formula 420 Plastic	24.00
Formula 420 Soak-N-Rinse	17.00
Formula 710 Advance	11.00
Formula 710 Instant	27.00
GG Ease \$40	4.00
GG Relax \$40	2.00
GG Soothe \$40	3.00
GG Soothe Trial Pack \$12	2.00
GP 14F \$80	1.00
GP 14M \$80	8.00
GP 14M Opal \$110	5.00
GP 14M Opal \$90	5.00
GP 18F \$80	4.00
GP 18M \$80	7.00
GP Handle \$25	8.00
GP Tubes \$10	12.00
Gift Card \$100	3.00
Gift Card \$20	2.00
Gift Card \$50	2.00
Gift Card \$60	9.00
Gift Card \$80	10.00
Gift Cards \$40	5.00
Glass Screens \$2	372.00
Glass Tips \$2	162.00
Grinder \$10	3.00
Grinder \$10	2.00
Grinder \$30	8.00
Grinder \$35	18.00
Grinder \$40	3.00
Grinder \$40	3.00
Grinder \$45	5.00
Grinder \$50	4.00
Grinder 3in1 \$25	2.00
Grinder Pink Ooze \$40	1.00
Grinder Wakit Black \$65	2.00
Grinder Wakit Goddess \$65	1.00
Grinder Wakit Lucid \$65	2.00

HR FS CBD Tincture 1000mg	3.00
Hemper Blueberry \$4	18.00
Hemper Watermelon \$4	18.00
Hempz CBD Lotion	2.00
Hoodie - 2XL	3.00
Hoodie - 3XL	2.00
Hoodie - M	3.00
Hoodie - S	3.00
Hoodie - XL	2.00
Hoodie - XS	3.00
HuffyPuffy Dab Attachment \$20	2.00
Humidity Pack King Palm \$3	50.00
King Palm - Banana Cream	53.00
King Palm - Berry Terps	43.00
King Palm - Cherry Charm	20.00
King Palm - Cherry Charm	16.00
King Palm - Fruit Passion	13.00
King Palm - Lemon Haze	1.00
King Palm - Lemon Haze	20.00
King Palm - Magic Mint	32.00
King Palm - Mango	14.00
King Palm - Mango	20.00
King Palm - Margarita	28.00
King Palm - Original	20.00
King Palm - Peach Tree	18.00
King Palm - Perfect Pear	10.00
King Palm - Perfect Pear	9.00
King Palm - Pine Drip	15.00
King Palm - Pine Drip	3.00
King Palm - Single Grape	6.00
King Palm - Single Green Apple	17.00
King Palm - Strawberry Shortcake	12.00
King Palm - Suga Punch	6.00
King Palm - Tips Banana	37.00
King Palm - Tips Blueberry	32.00
King Palm - Tips Lemon	50.00
King Palm - Tips Lemon	36.00
King Palm - Tips Mango	40.00
King Palm - Tips Mint	40.00
King Palm - Tips Pine Drip	50.00

King Palm - Tips Pine Drip	16.00
King Palm - Tips Watermelon	43.00
King Palm 1.5- Watermelon Wave	36.00
King Palm Clip \$11	11.00
LF CBD Caramels 250mg	5.00
LF CBD Gummies Assorted 300mg	11.00
Mojo CBD Gummies Mixed 100mg	3.00
Mojo CBD Oil 1200mg	8.00
Mojo CBD Oil 600mg	2.00
Mojo CBD Salve 200mg	1.00
Monster 2 Black \$60	1.00
Monster 2 Blue \$60	1.00
Monster 2 Green \$60	1.00
Monster 2 Purple \$60	1.00
Monster 2 Red \$60	1.00
OCB Bamboo 1 1/4 Papers	43.00
OCB Bamboo Slim Papers	27.00
OCB Cone Bamboo 1 1/4 6pack	32.00
OCB Cone Bamboo 1 1/4 6pack	3.00
OCB Cone Bamboo King 3pk	94.00
OCB Cone Bamboo Mini 10 pack	59.00
OCB Cone Virgin 1 1/4 6pk	29.00
OCB Cone Virgin King Size 3ct	71.00
OCB Hemp 1" 1/4 Papers	34.00
OCB Hemp Single Wide	45.00
OCB Hemp Slim	9.00
OCB Premium 1 1/4	34.00
OCB Premium 1 1/4	25.00
OCB Premium Slim	19.00
OCB Rice Papers 1 1/4	24.00
OCB Rice Papers 1 1/4 Tips	4.00
OCB Rice Papers Slim	23.00
OCB Rice Papers Slim Tips	12.00
OCB Solaire Papers	19.00
OCB Sophistique 1 1/4	11.00
OCB Tips Curved	20.00
OCB Tips Curved	5.00
OCB Virgin Roll Kit 1 1/4	22.00
OCB Wood Composite Roller 110mm	2.00
OOZE Nectar Tips \$14	8.00
Octopus Bubble Cap	2.00

Octopus Pendants	2.00
Octopus Pipe	1.00
Octopus Sherlock Pipe	2.00
One Hitter \$15	8.00
One Hitter \$25	15.00
One Hitter Cigarette \$6	5.00
One Hitter Cigarette \$6	18.00
One Hitter FLIP \$20	40.00
One Hitter Glass \$10	42.00
One Hitter Tsunami Black \$35	1.00
One Hitter Tsunami Blue \$35	1.00
One Hitter Tsunami Gold \$35	1.00
One Hitter Tsunami Purple \$35	1.00
One Hitter Tsunami Red \$35	1.00
One Hitter Tsunami Silver \$35	1.00
One Hitter Wooden \$35	2.00
One Hitter Wooden \$45	2.00
One Hitter Wooden Stash \$15	40.00
Ooze 1100 Black \$18	5.00
Ooze 1100 Silver \$18	4.00
Ooze 2.0 Gold \$26	1.00
Ooze 2.0 Gold \$26	2.00
Ooze 2.0 Orange \$26	1.00
Ooze 2.0 Orange \$26	1.00
Ooze 2.0 White \$26	1.00
Ooze 650 Black \$18	2.00
Ooze 650 Silver \$18	7.00
Ooze 900 Black \$18	3.00
Ooze 900 Silver \$18	5.00
Ooze Dry Herb Vape Black \$115	1.00
Ooze Duplex Black \$60	1.00
Ooze Duplex Gold \$60	1.00
Ooze Duplex Silver \$60	2.00
Ooze Duplex White \$60	1.00
Ooze Duplex White \$60	1.00
Ooze Fusion Black \$80	1.00
Ooze Fusion Black \$80	1.00
Ooze Fusion Coils Black \$40	1.00
Ooze Fusion Coils Gold \$40	1.00
Ooze Fusion Coils Rainbow \$40	1.00

Ooze Fusion Coils Silver \$40	1.00
Ooze Fusion Gold \$80	2.00
Ooze Fusion Rainbow \$80	1.00
Ooze Fusion Rainbow \$80	1.00
Ooze Fusion Silver \$80	2.00
Ooze Gusher Pen \$45	1.00
Ooze Gusher Pen \$45	3.00
Ooze Hot Knife \$20 Black	3.00
Ooze Hot Knife \$20 Gold	3.00
Ooze Hot Knife \$20 Rainbow	3.00
Ooze Hot Knife \$20 Silver	3.00
Ooze Moverz Blue \$60	1.00
Ooze Moverz Gold \$60	1.00
Ooze Moverz Green \$60	1.00
Ooze Moverz Rainbow \$60	1.00
Ooze Moverz Red \$60	1.00
Ooze Moverz Silver \$60	1.00
Ooze Nectar Black \$25	5.00
Ooze Nectar Black \$25	1.00
Ooze Nectar Blue \$25	1.00
Ooze Nectar Gold \$25	10.00
Ooze Nectar Gold \$25	2.00
Ooze Nectar Purple \$25	2.00
Ooze Nectar Rainbow \$25	5.00
Ooze Nectar Rainbow \$25	2.00
Ooze Nectar Red \$25	1.00
Ooze Novex Black \$32	2.00
Ooze Novex Blue \$32	2.00
Ooze Novex Gold \$32	3.00
Ooze Novex Green \$32	2.00
Ooze Novex Rainbow \$32	4.00
Ooze Novex Silver \$32	1.00
Ooze Novex Silver \$32	3.00
Ooze Pronto Tip \$22	6.00
Ooze Quad Black \$28	6.00
Ooze Quad Black \$28	6.00
Ooze Quad Gold \$28	7.00
Ooze Quad Gold \$28	6.00
Ooze Quad Green \$28	8.00
Ooze Quad Light Blue \$28	7.00
Ooze Quad Navy Blue \$28	6.00

Ooze Quad Navy Blue \$28	2.00
Ooze Quad Pink \$28	5.00
Ooze Quad Purple \$28	2.00
Ooze Quad Purple \$28	6.00
Ooze Quad Purple \$28	2.00
Ooze Quad Rainbow \$28	6.00
Ooze Quad Rainbow \$28	6.00
Ooze Quad Red \$28	6.00
Ooze Quad Red \$28	3.00
Ooze Quad Silver \$28	3.00
Ooze Quad Silver \$28	6.00
Ooze Quad White \$28	6.00
Ooze Quad White \$28	7.00
Ooze Slim Black \$24	18.00
Ooze Slim Black \$24	3.00
Ooze Slim Blue \$24	16.00
Ooze Slim Chrome \$24	2.00
Ooze Slim Chrome \$24	21.00
Ooze Slim Gold \$24	25.00
Ooze Slim Rainbow \$24	17.00
Ooze Slim Red \$24	16.00
Ooze Slim Red \$24	3.00
Ooze Tanker Black \$45	2.00
Ooze Tanker Gold \$45	2.00
Ooze Tanker Rainbow \$45	1.00
Ooze Tanker Rainbow \$45	1.00
Ooze Tanker Silver \$45	2.00
Ooze Vault Black \$50	1.00
Ooze Vault Black \$50	1.00
Ooze Vault Green \$50	1.00
Ooze Vault Green \$50	1.00
Ooze Vault Rainbow \$50	1.00
Ooze Vault Rainbow \$50	1.00
Ooze Vault Silver \$50	1.00
Ooze Vault Silver \$50	1.00
Pet CBD Chews	8.00
Piece Water 12oz	4.00
Pillow Pouch Black \$25	1.00
Pillow Pouch Black \$45	1.00
Pillow Pouch Blue \$35	1.00

Pillow Pouch Blue \$45	1.00
Pillow Pouch Green \$35	1.00
Pillow Pouch Green \$55	1.00
Pillow Pouch Red \$25	1.00
Pillow Pouch Red \$55	1.00
Pink Cones \$5	9.00
Puffco Chamber \$125	2.00
Puffco Peak \$315	1.00
Raw 1" 1/4 Papers	29.00
Raw 300's	24.00
Raw Black Rolling Papers 1 1/4	9.00
Raw Challenge Cone \$50	2.00
Raw Classic King Papers	13.00
Raw Classic King Papers	50.00
Raw Cone Cutter \$6	11.00
Raw Cones 1 1/4	15.00
Raw Hempwick \$3	40.00
Raw Organic Rolling Papers 1 1/4	21.00
Raw Prerolled Tips	20.00
Raw Prerolled Tips	8.00
Raw Tips \$1	40.00
Resin Earrings \$15	1.00
Resin Grinder \$25	3.00
Roach Clip \$10	4.00
Roach Clip \$10	10.00
Roach Clip \$22	1.00
Roach Clip \$3	31.00
Rokin Battery Black \$24	4.00
Rokin Battery Red \$24	5.00
Rolling Tray \$20	2.00
Rolling Tray \$25	40.00
Rolling Tray Ooze \$20	1.00
Rolling Tray w/ Lid \$30	6.00
Rubber Connection \$1	9.00
SE 420 Candle	4.00
SE Apple Orchard	7.00
SE Bamboo Breeze	9.00
SE Blue Serenity	10.00
SE Blueberry Dreamz	22.00
SE Cabin Nights	12.00
SE Car Clothline \$6	11.00

SE Car Dragons Blood \$6	2.00
SE Car Flower Power \$6	2.00
SE Car Happy Daze \$6	7.00
SE Car Hippie Love \$6	6.00
SE Car Lavender \$6	5.00
SE Car Maui Mango \$6	1.00
SE Car Orange Lemon \$6	1.00
SE Car Peace and Love \$6	1.00
SE Car Pineapple \$6	5.00
SE Car Rasta Love \$6	2.00
SE Car Sugar Skull \$6	1.00
SE Car Trippy Hippie \$6	2.00
SE Car Vanilla \$6	4.00
SE Car Yin Yang \$6	1.00
SE Cherry Bomb	32.00
SE Chill	11.00
SE Cinnamon Apple	10.00
SE Clothesline Fresh	9.00
SE Cool Cucumber and Honey	18.00
SE Creamy Vanilla	11.00
SE Dragons Blood	6.00
SE Evergreen	21.00
SE Fall n Leaves	8.00
SE Flower Power	10.00
SE Forest Walk	8.00
SE Groov'n Grape	10.00
SE Half Baked	24.00
SE Happy Daze	9.00
SE Hippie Love	9.00
SE Holi Blaze	12.00
SE Island Rain	24.00
SE Jolly Joint	10.00
SE Kiwi Twisted Strawberry	9.00
SE Lavender and Chamomile	12.00
SE Magic Marigold	5.00
SE Maui Wowie Mango	11.00
SE MoonLight	11.00
SE Mulberry and Spice	10.00
SE Nag Champa	4.00
SE Orange Lemon Splash	19.00

SE Patchouli Amber	11.00
SE Peace River	34.00
SE Peace and Love	9.00
SE Pineapple Coconut	7.00
SE Potpaya	12.00
SE Pumpkin Spice	7.00
SE Rasta Love	14.00
SE Sandlewood	11.00
SE Sea Glass	22.00
SE Sugar Skull	9.00
SE Sugared Cranberry	15.00
SE Trippy Hippie	15.00
SE Vanilla Glitz	8.00
SE Woodstock	24.00
SE Yin Yang	10.00
Scale \$25	9.00
Scale Digi Tul \$45	3.00
Scale Digital \$30	1.00
Scale K2 \$30	2.00
Scale Purple \$30	1.00
Scale Rasta \$30	1.00
Scale TruWeight Black \$25	1.00
Scale TruWeight Red \$25	1.00
Scale Weight Max \$30	2.00
Screen .50c 3/\$1	587.00
Shirt - BLK 2XL	4.00
Shirt - BLK 3XL	5.00
Shirt - BLK 4XL	5.00
Shirt - BLK M	7.00
Shirt - BLK S	4.00
Shirt - BLK XS	4.00
Shirt - BLUE L	5.00
Shirt - BLUE XL	5.00
Shirt - GRAY 2XL	4.00
Shirt - GRAY 3XL	4.00
Shirt - GRAY L	6.00
Shirt - GRAY M	3.00
Shirt - GRAY S	4.00
Shirt - GRAY XL	2.00
Space King Tip \$10	7.00
Stickers 2/\$1	453.00

Terp Pearl Pokeball \$25	33.00
Terp Pearls Pair Glow in the Dark \$6	3.00
Terp Pearls Red \$3	62.00
Torch Blink \$52	2.00
Torch Fusion Black \$60	2.00
Torch Fusion Purple \$60	2.00
Torch Mini Camo \$8	11.00
Torch Mini Words \$8	7.00
Torch Special Blue \$18	5.00
Torch Special Blue Round \$18	5.00
Torch Stealth Gold \$32	2.00
Torch Stealth White \$32	2.00
Walking Stick - Pot Stock	1.00
Yocan Evolve Coil Replacement \$8	18.00
Yocan Evolve Coil Replacement \$8	3.00
Yocan Evolve Plus Coil Replacement \$8	8.00
Zig Zag 1" 1/4 Hemp Papers	24.00
Zig Zag Orange 1 1/4	5.00
Zig Zag Orange 1 1/4	24.00
Zig Zag Original Papers	7.00
Zig Zag Original Papers	24.00
	7463.00

Equipment.

4 Computers with POS systems

2 Registers

1 Paper Printer

1 receipt printer

5 display cases

1 display desk

2 display fridges

1 storage fridge

1 storage freezer

1 Paper cutter

1 Laminator

2 Weighting Scales

1 food sealer

1 paper shredder

3 humidifiers

1 camera

1 camera light box

1 clothing rack

10 slat boards

7 air purifiers (vary in different types)

1 microwave (office)

1 mini fridge (office)

3 outdoor cameras

8-15 inside cameras (Lou will decide)



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

DANIELLE SIMMONS
P.O. BOX 131
BREMEN, ME 04551

Transaction Response #: MIQ99F490345

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2023-01-03) :

Inquiries Name(s) P SIMMONS (1992-10-26)

NO MATCH WAS FOUND FOR YOUR REQUEST.



**DAMARISCOTTA PLANNING BOARD
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Date: December 19, 2022

Site Plan and Conditional Use Applications – Above & Beyond Marijuana Caregiver Store

95 Biscay Road – Danielle & Charles Simmons

PID #2204

The Town of Damariscotta Planning Board issues the following Findings of Fact and Conclusions of Law at its duly-noticed meeting of **December 19, 2022**:

- A.** The Planning Board considered the Project, the staff report, and received and considered all written and oral public comments on the Project which were submitted up to and at the time of the meeting for the Project; and
- B.** Notices of the pending application were mailed on November 28, 2022 to 5 property owners abutting the subject property and were posted at the Town Office. No abutters objected to the application and therefore a public hearing is not required, per Sec. 102.5(G) of the Damariscotta Town Ordinance; and
- C.** The project description is as follows:

Applicants Danielle and Charles Simmons (doing business as “Above & Beyond Cannabis”) are seeking Site Plan and Conditional Use approval in order to establish a registered marijuana caregiver retail store at 95 Biscay Road. The applicant plans to renovate the existing building and add a parking area on site. The parcel is further identified as Assessor’s Tax Map 1, Lot 67 and it is located within the C-2 Zoning District; and
- D.** The Project is subject to the following policies and standards of review:
 - a. Chapter 102, Section 102.6: Performance Standards [Site Plan Review];
 - b. Chapter 101, Section 101.9: Appeals & Conditional Uses

E. The core Project Data includes:

Zoning:	C-2	
Land Area:	10.45 acres	
Existing Land Use:	Multiple (building to be located is vacant, + a self-storage facility)	
Proposed Land Use:	Registered Caregiver Retail Store (Medical Marijuana Establishment)	
	Allowed:	Proposed:
Max. Building Height:	40 feet	N/A – unchanged
Min. Front Yard:	20 feet (or the average of existing setbacks on abutting properties)	N/A – unchanged
Min. Side Yard:	15 feet	N/A – unchanged
Min. Rear Yard:	15 feet	N/A – unchanged
Min. Off-Street Parking*:	4/1,000 s.f. of floor area	6 parking spaces

F. Based on its review of the entire record herein, the Planning Board has determined that the Project meets the applicable policies and standards of review, and the Planning Board makes the following findings:

1. Sec. 102.6(A): Preserve and Enhance the Landscape

As the application is to renovate an existing building (the highlighted building on the provided site plan), impacts to the natural landscape as a result of this project will not occur. Existing bufferyards will be preserved in their natural states.

2. Sec. 102.6(B): Relationship to Environment and Neighboring Buildings

As noted in the project data table above, changes to the space and bulk of the existing building are not proposed as part of this application. No new structures are proposed as part of this application.

The parking area is designed for six cars and will be set back at least 50 feet from the front property line and at least 30 feet from the westerly property line. As designed, the project meets the requirements of Sec. 102.4(B)(2) and (B)(3).

3. Sec. 102.6(C): Air Quality

In order to mitigate potential concerns of marijuana-related odors, the applicant has indicated that they plan to install a UVB ventilation and sterilization system within the building. This is also a requirement of the Medical Marijuana Establishment Licensing Ordinance. Dust, ash, and smoke are not anticipated as a result of this use.

4. Sec. 102.6(D): Lighting and Glare

The applicant is proposing to install motion detecting exterior lighting, to be mounted on the building. The applicant has submitted information regarding the lighting which shows that it is 3000K LED lighting.

Per Condition #9, all exterior lighting fixtures shall be full cut-off (shielded) fixtures and shall not be placed higher than 16 feet on the building.

No rotating or flashing lights are proposed with this application.

The applicant has adequately demonstrated to the Board that the proposed lighting is appropriate for the intended use, given the security requirements outlined in the Town's Medical Marijuana Licensing Ordinance (Sec. 902.11), which requires motion detecting lighting.

During nighttime hours, exterior lighting shall be turned down to the minimum level required for security. Condition #10 reaffirms this requirement.

The project as designed and conditioned meets the standards of this section.

5. Sec. 102.6(E): Noise

All noise during construction and once in operation will be required to adhere to the provisions of this section, including staying below the sound level limitations as described. For a project abutting a residential use (as this one does, to the east), the sound level limits are 55 dBA between 7AM and 7PM, and 45 dBA between 7PM and 7AM. Condition #9 reaffirms this requirement.

6. Sec. 102.6(F), (G), (H), and (I): Traffic, Circulation, and Access

Trips

According to the Institute of Traffic Engineers (ITE) Trip Generation Manual, 10th Edition, the proposed use will generate approximately 7 customer trips per day.

The applicant has indicated that they have two full-time employees. One will work 9AM-5PM and the other will work 11AM-7PM. There is also a part-time employee who will be on-site variable hours, for approximately 10 hours each week. Thus, in addition to the estimated customer trips, there will be approximately 6 additional trips to the site per day (3 entering and 3 exiting).

Access

Existing access to the site is via two curb cuts: one from Heater Road and one from Biscay Road.

Given the minimal traffic generation anticipated by the proposed development and the lack of sidewalks in the vicinity of the subject parcel, the Planning Board is not requiring the applicants to install a sidewalk.

Given the level of traffic generation and the capacity and design of the roadways connected to the site, the project will not cause unreasonable public road congestion or unsafe conditions on private or public ways, consistent with the requirements of Section 102.6(F) and (G).

Parking

Site Plan Review Ordinance Section 102.6(H)(7)(i) requires that retail stores or service establishments provide four parking spaces per 1,000 s.f. of floor area, therefore the project requires 2 spaces (the floor area is approximately 384 s.f.). The project will

provide for six parking spaces. As designed the parking supplied meets the requirements of Section 102.6(H).

7. Sec. 102.6(J): Existing Public Utilities and Services

Public water access is detailed in item 11 below.

Sewage disposal is discussed in item 15 below.

The applicants have indicated that they will take care of trash disposal themselves by bringing it to the transfer station. There are no known capacity constraints regarding solid waste, therefore the project is consistent with this section.

The Police and Fire Departments are required to review this application for emergency access as part of the licensing requirements for medical marijuana establishments.

8. Sec. 102.6(K): Water Quality

The proposed project will not adversely affect the quality or quantity of groundwater, consistent with Sec. 102.6(K). Storage of bulk fuel or chemicals is not proposed (outside of the normal storage of conventional heating fuel). Underground petroleum tanks are not proposed. Aquifers are not located within the vicinity of the project, according to publicly accessible data from the Maine Geological Survey.¹

9. Sec. 102.6(L): Stormwater Management

The proposal includes adding a crushed stone, six-spot parking area and access drive to the property. The existing property has compacted soil in the areas where gravel will be added. Given the minimal area of impact and the significant buffering on the subject property, the Planning Board found that a full stormwater management plan is not required nor are these standards applicable.

10. Sec. 102.6(M): Erosion & Sediment Control

As the project does not include any new construction or excavation, an erosion and sedimentation control plan is not required.

11. Sec. 102.6(N): Water Supply

The applicant is proposing to tie into the existing public water available on the site. They have received oral confirmation from the Great Salt Bay Sanitary District that there is adequate public water capacity to serve the proposed use. Condition #12 requires that a written capacity to serve letter from the Sanitary District be submitted to the Town Planner prior to the issuance of a building permit, for the Town's records.

12. Sec. 102.6(O): Natural Beauty

The area around the building where the proposed parking area will go has been cleared previously. However, on the eastern side of the property, a fairly significant wooded buffer exists (see Google Earth image from 2022 under Item 17: Buffer Areas, below). Condition #13 requires that the applicant install fencing around the dripline edge of all trees designated to be protected.

¹ <https://www.maine.gov/dacf/mgs/pubs/digital/aquifers.htm>

Wetlands will not be impacted by the proposed development.

13. Sec. 102.6(P): Historic and Archeological Resources

No documented archeological or historic resources will be impacted as a result of this project.

14. Sec. 102.6(Q): Filling and Excavation

All excavation will be incidental to the proposed development and are not part of an excavation or filling operation. Thus, this standard is not applicable to this project.

15. Sec. 102.6(R): Sewage Disposal

The existing septic system on site was designed to accommodate 230 gallons per day (GPD). A copy of the design has been submitted with the application and was previously reviewed by the Plumbing Inspector when it was approved in 2006. The soils for the site have been found to be sufficient to accommodate the proposed septic system. According to the State of Maine Subsurface Wastewater Disposal Rules, the estimated GPD generated by this project would be 12 GPD per employee (or approximately 36 GPD). Therefore, the project meets the requirements for adequate sewage waste disposal.

It should be noted that the applicant is proposing to utilize a port-a-potty as an employee restroom for the time being, until they can construct a permanent bathroom within the building. Condition #14 requires a bathroom to be constructed within 12 months of the issuance of an approval.

16. Sec. 102.6(S): Phosphorus Control

The subject property is not located within the watershed of a great pond; therefore, this standard is not applicable.

17. Sec. 102.6(T): Buffer Areas

A fairly significant buffer (>200 feet) exists between the existing structure and the adjacent residential parcel. As shown in the photo below, from Google Earth imagery updated through 2022, this buffer is fairly wooded. The applicants are not proposing to clear any of the existing buffer as part of the project.



18. Sec. 102.6(U): Signs

Future signage will be regulated in accordance with the Damariscotta Sign Ordinance.

19. Sec. 102.6(V): Building Appearance

The applicant is planning to locate in an existing building and renovate the interior. The existing building has a gabled roof and clapboard siding. The applicants have indicated that they also plan to remove (and possibly replace) an existing deck, replace the existing windows, and replace the door with a more secure one. They have also indicated that they plan to paint the interior of the building (and possibly the exterior as time and money allows). Condition #15 reaffirms the requirements of Sec. 102.6(V) to ensure that future renovations meet the standards of this section.

Conditional Use Standards

1. Sec. 101.9(C)(2)(a): Conditional Uses

The proposed use will meet the requirements of the Town's Site Plan Review Ordinance, as described in the analyses above. The Town's Land Use Ordinance provides a limit on the location of medical marijuana establishments, defined as "a registered caregiver retail store, registered dispensary, medical marijuana testing facility, or medical marijuana manufacturing facility," in Sec. 101.6(T). In accordance with this section, "A medical marijuana establishment may not be permitted or operated within 1,000 feet of a public or private educational facility including but not limited to child care facility, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools,

secondary schools, continuation schools, special education schools, junior colleges, and universities; school includes the school ground, but does not include the facilities used primarily for another purpose and only incidentally as a school.” The proposed project is located approximately 1,060’ from a known pre-school’s parking lot, as demonstrated by the map below.



The potential effect of the use on the environment (from air, water or soil pollution), noise, traffic, congestion, soil erosion, the burden on the public sewer and water systems as well as other municipal services have been taken into consideration and have been analyzed in the requirements above. As noted, the proposed use will not have an adverse effect on the health, safety, or general welfare of the public.

G. The applicant has not requested any waivers of the subdivision review standards.

DECISION:

H. Based on its review of the entire record herein, including the December 19, 2022 Planning Board staff report; all supporting, referenced, and incorporated documents; and all comments received; the Site Plan and Conditional Use application of Danielle and Charles Simmons, dated through November 28, 2022, for Above & Beyond Cannabis at 95 Biscay Road; is hereby

	YAE	NAE	Absent/Abstain
DENIED			
APPROVED WITH THE CONDITIONS BELOW	5	0	0

CONDITIONS

	Condition	Staff Assigned	Must be Completed By:
1.	This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals and supporting documents are subject to the review and approval of the Planning Board prior to implementation.	Town Planner	Ongoing
2.	All adopted conditions of approval and any waivers granted shall appear on the face of the plans submitted for building permits, and the face of the subdivision plan, if applicable.	Code Officer	Prior to Issuing Building Permit
3.	Prior to the issuance of a building permit, the applicant shall pay all outstanding review escrow account fees.	Town Planner	Prior to Issuing Building Permit
4.	This Planning Board approval is valid for 12 months from the date of approval and shall expire if work has not substantially commenced within that time period.	Code Officer	Ongoing
5.	Prior to submitting a building permit, the applicant shall submit two hard-copy plans at 24" x 36" size to the Town Planner with all conditions and waivers listed on the plans.	Town Planner	Prior to Submitting a Building Permit

Condition	Staff Assigned	Must be Completed By:
6. The applicant shall secure a Building Permit and all applicable local licenses from the Code Enforcement Officer in coordination with the Town Planner, Fire Department, and all relevant review authorities, prior to commencing any construction activities.	Code Officer	Prior to Issuing Building Permit
7. Only the topsoil directly impacted by proposed buildings, access ways, and parking areas may be removed from the site without returning to the Planning Board for further review.	Town Planner	Ongoing
8. All exterior lighting fixtures shall be full cut-off (shielded) fixtures in accordance with Section 102.6(D).	Town Planner	Ongoing
9. All noise associated with the proposed development shall be regulated in accordance with the provisions of Sec. 102.6. Applicants and their contractors are well-advised to familiarize themselves with that section of the Town's Ordinances.	Code Officer	Ongoing
10. Prior to the issuance of a Certificate of Occupancy, the applicants will be required to submit a plan to turn down lighting to the minimum extent practical for security purposes at night. This will need to be reviewed to the satisfaction of the Code Enforcement Officer, Town Planner, and Police Chief.	Town Planner	Prior to Certificate of Occupancy
11. A written capacity to serve letter from the Great Salt Bay Sanitary District related to the provision of public water is required be submitted to the Town Planner for the Town's records prior to the issuance of a building permit.	Town Planner	Prior to Issuing Building Permit
12. Prior to submitting a building permit, the applicant shall establish fencing at the drip line of all trees that are designated for preservation in the approved Site Plan. No construction staging or other construction-related activity is permitted within the drip line fence barrier.	Town Planner	Prior to Submitting a Building Permit
13. The applicant is proposing to utilize a port-a-potty as an employee restroom for the time being, until they can construct a bathroom within the building. A bathroom is required to be constructed within the existing building footprint within 12 months of the issuance of an approval, or the applicant is required to return to the Planning Board to offer an alternative solution for the handling of sewage.	Town Planner / Code Enforcement Officer	Ongoing (within 12 months of approval date)

Condition	Staff Assigned	Must be Completed By:
14. Exterior renovations are required to meet the standards of Site Plan Review Ordinance: Sec. 102.6(V), including but not limited to standards related to windows and building façade colors. Changes to the approved plan that would be in violation of this section are not allowed.	Town Planner / Code Enforcement Officer	Ongoing
15. The Code Enforcement Officer shall inspect the existing septic system to ensure that it will be sufficient for the proposed use prior to issuing a building permit.	Code Enforcement Officer	Prior to Issuing Building Permit

Planning Board Signatures:
