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May 23, 2023

Andrew Nevis, Planning Commissioner  
Evan Mattes, Senior Planner  
2850 Fairlane Court  
Placerville, CA 95667

Re: Application for Commercial Cannabis Use Permit CCUP-20-0004/Green Gables Growers

Dear Sirs:

We just learned, two days ago, about the application for a Commercial Cannabis Permit at 6914 South Shingle Road in Latrobe. We reside in the residential neighborhood adjacent to the applicant property to the west. We have owned our property for more than 30 years and have resided for more than 25 years in the home we built.

We urge the Planning Commission to reject the CCUP application. The application must be denied because it can not satisfy the requirement in the County's cannabis ordinance that no cannabis operation can be permitted if it is within 1,500 feet of, among other things, a school bus stop. In fact, the applicant is directly adjacent to two school bus stops. The analysis should end here, because there is no mitigation for the location of two school bus stops. Nor is there any reason to grant a variance from this condition.

There are, however, numerous other problems and deficiencies in the application. We only set forth a bare summary of some of these issues, due to having so little time to review the documents and investigate the circumstances. If the application is not denied due to non-compliance with school bus stop setbacks, these other issues require a continuance for further consideration.

1. The applicant can not comply with the requirement that no cannabis operation be permitted within 1,500 of a school bus stop. There is no justification to approve a variance.

The proposed Findings of Approval suggest the Planning Commission approve a variance to the school bus stop condition, and suggest reducing the setback to zero feet. This action would totally frustrate the meaning and purpose of the cannabis ordinance, which the County recently adopted after a great deal of research and public outreach. The proposed Findings of Approval observe that many properties along South Shingle Road can not satisfy the requirement, because school bus stops are located at frequent intervals along the road. The proposed Findings of Approval illogically conclude that this justifies a variance. However, the fact that there are numerous bus stops along South Shingle Road, which disqualifies many parcels along the road from cannabis operations, is consistent with the goal of protecting school children from the harmful effects of cannabis operations. This conclusion is fully supported by the unanimous resolution of the Latrobe School District opposing the applicant's request for a variance.

Furthermore, the fact that the extremely large parcel (many thousands of acres) to the east might qualify for a permit in no way supports the applicant's request for a variance. Applicant's treatment under the cannabis ordinance is consistent with the treatment of other small to medium parcels on South Shingle Road, while the applicant has nothing in common with the huge parcel across the road.

Moreover, neither the applicant nor the planning staff address the fact that there is a private school for autistic children, and a day program for autistic adults, less than one mile away: Opportunity Acres, located at 7315 South Shingle Road. This school may well not be aware of the application, since the applicant only provided notice to properties within 1,000 feet of the property. This proposed cannabis operation is not consistent with the health and well being of autistic children attending a nearby school.

Finally, neither the applicant nor the planning staff address the fact that there is an historic cemetery, which is still in use, within 1,500 of the applicant's property. A commercial cannabis operation, on the scale of an industrial operation, is not consistent with the community's peaceful use of this cemetery.

2. The project is not compatible with adjoining land uses.

The applicant is only allowed to apply for a Commercial Cannabis Use Permit because the property is zoned AG-40, or agricultural. However, this use is not compatible with adjoining land uses because the land to the immediate west is zoned RL-20 and consists of a fully developed rural residential neighborhood. In addition, the land to the immediate north is zoned RL-10, and is also fully developed with single family homes. Thus, this project fails to satisfy General Plan Policy 2.2.5.21.

3. The project fails to provide adequate water service.

The applicant claims that the proposed project will demand about 150,000 gallons of water per year (.46 acre feet). The applicant cites EID to the effect that the average single-family home on the west slope uses .45 acre feet of water per year.

The applicant seeks to build 7,825 square feet of greenhouses for indoor cultivation of marijuana plants. According to a cannabis industry publication, average indoor marijuana plant density is one plant per one square foot of greenhouse. (leafnation.com/cannabis/how-many-cannabis-plants-per-square-foot/ : Horton & Crawford, Jan.17, 2023) This suggests about 7,825 plants in this project. Another industry publication reported that a recent scientific review of cannabis cultivation concluded that marijuana growing is extremely water intensive. According to a 2019 survey in Humboldt County (a cooler, wetter climate), indoor growing used between 2.5 and 2.8 gallons of water per plant per day. (mjbizdaily.com/cannabis-requires-more-water-than-commodity-crops-researchers-say: Drotleff, Dec. 17, 2021) Simple multiplication (7,825 plants x 2.5 gallons/day x 365 days/year) demonstrates that the actual water demand for this project is likely over 7 million gallons of water per year. This is the water demand of almost 50 houses.



The applicant inexplicably claims that the water demands of the project will be met with an existing well with a flow of less than 11 gallons/minute. Yet this well is also the sole supply for an existing 5,000 square foot house. Those of us who live on properties with wells are quite familiar with the fact that the existing well is likely barely adequate for the house. What is the source for the 21 acre feet of water for the marijuana grow? Will the applicant seek to drill 45 more wells? What would be the impact to groundwater from drilling so many wells?

Thus, the project is not consistent with General Plan Policy 5.1.2.1.

4. The project fails to provide adequate electricity services.

The applicant proposes using an existing solar system for the electricity required for this project. Presumably, the existing solar system was designed to supply some part of the electrical needs of the house on the property, leaving little or no excess electricity to power the marijuana grow.

A recent cannabis industry publication described the electricity demands for cannabis operations as “astounding.” It stated that “[g]rowing four pounds of marijuana at an indoor facility can consume as much electricity as the average American home uses in a year.” ([pullcom.com/newsroom-publications-Putting-the-Green-in-Renewable-Energy-at-Cannabis-Grow-Facilities](https://pullcom.com/newsroom-publications-Putting-the-Green-in-Renewable-Energy-at-Cannabis-Grow-Facilities); Hoffman & Feinn, 5.19.2023)

We do not know how many pounds of marijuana the applicant expects to harvest from this project, but we are certain it is many multiples of four pounds. Thus, the applicant would either need to build a massive additional solar array (if this is even feasible for such a large project), or purchase power from PG&E and also purchase carbon offsets, as required by Section 130.41.200.5.I. There is no indication that either solution is feasible, nor that applicant intends to comply.

Moreover, solar systems only work when the sun is shining. What is the applicant’s source of power at night? In the winter? On any cloudy day? Any suggestion that a battery backup system would adequately backstop a solar array is not serious, as it would be fabulously expensive.

Thus, this project is neither consistent with General Plan Policy 5.1.2.1 nor Section 130.41.200.5.I.

5. The applicant fails to control odors from the marijuana grow operation.

The applicant has nowhere specified the active odor control measures to be used to protect neighbors and the public from the notoriously unpleasant odors produced by marijuana cultivation. Thus, no one can determine if any such measures are likely to satisfy the requirement that the odors produced by the project be fully abated.

6. It is unclear whether the background checks required for a cannabis permit will be satisfied.

Section 130.41.300.4.G requires that no CCUP may be issued until the Sheriff’s Office has completed a thorough background check of all owners.

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August 23, 2023  
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The permit application states that the owner is Robert Sandie. The proposed Findings of Approval state that the background checks have been completed.

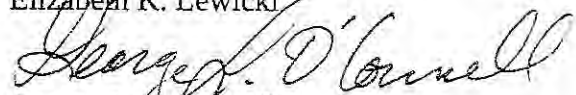
However, according to Zillow, this property was listed for sale from June 16, 2023, through August 21, 2023 (two days ago). A sale or transfer of the property would, of course, invalidate the application for a CCUP.

For all of the foregoing reasons, we urge the Planning Commission to deny the application for a Commercial Cannabis Use Permit CCUP 20-0004.

Sincerely yours,



Elizabeth K. Lewicki



George L. O'Connell

Via email