

ATTACHMENT 1:

Appeal submitted by Kevin Block for No Pot on Purvine, April 11, 2019

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Planning Commission/Board of Zoning Adjustments

Appeal Form

PJR-021



To: Board of Supervisors
County of Sonoma, State of California

File # UPC17-0020

Appeal is hereby made by: See Attachment

Please Print

Mailing Address: See Attachment

Phone: See Attachment Email: See Attachment

The Sonoma County Planning Commission Board of Zoning Adjustments (circle one) on

April 11

, 20 19

approved

denied (circle one) a request by

Petaluma Hills Farm, LLC

for a cannabis use permit

located at 334 Purvine Road, Petaluma

APN 022-230-020

Zoned LEA

Supervisorial District 2

This appeal is made pursuant to Sonoma County Code Chapter 26 Section 26-92-160 for the following specific reasons:

See Attachment

Date: April 18, 2019

Appellant:

Signature

Appeal Fee: See current PRMD Project Review Fee Schedule

DO NOT WRITE BELOW THIS LINE - To Be Completed by PRMD Staff

This appeal was filed with the Permit and Resource Management Department on the 19 day

of April, 20 19, receipt of which is hereby acknowledged.

PRMD Staff

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue ♦ Santa Rosa, CA ♦ 95403-2829 ♦ (707) 565-1900 ♦ Fax (707) 565-1103

Attachment
Board of Zoning Adjustments Appeal Form
UPC17-0020
334 Purvine Road, Petaluma

Appellants

No Pot on Purvine
105 Purvine Road
Petaluma, CA 94952

Phoebe Lang
105 Purvine Road
Petaluma, CA 94952

Ayn Garvisch
625 Purvine Road
Petaluma, CA 94952

Britt Jensen (Jensen-Christiansen)
250 Purvine Road
Petaluma, CA 94952

All communications with appellants should be through counsel:

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Grounds for Appeal

1. The proposed use of the property for cannabis cultivation is inconsistent with Policy AR-4a of the General Plan because, if the project is approved, the primary use of the land will not be agricultural production.

2. The Board of Zoning Adjustments erred in finding that use of the property for cannabis cultivation will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort or general welfare of persons residing or working in the neighborhood or to the general welfare of the area.

3. The Board of Zoning Adjustments erred by granting a cannabis use permit to an applicant who, while its application was pending, was growing cannabis without a permit or license and engaging in prohibited cannabis tourism in violation of the Sonoma County Cannabis Ordinance, as found by the Sonoma County Superior Court when it issued a preliminary injunction against the applicant on or about February 25, 2019.

4. The Board of Zoning Adjustments erred by granting a cannabis use permit to an applicant whose principals have shown a propensity and willingness to violate state and federal law, thereby disqualifying the applicant from holding a cannabis use permit in Sonoma County.

5. The Board of Zoning Adjustments failed to impose mitigation measures on the applicant sufficient to control cannabis odor.

6. The Board of Zoning Adjustments failed to consider the fact that crime in the neighborhood will increase if the project is approved and failed to impose any conditions of approval on the project to address neighborhood security as opposed to the security of the applicant's cannabis operation.

7. The Board of Zoning Adjustments erred by relying on the applicant's security plan, which was wrongfully withheld from the appellants although it directly affects their privacy and security, and by relying on an evaluation of that security plan by the County Sheriff although the basis for that evaluation was not available to the public, all in violation of the state constitution, the Public Records Act, and appellants' right to due process and a fair hearing.

8. The Board of Zoning Adjustments failed to give sufficient weight to the views of neighborhood residents, applied an incorrect legal standard, and otherwise erred in concluding that the project is compatible with the Purvine Road and Two Rock neighborhoods.

9. The Board of Zoning Adjustments erred in failing to impose numerous conditions of approval that would have mitigated the impact of the project on the neighborhood, including limiting the project to an indoor and mixed light grow; relocating any outdoor grow farther away from the home of the Jensen family; prohibiting all events on the property, not just those related to cannabis activity; restricting public access to the entire property, not just the cannabis facility

The attached letter from appellants' counsel elaborates on some of the principal grounds for appeal.

BLOCK & BLOCK

ATTORNEYS

April 8, 2019

Board of Zoning Adjustments
Sonoma County Permit and Resource
Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403

Re: Cannabis Permit Application UPC17-0020
334 Purvine Road, Petaluma

Dear Chair and Board Members:

I represent No Pot on Purvine, an association of families and individuals concerned about the encroachment of commercial cannabis into Sonoma County's rural neighborhoods. Most supporters of No Pot on Purvine have lived in this bucolic stretch of the Petaluma Dairy Belt for many years, some for decades, a few for generations. They have chosen to put down roots and raise children there because it is beautiful, tranquil, friendly and safe. All that may be about to change.

A. Cannabis Cultivation Is Not Agriculture.

Before you is an application for a large commercial cannabis operation. It is an "operation" and not a "farm." In enacting the Cannabis Ordinance in 2016, County Supervisors intentionally distinguished cannabis cultivation from agriculture and have chosen to regulate it separately.

You will find this distinction throughout the applicable ordinances and regulations. For example, the Zoning Ordinance defines *agricultural crop* as any "cultivated crop grown and harvested for commercial purposes, *except for cannabis and other controlled substances, which are defined and classified separately*" (SCC 26-02-140, emphasis added).

The County's Uniform Rules for Agricultural Preserves and Farmland Security Zones, which implement the County's policy of agricultural preservation, expressly exclude cannabis from the definition of *agricultural commodity* and provide that the term *agricultural use* "does not include or mean the use of land for the purpose of cultivating or producing cannabis or cannabis related products" (Uniform Rule 2.1).

Industry proponents routinely describe cannabis growers as “farmers” and their operations as “farms.” Do not be fooled by such euphemisms. Farms do not have fences topped with barbed wire, security spot lights, burglar alarms and guards.

For the staff report to suggest that cannabis is an “agricultural crop,” even though the County has expressly excluded it from the definitions of “agricultural commodity” and “agricultural use,” is wordplay. If cannabis were an agricultural crop, the Board of Supervisors would not have excluded its cultivation from the protection of the County’s Right to Farm Ordinance (Ordinance No. 6189, section I, subdivision I).

The Board got it right: cannabis is not agriculture, it is a controlled substance. Cannabis cultivation presents heightened “security concerns associated with a high value crop,” constitutes “an unreasonable hazard in areas frequented by children,” and emits “malodorous smells” that can wreak havoc on neighborhoods. These assertions are not anti-cannabis propaganda. They are findings made by the Board of Supervisors in 2016 (Ordinance No. 6189, section I, subdivisions I and N).

So what if cannabis cultivation is not agriculture? In my opinion, it means that you should give cannabis projects in agricultural zones added scrutiny. You should ensure that agriculture remains the primary use of the land; that the size and scope of the project are compatible with the neighborhood; and that the operators will conduct their business responsibly.

Most of all, before granting any approval, you should be certain that you can make the legally-required finding that the project “will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort or general welfare of the persons residing or working in the neighborhood or to the general welfare of the area” (SCC 26-92-080(a)). On that question, the views of those who live and work in the affected neighborhood must carry special weight.

B. Agriculture Will No Longer Be the Primary Use of the Property If the Project Is Approved.

All use permits must be consistent with the Sonoma County General Plan (SCC 26-02-040). General Plan Policy AR-4a provides that the “primary use” of any parcel within the Land Extensive Agriculture category, which includes 334 Purvine Road, “shall be agricultural production and related processing, support services, and visitor serving uses.”

The General Plan does not define the term “primary use” or provide guidance on how to interpret it. Is the primary use that which occupies the most land? Or is it the use that generates the most revenue or adds the most value to the property? Or is it the use that is most visible, most intense, or has the greatest impact on nearby properties?

By any reasonable measure, if the project is approved, cannabis will be the primary use of the property. Construction of the facility will last six to eight months using heavy equipment. The project will employ ten or more people, operate round-the-clock, occupy 30,000 square feet of buildings, have more than 28,000 square feet of outdoor grow, utilize ten water storage tanks, HVAC and filtration equipment, and have barbed wire-topped fencing, security lights and guards.

Combined, the indoor and outdoor grow will total more than an acre of cannabis, worth \$2 million to \$3 million on today's wholesale market, many times more if sold retail. The cannabis operation will occupy nearly ten acres on the 37-acre parcel (Exh. 1). It will dwarf vegetable growing¹ and cattle grazing in terms of intensity, impact, visibility and value-added.

According to the staff report, cannabis cultivation is consistent with the "overall goals, objectives, policies and programs" of the General Plan because it is allowed with a use permit on land zoned Land Extensive Agriculture. That reasoning is circular. Cannabis cultivation is allowed if, and only if, agriculture remains the primary use of the property on which cannabis is cultivated.

Cannabis cultivation, in other words, must be an accessory use, which the Zoning Ordinance defines as a use that is related and subordinate to the primary use (SCC 26-02-140). No reasonable person would say that the cannabis operation proposed for 334 Purvine Road is related or subordinate to cattle grazing or vegetable gardening. Cannabis cultivation will be the primary use and thus inconsistent with the General Plan.

C. The Sonoma County Superior Court Issued an Injunction Against the Applicant Based on Its History of Violating the Cannabis Ordinance.

On October 9, 2018, a group of Purvine Road neighbors filed a lawsuit against the applicant (Petaluma Hills Farm), the property owner (Sonoma Hills Farm), and their principals and business partners. The lawsuit alleged that defendants were (a) growing cannabis at 334 Purvine Road on a commercial scale without a county permit or state license and (b) transforming the neighborhood into a cannabis tourism destination by hosting cannabis bus tours of their property and cannabis-related parties and events.

¹ The designated operator of the vegetable garden, SHF Jugo, is not in the vegetable business. It produces cannabis products, such as CBD-infused juices and elixirs advertised in the Cannabis Food and Beverage Guide (Exh. 2). The company is registered to the same address as Sonoma Hills Farm and Petaluma Hills Farm and appears to belong to the same parent company, Big Rock, which specializes in "the intersection of cannabis, food and hospitality" (<https://big-rock.com/about-us>). "SHF Jugo" presumably stands for Sonoma Hills Farm Jugo.

The neighbors asked the court to enjoin defendants' activities on grounds that they violated state and local law. Although cannabis is now legal in California, it is still illegal to grow, process or sell it without first possessing both a county permit and state license. Doing so remains a crime (Bus. & Prof. Code § 26038(c)). Furthermore, cannabis tourism – tastings, promotional activities and events related to cannabis uses – is prohibited by the Cannabis Ordinance (SCC 26-88-250(c)(5)).

The court agreed that defendants were engaged in illegal activity and issued an injunction against them on February 1, 2019 (Exh. 3). The injunction applies to the property owner (Sonoma Hills Farm), the applicant (Petaluma Hills Farm), their owners and officers (Harden, Magruder, Veronese), the property manager (Rivera) and the tour company (Sonoma County Experience). The court found that all of those parties were so intertwined that they were in effect acting together in violating the law (Exh. 4).

The evidence on which the court based its decision is part of the record of these proceedings and available for your review.² It shows that, beginning in 2017, defendants implemented a concerted plan to build brand awareness for cannabis products sourced from 334 Purvine Road by planting a “demonstration garden” and engaging in promotional activities and marketing events. Had the plan been successful, defendants would have a valuable brand with established goodwill by the time they obtained their cannabis permit. The neighbors' lawsuit forced defendants to abandon that scheme.

Highlights of the evidence presented to the court include the following:

- The corporate filings of both Sonoma Hills Farm and Petaluma Hills Farm, which share overlapping ownership and management, identify their business as “retail” (Exh. 5). They changed that designation after the neighbors filed their lawsuit.
- Defendants began advertising cannabis-infused products “sourced from the Sonoma Hills Cannabis Farm” in January 2018 (Exh. 6). That advertising stopped after the neighbors filed their lawsuit.
- Defendants have advertised the property as a corporate retreat and event venue for up to 250 attendees (Exh. 7). The minimum fee is \$8,000 for 10 hours. The listing includes an offer to arrange for event-related goods and services, such catering, furniture rental and event staff.
- Defendants have renovated their property as an event venue, featuring a bar, group dining area, and lighted outdoor seating (Exh. 8). They have hosted multiple events and dinners featuring cannabis-infused food and beverages, causing significant traffic and parking congestion (Exh. 9).

² Dropbox link: <https://www.dropbox.com/sh/nd8w5qrp9pd3sd5/AADNQQwP1svV8JyBndfVEKjia?dl=0>.

- At one such event, to which the public was invited, Sonya Arriaga, a retired law enforcement officer with 20 years' experience, saw a cannabis field consisting of 50 to 60 mature plants and a greenhouse with 100 small plants (Exh. 10).
- Aerial photographs confirm that the combined grow was approximately 1,400 square feet (Exh. 11), well beyond the 100 square foot limit on personal grows established by the Sonoma County Cannabis Ordinance (SCC 26-88-258(a)(2)). Based on those photographs and eyewitness declarations, the court held that defendants were growing cannabis commercially without the required license or permit.
- The cannabis field disappeared after the neighbors filed their lawsuit but before a code enforcement officer arrived for an inspection (Exhs. 12). A member of the code enforcement division told the neighbors that such "cat and mouse games" are common with illegal growers.
- Sam Magruder, the applicant's COO, arranged for "cannabis experience" bus tours to stop at the property, where he and the property manager would lead tours through "the cannabis demo garden" (Exh. 13). The tour company featured photographs of 334 Purvine Road on its website but removed them after the neighbors filed their lawsuit.

This evidence convinced the court that defendants were engaged in illegal cannabis activity. It should convince you too. It is relevant because, to approve the permit, you must find that defendants' operation will not be detrimental to the health, safety, peace, comfort or welfare of the neighborhood (SCC 26-92-080(a)). The best indicator of future behavior is past behavior. Here, the applicant's operation has *already* been detrimental to the neighborhood. There is no reason to believe the applicant will suddenly become law-abiding.

The county code enforcement system will not be effective in policing the terms of a cannabis permit. The purpose of code enforcement is compliance, not deterrence. Once a violation has been abated, the goal of code enforcement has been achieved and the code enforcement process stops.

Even when the code enforcement process is triggered, the law requires so many warnings to violators, and gives them such extended rights of appeal, that relief is often delayed by months, sometimes longer. That elaborate process makes sense if the goal is to bring violators into voluntary compliance but not if the goal is to bring a swift and certain end to violations.

That systemic weakness is illustrated by the county inspection of 334 Purvine Road on October 25. The applicant removed the cannabis from the ground and the greenhouse before county officials arrived. Seeing no cannabis, the inspectors could not issue a citation

for cannabis violations, even though they had in their possession the same overwhelming evidence that was before the court.

Because past violations fall outside the scope of code enforcement, an opportunity exists for unscrupulous parties to game the system. The code enforcement system was unable to address the violations in this case because it was not designed to do so. The only effective means to ensure that there are no more violations is to deny this permit. No one has a right to grow commercial cannabis in Sonoma County. That is a privilege which this applicant does not deserve.

D. Petaluma Hills Farm Is Not What It Appears To Be.

The principals at Petaluma Hills Farm like to portray themselves as farmers, but that is untrue. Petaluma Hills Farm is a “portfolio company” of Big Rock, a San Francisco-based investment firm focused on the cannabis industry. Petaluma Hills Farm principals are all part of the Big Rock “team” (Exh. 14).

Big Rock is headed by venture capitalist Mike Harden, who is the CEO of Petaluma Hills Farm. In 2016, Harden settled Securities and Exchange Commission charges that he and his company used insider information to execute trades in a tech stock worth \$25 million (Exh. 15). Harden admitted the charges were true, lost his securities license for a year, and paid a fine. His company disgorged illegal profits and paid penalties of \$8.9 million.

Insider trading is not jaywalking; it is securities fraud. It can be charged as a felony under state or federal law, and is grounds for denial of a state license (Bus. & Prof. Code §§ 480(a)(2), 26057(b)(2)). Sonoma County should set the bar higher, not lower, than the State. It should not allow an individual who engaged in serious misconduct to hold a position of authority in an entity that will hold a discretionary permit.

Harden (the applicant’s CEO) and Big Rock (its parent company) do not distinguish between cannabis and vegetables. Elaborating on his investment strategy at last year’s Milken Institute Conference, Harden explained: “We look at cannabis at Big Rock as a vegetable. We grow it, we bag it next to the kale and cucumbers. It’s just that the others are \$4 a pound and [cannabis] is \$1,700 or \$1,800 a pound if you do it right.” That may explain why Sonoma Hills Farm includes cannabis in its CSA vegetable boxes (Exh. 16).

The applicant’s COO, Sam Magruder, has also run afoul of licensing laws. On two separate occasions in 2007, the ABC suspended the license of Magruder & Crum LLC, a Sam Magruder company which operated a bar in Eureka. The first suspension was accompanied by a fine for serving alcohol to minors; the second for allowing minors into the bar and serving alcohol to intoxicated person (Exh. 17).

The purpose here is not to malign people’s character, but to bring relevant facts, all of which are matters of public record, to the attention of the Board. The unifying theme is the

propensity of these individuals to break the law and abuse the privilege of holding a license. The Cannabis Ordinance prohibits the granting of permits to persons who have committed burglary, carjacking or robbery (SCC 26-88-250(h)(2)). Committing securities fraud and selling liquor to children are no better.

E. The County's Odor Regulations Are Inadequate for This and Every Other Cannabis Project.

Odor is the number one cannabis complaint. Like every grow in close proximity to homes, it will be problem at 334 Purvine Road. The odor can be easily detected at the home of the Christiansen-Jensen family next door, some 600 feet away.

In one recent case on Adobe Road near Petaluma, odor from an adjacent grow made the neighborhood sick until the operator was forced to shut down (Exh. 18). The stink of cannabis not only prevented residents from using their backyards but seeped indoors, permeating carpets, drapes, furniture and clothing. Another local odor case received national coverage in the New York Times (Exh. 19).

Despite the detrimental impact of cannabis odor on surrounding properties, the County does not regulate it. The Cannabis Ordinance merely provides that indoor and mixed light grows “shall be equipped with odor control filtration and ventilation system(s) to control odors, humidity and mold” (SCC 26-88-254(g)(2)). Outdoor grows are not required to mitigate odor at all.

That regulatory void is a dereliction of duty. The County should take several steps to control odor impacts *before* any grows are approved. First, it needs to clearly establish a threshold standard. No odor should be discernable beyond the boundaries of the property by a person of ordinary sensibility.

Second, the County should adopt a scientifically valid system of detecting and measuring odor. Cannabis odor is caused by terpenes, volatile organic compounds created by the plant. Odor can be measured objectively by extracting, identifying and quantifying terpenes through a variety of techniques, notably, HGCMS (headspace gas chromatography mass spectrometry).³ The County should adopt terpene-based standards to regulate odor, just as it regulates noise levels measured in decibels.

Third, the County should implement a meaningful enforcement program. Relying on self-monitoring and self-reporting by growers is not a credible approach. Moreover, the complaint-driven code enforcement process will not be effective because, if the wind changes, odor may dissipate before an inspector arrives. Several portable devices are available to measure odor, including the “Nasal Ranger” used by Denver officials (Exh. 20). The County

³ See PM 1963c, *The Science of Smell Part 3: Odor Detection and Measurement*, Iowa State University Extension, October 2004, available at <https://store.extension.iastate.edu>.

should employ this technology, combined with random monitoring, to ensure that projects, if approved, are not a nuisance.

Finally, the County should require growers to utilize state-of-the art odor control technology indoors and out. Readily available systems are much more effective than carbon air filters alone. They include sealed greenhouses, biofilters, and vapor phase systems, which are proving effective in southern California.⁴ The County should require the installation of such systems wherever appropriate at growers' expense.

Cannabis odor is a recurring problem; it has been and will be a problem on Purvine Road. It may be possible to mitigate the problem through a combination of proper regulation, technology and a meaningful enforcement regime. The County owes it to its citizens to implement a comprehensive odor control program *before* this or any other project is approved.

F. The Project Will Increase the Risk of Criminal Activity in the Purvine Road Neighborhood.

Cannabis businesses attract crime. The Board of Supervisors recognized that fact in 2016 when it adopted the Cannabis Ordinance. The Board distinguished cannabis from agriculture in part because cannabis operations are targets of criminal activity which can and does spill out into the community.

Attached as an exhibit to this letter is a list of articles published in local newspapers over the past two years describing the sharp increase in crime since the County legalized cannabis (Exh. 21). They make for chilling reading. Take just one example from the August 13, 2018 Press Democrat:

THREE MEN ARRESTED FOR KIDNAPPING, ATTEMPTED MURDER
AT SANTA ROSA MARIJUANA FARM

"A dispute at a marijuana farm northeast of Santa Rosa erupted into violence Sunday, when the former head grower said he was beaten, tied up and interrogated by three co-workers who tried to kill him, sheriff's officials said."

⁴ *Marijuana Farms Have Found a Way to Keep Their Stink from Irking Neighbors*, LA Magazine, March 1, 2019 (<https://www.lamag.com/citythinkblog/marijuana-farm-odor>). Vapor phase systems mix water with an odor-neutralizing chemical and force the mixture through nozzles installed at key locations, thus creating "a barrier of fog" between the bad air and the community. *Marijuana Stinks. Here's what cities, businesses and neighbors can do about it*, The Cannifornian, September 11, 2018 (<http://www.thecannifornian.com/cannabis-business/marijuana-stinks-heres-cities-businesses-neighbors-can>).

Forbes and The Atlantic are among the national media outlets that have written about the spike in crime in Northern California, and Sonoma County specifically, since legalization. According to The Atlantic, legalization has increased the supply of two things that tempt would-be thieves: the crop and the cash it generates (Exh. 22). “Marijuana is so valuable,” Agricultural Commissioner Tony Linegar told Forbes, “that men are willing to kill for it” (Exh. 23).

Academic studies show that crime increases both in the immediate neighborhood where cannabis businesses are located and in adjacent areas.⁵ While no one can predict which homes and individuals will be victimized, statistically, it is much more likely that residents of Purvine Road will become crime victims if a commercial cannabis operation is located there. It is difficult to see, therefore, how the Board could find that the project will not be detrimental to the health, safety, peace, comfort and welfare of the neighborhood.

Recognizing that crime and cannabis go together, the Cannabis Ordinance requires that security plans be included as part of permit applications (SCC 26-88-254(f)(21). The Sheriff approved the plan submitted by Petaluma Hills Farm in a March 28, 2019 letter but his approval raises more questions than it answers.

The Sheriff refers to “security guidelines for cannabis operators” developed by his department. No Pot on Purvine is unaware of any such guidelines; if they exist, the County should release them immediately. It is unacceptable for the County to have approved the applicant’s security plan based on secret guidelines. The Sheriff also refers to “best practices” which his department recommended to Permit Sonoma. Because no such best practices have been made public, it is unclear how they relate to this applicant’s security plan and which of them, as noted in the Sheriff’s letter, were not accepted by Permit Sonoma.

Without such guidelines and best practices, there are no clear standards against which to assess cannabis security plans. Unlike state regulations, the Cannabis Ordinance does not contain detailed requirements. The public is left to guess. Will Petaluma Hills Farm conduct employee background checks? Apart from its check-in process, will it screen visitors? What intrusion detection systems will be in place? How will the lighting system be secured? Will onsite security personnel have appropriate training? Must the applicant report security incidents to the County, law enforcement and the State? What is the response time of the Sheriff’s Department?

The Sheriff also refers to one or more conversations he had with the applicant about its “philosophy of operational security,” from which he concluded that the applicant’s plan incorporated “the most current and best practices for security as it relates to cannabis operations.” Without access to the security plan, the public has no way to evaluate the Sheriff’s

⁵ See, e.g., Hughes, L., *et al.*, Colorado Justice Quarterly (2019) (<https://doi.org/10.1080/07418825.2019.1567807>); Freisthler, B., *et al.*, Journal of Primary Prevention (2017) (<https://doi.org/10.1007/s10935-017-0472-9>).

comments, much less dispute them. There is no way to determine whether the Sheriff's evaluation was thorough and objective.

The County has refused neighbors' request under the Public Records Act to review the Purvine Road security plan (Exhs. 24-25). The courts may need to decide whether the plan must be made available to the public. Apart from the legal issue, keeping the plan secret from neighbors whose privacy and security are directly affected by it is profoundly unfair. Thanks to the County's policy of secrecy, on the security issue, the neighbors are participating in this hearing with one hand tied behind their back.

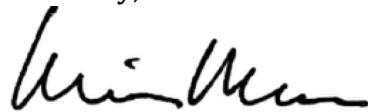
G. This Is the Wrong Project in the Wrong Location and Should Not Be Imposed on this Neighborhood.

This project is not about cannabis; it is about people's lives. There are thousands of locations in the County where cannabis can be grown without adversely affecting neighbors. If this application is denied, the project can move forward in a more suitable location.

Approval of this project, on the other hand, guarantees a continuation of this controversy. The residents of Purvine Road and Two Rock will not give up their neighborhood without a fight. There will be additional lawsuits, administrative complaints, calls to law enforcement, and more hard feelings and recriminations. The County will spend more of its limited resources defending the wrong project in the wrong place.

That is not in the public interest. The Board should deny this permit.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Block', written in a cursive style.

Kevin Block