

MINUTES  
ESPARTO CITIZENS ADVISORY COMMITTEE  
October 17, 2023  
7:00 p.m.  
Esparto Regional Library, Wintun Room  
17065 Yolo Ave, Esparto, CA 95627

Attending: Susan Cooper, Pat Harrison, John Hulsman Jr, Randy Jacobs, Giacomo Moris, Sandie Reed

Absent: (None)

MEETING ADMINISTRATION

- 1) CALL TO ORDER at 7:00 by Chair J. Hulsman
- 2) APPROVAL OF AGENDA
  - a) **Motion** to approve the agenda by P. Harrison, second by S. Reed. Vote: all in favor, none opposed.  
  
*R. Jacobs arrived at this point*
- 3) APPROVAL OF MEETING MINUTES
  - a) **Motion** by S. Reed to approve the minutes from September. Second by P. Harrison.
  - b) Vote: all in favor, none opposed.
- 4) CORRESPONDENCE AND ANNOUNCEMENTS
  - a) R. Jacobs – There will be a Trunk or Treat event on Halloween night at the corner of Woodland and Yolo.
  - b) S. Reed mentioned the California Conservation Corps did a good job cutting back brush along Plainfield street.

PUBLIC FORUM

- 5) PUBLIC COMMENTS
  - a) Brian Paddock reiterated other's comments that the local road conditions are bad now.
- 6) COUNTY UPDATE. JD Trebec provided the following update in an email to the committee received 10/11/23, which J. Hulsman read to those attending.
  - a) Modena apartments north of Mercy Housing have pulled their building permits and should be starting work soon. Includes work on CR 87 north of Woodland Ave.
  - b) Orcioli subdivision is really close to completing their Subdivision Improvement Agreement to proceed to the Final Map. Just trying to get some approvals from Caltrans. Hope to start construction early next year.
  - c) The developer of Story Subdivision has been focused on the Modena Apts so nothing new there.

- d) Haven't heard anything from the Tribe about E Parker. Maybe that will change once the CV Clinic and Community Center opens. *J. Hulsman added that this should be open in the next week.*
- e) Gibson Solar was approved by the BOS (*Board of Supervisors*). Includes working on getting the Capay Valley region a more reliable micro-grid.
- f) A-1 Prefab west of the Train Depot is still working on completing their application submittal.

7) INFORMATIONAL ITEM (none)

8) ACTION ITEMS

- a) **ZF2022-0075:** Recommendation on the Capay Valley Organics Cannabis Use Permit application. Jeff Anderson and Stephanie Cormier (County Planning Department) introduced the project per the County's memo. The applicant is requesting an additional 1 acre of cannabis cultivation including 9 green houses, a new 11,250sf metal building for processing/storage, and a nursery license. The Cannabis Land Use Ordinance (CLUO) allows for existing licensees to request buffer reductions and in this case there are two being requested: one from the northwest and another from the northeast. This site has not received any violations or complaints in the last two years. For the ECAC's comment area, only one site of seven total has received four complaints in past four years.
  - i) G. Moris inquired about the buffer reduction - how common is that? So far there has been only one prior request out of 15 applicants. Have the adjacent owners provided feedback? Not yet, but they have been noticed.
  - ii) J. Hulsman asked for confirmation that there are two houses on the parcel – Yes.
  - iii) G. Moris explained some of the history of the ECAC's position on the CLUO, including the recommendation that the grows be indoor only in industrial zoning.
    - (1) He was curious why the overlapping comment area with the Capay CAC, which includes this applicant's property, was specifically called out as not being part of the Capay Valley and its limitations on the number of cannabis operations. We seem to have a concentration now southwest of Esparto.
    - (2) Now is the opportunity if we don't desire a cannabis operation, otherwise a use permit will codify the business and transfer with changes in ownership (*licenses do not transfer, just the use permit*); although the CLUO does allow an option to set a time limit on the use permit. In the permit requirements section of the CLUO, findings for approval or denial can be based on the character and safety concerns of a neighborhood as well as community support; so we should take those into consideration.
  - iv) J. Hulsman asked about wind direction and smell. How much worse will it get if it is bigger as requested?
  - v) Public Comment
    - (1) Sam (public) stated he and his wife Jane live at the intersection of roads 22 and 23, and there are four cannabis operations around them. The smell is already unpleasant. Adding another acre is like adding another one. They are concerned about the concentration of operations in their area and have more than a fair share.
    - (2) Brian (public) explained he lives in the same vicinity. Smell is strong, goes on for a few months, and the concentration changes depending on the time of day. Visitors coming to buy almonds notice it. He wishes that the policy makers could experience this and suggest they trap a skunk to get an idea. He asks that we say no, enough.

- (3) Public – Are they putting a higher concentration of farms in our area or is it spread around the County? Stephanie explained they are scattered but happens to be higher around Capay Valley and Esparto. Member of public stated she lives in the County and is concerned about changes that take place when these businesses come in. Owners live elsewhere, barking dogs all day, loose dogs. She lives on County Road 84A. There has been seedy traffic, concern for safety with guns, people under the influence, etc.
- (4) Linda (public) expressed concern about property values. She lives on 23A and smells this operation. Sellers will have to disclose there is a cannabis operation nearby. Will the County lower our taxes?
  - (a) A big concern a year ago was water and wells are going dry. This is another acre of cultivation which will use water. It's likely we are going to have drought again. How will County address the water issue while approving more businesses, orchards?
  - (b) Also a concern is traffic on Road 23 – tax dollars are not going to fix it. There was some discussion about other local farms and ranches that use the road heavily for their business.
- (5) Brian stated he has put in three complaints so far and wonders why it is not showing up in the data. The smell wakes him up at 4:00AM. Stephanie and Jeff suggested that the complaints may have been prior to the last two years for which they gathered data.
- (6) Public – There is a difference between smelling it in a car as you drive by versus living next to it.
- (7) J. Hulsman asked PJ (public) if he could smell it at his place in Lamb Valley.
  - (a) PJ noted what Dmitri is doing is legal. There are pot farms west of him (PJ) that are trouble. We should look at all the farms when we take this into consideration. He hears sirens going up and down the road, guys on motorcycles coming back later looking for stuff they threw out. Recommends we don't target one person. He's here tonight because of what is going on further up Road 23. Stephanie noted that one of the two businesses in that location has put in application for a use permit, the other is looking to relocate elsewhere.
- (8) PJ expressed that he doesn't condone it (cannabis), but if it is legal in CA then fine. Has known Dmitri over 10 years, runs sheep on his property and doesn't see the trash and kind of people that cause trouble there.
- (9) Brian asked if this is happening at the end of 23 then where is the Sheriff?
- (10) Leo (public) stated he can smell it from his place including at 6:00pm tonight. Concerned about water going to grow it. The owner is from Novato (*according to the application*). Dmitri clarified he has been living here in Esparto on the property.
- (11) Dan (public) noted his ranch is on the east side of Sacramento Hill. Any west wind and they can smell it strong.
- (12) Brian– At one point the Tribe was willing to finance relocating pot farms to another location in the County.
- (13) Leo– This is medium grade cannabis, not high quality.
- (14) Linda – The committee should be representing the community, it seems like they are not hearing the public and just deciding. G. Moris explained that we only make recommendations, the Planning Commission decides. Stephanie added that staff understands that there are still sentiments against the cannabis businesses in general.

- (15) PJ – It should be noted that pot farms west of his aunt need attention. He shared a story where he was approached while closing his gate by men in a black car with an assault rifle on the seat.
- (16) Dmitri noted he has been raided twice by the Sheriff (but was falsely accused).
- (17) Leo asked is one acre not enough? Dmitri explained he is not making money yet in four years so far, but has other businesses. He plans to sell cannabis to distribution.
- (18) J. Hulsman reminded all that property owners have the right to do what they want with their property so long as it is legal, conforms to code and is not a nuisance. In this case he was leaning toward nuisance.
- (19) Public – has there been a study for the water impact and water table? Stephanie explained the EIR looked at water use and found it was equivalent to Almonds.
- (20) S. Cooper asked if the nursery will smell? Dmitri answered no.
- (21) S. Reed – Is there security 24 hours? Dmitri would not disclose but did confirm they are armed.
- (22) **Motion** by G. Moris to recommend denial of the use permit based on community objections and concerns about odor, water use, and concentration of cannabis operations south west of Esparto. Second by S. Cooper.
- (a) Vote: Four in favor (S. Cooper, P. Harrison, J. Hulsman, R. Jacobs, G. Moris), one opposed (S. Reed). Motion passes 5-1.

9) DISCUSSION ITEMS

- a) None

10) FUTURE AGENDA ITEMS

- a) None

11) ADJOURNMENT

- a) **Motion** P. Harrison to adjourn, second by R. Jacobs.
- i) Vote: All in favor, none opposed.
- ii) Meeting adjourned at 8:21 pm.

COMMUNITY FORUM

GLM  
10/23/23

GLM  
11/01/23