

CITIZENS VIEW



Focus-Marijuana



SHIRLEY MORGAN
B.A., M.A., M.S., A.C.L.

CANADA RESIDENTS SHOCKED BY POT FACILITY IN THEIR NEIGHBORHOOD

**DIRECTING
SAFE DRUG POLICY**

OREGON

OLCC CITES OREGON CANDY FARM CHRONIC CREATION

\$4,950 or 30 day suspension for removing 238 pot seed packages from the premises and delivered to an unlicensed location.

\$8,415 or 51 day suspension for failing to have equipment and facilities approved for use by local fire code official, permitting two minors ages 1 and 5 to be on the licensed premises, to maintain camera coverage, to properly tag all inventory.



WWW.OREGON.GOV/OLCC

The facility is licensed by Health Canada but residents upset they had no say in it; Township says marijuana is considered another agricultural crop under new laws.

Debbie Partington knows the importance of medical cannabis for those who need it. The Cannington resident says the drug was the only relief for a family member who “suffered terribly” in the last months of her battle with cancer.

But about three weeks ago, she, along with several other residents on Brock’s Concession 11 were not happy to learn that a medical marijuana production facility is operating on the same road - and they were never given any say in the issue.

The facility, which has 16 large greenhouses each about 80 feet long, is bordered by Partington’s property on one side and Eric Stouwdam’s on the other. Horse farm owner Linda Valleau’s property is just down the road.

Stouwdam also has no objection to medical can-

nabis.

“I get it, I understand the need for it, for people’s pain and suffering,” he says. “But, this was sprung on us with no prior notice.

“My wife bought this property 30 years ago because of the view, which is now destroyed,” Stouwdam, who operates a kennel, said. “It would appear after all these years of playing by the rules of kennel license fees, inspections and paying taxes the powers that be don’t care about longtime residents.”

Under new federal laws, marijuana is now viewed as another agricultural crop, and there is nothing the Township can do as long as producers comply with the conditions on their federally-issued licenses, provincial laws and municipal bylaws.

Health Canada oversees medical cannabis production and issues the appropriate licenses. A licensed producer may only conduct the activities specified in the licence.

Some licences only permit the production of marijuana, such as growing it. Others permit sales, possession, packaging and transportation as

well. Health Canada states there is a rigorous application process.

The licence also states the maximum quantities that may be produced, sold or provided; maximum dried inventory at any given time and other criteria. As well, producers must comply with all federal, provincial/territorial and municipal laws and bylaws, including municipal zoning bylaws and are subject to regular inspections.

Partington, Stouwdam and Valleau are concerned with the impact on their property values, wells and the environment. They are also worried about what Partington describes as “the smell of 1,000 skunks” when the plants produce buds. Most of all, they are angry they had no prior notice and no say about a marijuana grow operation - although legal - in their backyard.

Stouwdam says he and his wife have 17 dogs and two horses. The producer bought the property last fall and the couple noticed excavation going on last spring, which made them wonder. But, when the greenhouses went up, they didn’t know what they contained.

“We had no idea this was going to happen on the property.” Stouwdam said after the previous owners sold the property last fall, residents heard the new owner was going to operate “a market garden.”

He later learned the owner has a licence for 1,168 plants and has concerns with “not only the amount of water they need, what about pesticides, fertilizer? I understand the need for medical marijuana, but we had no input on this at all.”

Valleau says the facility “is wrong on so many levels. The Township knew about this, but there was no notice to any of us. What’s the big secret?”

Partington said she went to the Township, where she confirmed the owner is licensed and the number of plants he can produce. Although she was not permitted to see the name due to privacy concerns, she did learn the license is valid from April 2018 to April 2019.

“The man at the Township said we didn’t need to be notified; that the property is zoned agricultural and that growing marijuana is no different than growing potatoes.” Partington said she went to the property and introduced herself to the owner. “He is a very nice guy. He said he was growing marijuana and invited me to have a look around,” she said, noting she did not go into the greenhouses but could see the plants inside.

Partington is concerned because the owner said he plans to expand; there are already four transformers on the property for the hydro requirements.

Valleau is also wondering why there are so many transformers. “Even big dairy farms only have one.”

Partington noted the license only covers this year’s growing season, but the transformers would allow for a larger operation in future.

“Right now his license only allows him to grow the plants and they would be picked up,” she said. “He would need a different license if he

wants to expand into drying and packaging...but that would be a commercial operation and then what?

“He told me he wants to expand, and he has enough room on the property to double the operation.”

All three residents are worried about water supply, as they are on wells. Partington said if the owner decided to drill a new well that went deeper than the current one, it could have a serious impact on the water reservoir. So far, she said there has been no drop in her water levels.

It’s also a concern for Stouwdam and Valleau with their livestock; they wonder who would be liable if their wells run dry.

“Who would compensate us if that happens?” Valleau asked.

They are also concerned about the smell of maturing plants, potential criminal activity (although producers must have adequate security in place; the owner’s property is fenced on three sides with a gate at the entrance but open at the back, Partington said) and the potential impact of chemicals seeping into the watershed.

All admit they are worried about the potential impact on their property values. Partington said she had considered putting her property up for sale. “But, who would want to buy a place next door to a marijuana grow operation?”

Most of all, the three are upset there was no notice from the Township, no chance to have a say in the operation’s location. They support medical marijuana, but say production facilities should be located in remote areas well away from other residents.

Brock Township CAO Thomas Gettinby said he understands the complaint. Although he has not visited the property himself, he said it is in compliance with Brock’s zoning bylaws.

But, changing laws pertaining to medical marijuana have also changed the rural landscape.

Growing marijuana, he said, is considered the same as any other agri-

cultural crop. The properties on Conc. 11 are zoned rural agricultural (not rural residential.)

“Greenhouses are permitted in a rural agricultural zone,” he said. “If the [facility] is processing, packaging and distributing that would be different; that would be considered an industrial [operation] under our zoning bylaw.”

But, at this point, the Cannington producer “is simply growing a crop.”

Because the producer is in compliance with zoning bylaws, the Township has no obligation to notify the public - it is simply another agricultural crop, Gettinby noted.

The CAO said the laws surrounding medical marijuana production (and the Province’s upcoming legislation of retail cannabis outlets) will likely pose challenges for municipalities, and they could be dealing with upset residents.

But, he noted while the Township cannot intervene when someone is in compliance with its bylaws, those who have concerns about water and/or environmental impacts can contact the Ministry of Environment.

Gettinby said that under current federal law, anyone can purchase land and grow marijuana if they have the appropriate federal license and comply with municipal zoning. Some municipalities, he said are actually promoting land for that use (as an economic driver.)

Stouwdam isn’t impressed. “If you pay Mr Trudeau \$250,000 you can circumvent any town meetings to notify citizens” and start a medical marijuana grow operation without having to listen to residents’ concerns.

Valleau said a flyer has been circulated to about 70 residents, outlining concerns and questions, but said to date, few have responded. The residents plan a meeting with local MP Jamie Schmale to address their concerns.

OREGON DESCHUTES COUNTY WEIGHS MORE RESTRICTIVE POT RULES

BEND — Central Oregon's Deschutes County is considering stricter marijuana rules that could reduce the amount of county land available for cultivation by more than 75 percent and expand buffer zones between pot grows and schools, national monuments and public land.

Deschutes County commissioners heard feedback recently on proposals that would change everything from marijuana production to retail in the rural parts of the Central Oregon county, The Bulletin reported.

Residents in rural areas such as Tumalo and Alfalfa largely support the proposed changes because they feel the marijuana industry has drastically changed their community. Marijuana businesses, however, opposed the rules and say they were not adequately represented in the decision-making process.

The commission always intended to revisit those rules to gauge

how well they were working, and began exploring ways to fine-tune the regulations last fall.

The proposed rules would prohibit marijuana production and processing in parcels of the county's multiuse agriculture zone, where lots tend to be smaller than those zoned exclusively for farm-use but larger than those zoned for rural residences.

They also would expand the required buffer between marijuana growing operations and schools, national monuments and public land from 1,000 feet to a half-mile and increase the number of places where a buffer would be required.

If approved as they are now, those changes would reduce the amount of land in the county available for marijuana production from nearly 209,000 acres to fewer than 50,000 acres, a reduction of more than 75 percent, Tanya Saltzman, associate planner for Deschutes County, said during the hearing.

The number of available tax lots would drop to 1,218, down from 5,402 under the current rules.

Applicants hoping to grow marijuana would also be required to provide a report on an odor-control system — submitted by an engineer — demonstrating the effectiveness of the system and would require the odor control method to be independently tested.

Read full article at above link:

Big Safety testing failure rate for California pot products

<https://apnews.com/2cb04323f9074c1ca2801693f6e2a8a>

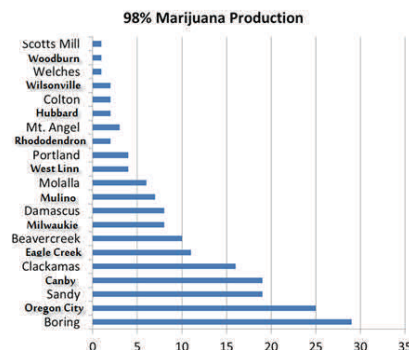
QUALITY OF LIFE - 543 Commercial Pot Land Use Applications –Citizen Complaints

It is being touted that Clackamas County land use regulations are being used as a model for other counties, yet their land use regulations are the most liberal in the State and have opened up the door for commercial marijuana growing in almost every zone in the County. <http://www.clackamas.us/planning/marijuana.html>

Pot growers have little respect for the environment or the surrounding neighbors. Many are cutting down all of the trees and many of the properties are surrounded by smaller lot rural residential land owners who now will be greatly impacted by these large outdoor pot grows. Pot growers, wholesalers, proces-

sors and retailers are taking over complete areas in our rural residential communities. In Boring Oregon of the 188 marijuana land use applications over 20% has targeted various areas of our rural residential farming community to set up their pot industry. In a 3 mile radius 5 commercial pot grows many unknown medical marijuana grows, butane hash oil processing center and 2 marijuana wholesalers. Outrageous! As you can see from the chart, the unincorporated area of Boring has been overrun with pot production facilities impacting the communities, public safety, quality of life, and property values.

CLACKAMAS COUNTY-OREGON





**P. O. Box 1351
Welches, Oregon 97067**



Consultant, Trainer, Speaker

Building partnerships between citizens and government officials to help develop safe drug policies.

<https://www.youtube.com/watch?v=uTLLUKsbyaY&feature=youtu.be>

CONNECTIONS

- **Monthly Connections**
- **Quarterly Citizen View Newsletter**
- **Quarterly Community Educational Forums –Focus Marijuana**
- **Annual Nat'l Safe Drug Policy Summit-Focus Marijuana –APRIL 2020**
- **Web Trainings**
- **Small groups meetings**



We believe we are socially responsible for preserving public safety, quality of life, and protection of property values on behalf of our communities and for the legacy of our children.



Copyright @ 2015
Produced in Oregon

CALIFORNIA NEIGHBORS FILE FEDERAL LAWSUIT TO SHUT DOWN SONOMA COUNTY CANNABIS GROWER

A group of Petaluma neighbors is using a nearby pot grower in what may be the first case in California using a federal racketeering and corruption law to seek to bar cultivation of marijuana since it was legalized for recreational use.

Four families living on Herrerias Way east of Petaluma filed the suit this week in U.S. District Court in San Francisco. They claim the growers, including Carlos Zambrano and his partners in Green Earth Coffee, are raising cannabis without local permits or state licenses and have prevented residents from enjoying their homes because of noxious odors and noise.

Stefan Bokaie, who with his wife, Carol Bokaie, are plaintiffs in the case, said the group took legal action because they are frustrated that Sonoma County's code enforcement process has so far failed to stop cultivation from occurring in about 40 greenhouses erected this spring on the 15-acre property on Adobe Road near his home.



If there's an illegal cannabis grow, it should be shut down; it's very simple," said Bokaie, who has lived on Herrerias Way for about three years.

They're using a little-known civil statute of the federal Racketeer-Influenced and Corrupt Organization Act to sue Zambrano and Green Earth, following a tactic used in Colorado, Oregon and Massachusetts by businesses and residents trying to rid their neighborhoods of cannabis activity in states that have legalized pot.