

Select Board Special Permit Hearing for FFD Enterprises. February 18, 2021 at 6pm

Present at Town Hall: Dick Scialabba, Ray Bolduc, Robert Graves, and Lynne Baumgartner

Dick Scialabba: I would like to call the special permit hearing to order. Just a few things first, participants please mute yourselves until you are ready to speak so there's no background noise interrupting which can happen occasionally.

I would like Ben Zachs of FFD and his people to speak first without any comments from anyone else. After that I have a letter that has been requested to be read into the Minutes from Morgan and Teri Davis. Then after that others can ask any questions, and comments can be made. See if we can contain the comments to five or seven minutes for each person. Once everyone's comment has been heard, we will go into the voting portion. Okay, so thank you for your cooperation. For those of you who might not know exactly what this is and what we're doing – this is a Special Permit Request with the Select Board, who is the Special Permit Authority. We are discussing a presentation for and request for a special permit, which has already gone through the Planning Board for FFD Enterprises, to have a marijuana growing production, and processing facility at 120 Bullard's Crossing Road. I guess if Ben is ready you can begin your presentation.

Benjamin Zachs: Sure, thank you all for being here. Thanks to the Select Board for scheduling this meeting and thank you to all the neighbors and people in town who are attending. Whenever I'm in a Zoom meeting from home, I like to preface that I have an 18-month old, and so, if there's screaming the background it's not me, it's him. I'd like to pre-apologize for that. On the call tonight, Will Kacheris who is our General Manager at the current and proposed site, our engineer Chris Chamberlain and we have our attorney, Ellen Freyman. My director of Security, Michael Boyle had a personal conflict tonight and was unable to attend. Mike is our Compliance and Security Director. Mike has 28-29 years' experience at DEA and then he actually worked as an inspector on the medical program at the Cannabis Control Commission and is now been with us for 10 and half months.

Will has studied large scale agriculture and greenhouses so he is our expert in commercial agriculture, and just so you know, we really combine the commercial agriculture and consistency, the focus of an outdoor and greenhouse marijuana cultivation. We have a team of cultivation experts specifically on cannabis who have worked in numerous licensed states, who focus on the specifics of growing that plant, and so we bring together those skill sets and expertise together to run a company. We are a family-owned and operated business. We currently operate a cultivation facility one step away from this proposed facility at what is now 00 Bullard's Crossing. We have an adult use and medical dispensary in Rowley, Massachusetts. In addition to that we operate three medical dispensaries in Connecticut. And we have a processing facility in Rhode Island. I wanted to give you that background.

There has been a long history in the Town of Hinsdale with this license in these locations. We're currently operating at 00 Bullard's Crossing, in the same sort of fashion, but at a smaller site than the proposed site right next door. Our operational processes really stem from when the frost ends in June until November when it starts getting cold, on the other side and so that's really when the mainstay of our cultivation operates. We had zero compliance infractions at this we've had a really excellent partnership with the local Police Department at that facility. We are proud of the work we've done.

We've sold all of our product so right now even though Will has been going there every day for work, it's really been planning at an empty site.

Over a year ago, we acquired land at 246 Peru Road. We were initially attempting to bring our facility and special permit at that site. However, based on a lot of feedback of the Town and planned updates to the zoning requirements. We wanted to be the best neighbor and fit in, not the technicalities of the rules, but sort of how we felt the Zoning Board structured the goal of the Town in the Planning end. When we had the opportunity to then acquire the land next door to 00 Bullard's Crossing, we felt that was the best option. Our proposed facility will have about 80,000 square feet of outdoor cultivation in fields under the sun. There is 2500 square feet of green houses. Those do not have any supplemental light. There are simply plastic fixtures, not permanent structures which allow us to keep some safety from the elements which you know we are taking a risk on by cultivating outdoors and obviously in Massachusetts. This isn't exactly southern California weather, as we can tell today. I don't know if it's snowed where you guys are but it's snowed a lot where I am.

We're also proposing a 10-11,000 square foot head house, made up of office space. It's made up of drying space and extraction space. Its purpose is to take the cannabinoids and terpenes out of the plant and turn it into extracted vape, essentially vape and concentrated products rather than just the flower. During the harvest season, we plan to have a maximum of 35-45 employees on site. Key harvest season is the last two weeks in October for our outdoor crop and most likely, the last two weeks in November for our indoor crop. And then, the rest of our processes really popping seeds as known as, inside our facility in April and May. Bringing those seeds out into the greenhouse in May and letting them begin the growth cycle and understand what it's like to live in the sun. And then moving them outside and cultivating on a larger scale outside and then continuing to work in the greenhouse.

During the weeks of summer, June and July, when the plants are not in the flowering process, we will likely have a staff of 8-14 employees there at most, during operating hours. To trim the plants, and focus their energy on the most profitable part of the plant which becomes the flower. The flowering period is the second week of September and when we cut them down in October. The plants will either be dried or frozen and sent straight to extraction inside the facility. Our goal is to sell product sooner rather than later – in November through February. Repeat the process on an annual basis. We as a facility follow CCC guidelines. We use absolutely no pesticides and no plant growth regulators. It is a completely natural process. We have zero supplemental lights. We have no lights that face up. We are really harnessing the power of the sun to go through our processes. In addition to that, we are fully regulated by the Cannabis Control Commission which have incredibly stringent and strict rules around 24/7 hour security. No public access unless given a specific agent card deemed by the state. Every employee has to take a very intensive CORI background check. Facility is not open to the public. No visitors are allowed – only approved by us as well as the CCC. Our goal is our construction and build out to be local in our operations to also be local, which means hiring locally, using local contractors, etc. To really be a part of the community and to not just be only a revenue producer at the end of the day, but also actually create & spur economic activity and growth through jobs for Hinsdale residents. That's really kept our focus. It is part of our Host Community Agreement which you know we're updating and finalizing at these two new locations in addition to the revenue. We want to give back to the Town. We have a family mantra which is you only make money to give more money away. We really stay local in our philanthropy and where we're from and so as part of our Host Agreement, we do have positive impact plans around donations to local organizations. We really did run through an overview in our last meetings, so I am

going to turn this over to our Engineer, Chris Chamberland. He will talk about our buildings and plans as well as our risk mitigation plans regarding water, odor, traffic, etc. things of that nature. I recognize a lot of names on this call right now. I know I've spoken with many of you personally as well. We're a company that believes in open honesty and transparency. I am readily available to answer the phone if you have any questions, and to my wife's chagrin, I want to be a neighbor and partner who truly is not just someone who's a pain in the neck, but someone who really is creating a positive impact and answering questions we might not always have the right answers to but we are always going to be honest.

We have an eight-foot fence around the entire facility. We will have fences that surround actually each specific area which hold plants 100%; 360 degrees with cameras, with the exception of the restrooms. We keep at least a 90-day backup on the cameras. We have motion detectors at every inch of the facility as well to understand who's coming in. Because safety and compliance is number one, without those two things, we have nothing. Per the regulations of the Zoning Board, we have supplied the Chief of Police with our security plans and those have been reviewed and discussed. Our alarms are tested every month or get a dial in for our alarms every month. There was a rumor going around at one point that we had an armed guard, No Guns Allowed Whatsoever! By ensuring that we have 100% full time camera coverage that nobody gets in unless completely authorized. We have no retail sales. This is strictly a production and manufacturing facility. There is no immense traffic. The most cars would be 40 to 45 during the height of our season, we have no big trucks either. Our biggest car is a van which has GPS tracking on it, as well as the people coming in and out to do deliveries with all product being collected manifested, etc. The last piece of our security is regarding every single plant, which will in turn into an individual unit, whether that is of the flower, or that is of our compostable plant waste, whether that is of our oil or any other product that we have is tagged and tracked in a seed to sale system, both internally and every single day updated to the State. Please understand, we have a full security plan and protocol and backups redundancies is incredibly important vital and necessary to ensure the safety of both the plant and the business. Thank you to everyone for an honest and forthcoming partner to work with throughout this process. You know we've had a lot of conversations with a lot of people and every time we learn more about why people in Hinsdale. What they love about this community, and it only excites us more to be there because they are a passionate population that is asking these questions because they care about where they live. I just want to finalize and finish because it is important to us to present that. There are more specifics but based on our previous applications and presentations to the Zoning Board. All the plans are public and are out there, MEPA tests around the environmentalists were incredibly competent around that work. We were approved at the previous location. This location is further from wetlands, so we feel comfortable about receiving our approval on the 22nd. It is a beautiful part of the state in the country so we want to ensure we are doing that properly as well.

Dick asked if Ben was finished. He read letter from Morgan & Terri Davis 21 Bullards Crossing Road; and Robert & Linda Duzlak 1175 Washington Road into the minutes:

To whom it may concern;

We wish this letter to be read aloud the hearing and entered into the record.

We have multiple health and safety concerns as well as water usage worries.

We are asking for a water study to be ordered.

There are approximately 16 households within 5/8 of a mile from the proposed facility.

Water usage of the magnitude noted at the planning board hearing is almost certainly to effect the wells in the immediate area.

A water study by a certified hydrologist is the only way to determine if this usage is sustainable in the close proximity to these home's wells.

Possible solutions include;

A percent of the town's income from the facility set aside for redrilling wells or extending the town water line.

Installation of multiple water bladders to be stocked off hours at a slower rate than the possible max water use.

Odor is also a noted concern.

Possible solution;

If odors do become objectionable to the neighbors, enclose all grow areas in green houses with vented air filtered to mitigate smell.

As we live at the head of the road, dust from any additional traffic will impact us negatively.

I have recently finished 3 years of treatment for throat cancer and am very concerned that the additional silica raised from the road surface may exacerbate my condition.

This past summer was hot and dry and the dust forced us to limit our time outdoors.

White Wolf Trucking watered the road occasionally, Mike George Propane chipped in and the town laid down calcium chloride.

All welcome efforts but temporary at best.

They have stated there will be minimal traffic but any additional load will put us over the tipping point with dust.

We are asking for the first 500' of the road to be blacktopped.

In conclusion, we have been good neighbors for all those who have made various uses of the gravel pits on our road.

We have met; Dudley Billings-gravel pit, Craig Willis-White Wolf, Dave Duquette-gravel pit & Mike George of George Propane.

I believe we have supported and worked with these individuals thru the years.

We harbor no ill will towards FFD and the principles, but wish to be introduced and have our homes protected. Signed by the four people that I have read at the beginning of the letter. Now people can being to ask questions or make comments.

Morgan Davis: Ben, you heard my letter and our concerns. I truly wish we have met you in person. To me, that is the beginning of a good neighbor relationship. I'd like to know what you think of my concerns and possible solutions.

Ben Zachs: Hi! First off, absolutely would love the opportunity to meet in person, not a problem whatsoever. Whether it's literally on the phone in COVID times, or one of these zoom meetings. There is a couple of elements I think I want to address, water, odor and dust. We operate seven months out of the year where there is no additional cars going in and out during the day. Someone comes in the morning, and stays for their shift and leave at the end of the day. The maximum number of cars in and out at peak season would be around 40. I don't know the specifics of watering, or graveling the piece of the road. I do believe that the town's question specifically the funds going towards that. I am not always going to give the perfect answer you want to hear, but I am going to be honest. You know the mitigation of just the number of people who are going to be on there at a time, right? It's not a back and forth, most of them are going to be individually-owned cars. It's not like the White Wolf trucks coming and going which would only be during the construction phase of the facility. I don't know exactly what we'll need in terms of the construction of the building. It is planned to be a prefab building and the greenhouse are already there. There would be time when we want to have finished before the heat of the summer, depending on timelines if there were to be approval so that the first piece on the dust. The second one is odor. If you compare what we had this year to other outdoor farms, such as the two in Sheffield, the odor really comes into play in the middle of September through October because that is when the plants are flowering. I'm not going to assess or judge if anyone on this Zoom call knows the smell of marijuana but the smell of burning the marijuana is very, very different than the smell of fresh live marijuana plants. Other thing is that you know and I've read articles, about smell from the plants in buildings I see that Larry Parness is on the call. One of the big differences between our facility and the others in the state have carbon filters. Everything comes out generally has one location right, so it's an incredibly pungent smell with plants right next to each other, and so, even though our facility sounds big right at 75-80,000 square feet, the reality is our plants are spread apart encompassing about nine square feet versus them being physically together. We will have this a similar number of plants in an 8,000 square foot indoor facility. We're about one ninth the size and they put a plant every square foot and we put a plant one out of every nine square feet and their concentration of smell is different than ours.

The best analogy, I have is you know the bathroom smells more in a small bathroom than outside. Probably not a good use to use a bathroom, but right there, we have the ability to use incredible space in air flow of just the outside. The strength and pungency of plants together is mitigated because of the air and wind and the tree line barriers on really both sides of our facility out until you get to the end of Craig Willis' property that we didn't acquire from him. The idea of tenting the facility and putting in air vents I would actually argue that creates a bigger problem because you don't get the dissipation of air. The rate of smell is to each their own, there is not really a way to measure pungency, each is person perceives it and experiences it differently. We have looked into ways that other facilities have done things. California has a water misting so that the thing we have looked into to help sort of dampen the weight of the smell. The only backlash of that is more water which is I'll get to the third. The last piece of the smell that I'll talk about is there is a piece of our current Host Agreement and our proposed Host Agreement that we're working towards signing around complaints about smell that we are planning on working around. I am pretty confident that the smell is a bigger worry than a reality. Until we know what

we know what the reality is, it still is a worry. This year we didn't receive any complaints about the smell. So we hope that that continues. The water is another piece that is a concern. We are a private well, we don't come anywhere near the limits to become a public well. Not even on our biggest day, which is a 4-week time span. We are the equivalent of a 2-acre backyard of water. We have zero water runoff. We harness every drop of water. In addition, we added a storm water basin to collect all the rain water so we don't have to go into our well as much as possible. We treat our water, not with pesticides, we have a filtration system that cleans the water. We also don't plant directly into the ground, but used raised beds in our own added soil. We catch anything that comes through. Specifically metering. For seven months of the year, other than our office bathrooms, we are not using any water because we don't have any plants growing.

The impact in the studies we did, on that previous site and our planned usage even though our numbers look big this is not like a golf course by any means, it is more like someone's backyard at peak capacity. Because we are an outdoor facility, we don't have the intensity of the sun every day, so our levels switch and depend on the heat and our sort of reading the monitors. Those are sort of subjective way of describing it. Chris, if you could take over and talk about the specifics of what limits the State puts in and how far away we are from coming anywhere close to those.

Chris Chamberland: I am a professional engineer. I work at Berkshire Design Group in Northampton. I have been working on the site design, both for the previous site and this one. We certainly heard the concerns over water at the Planning Board and have done some thinking and researching on how to make sure that we're really clear about what is going on. I've got some things prepared for people who are more visual learners. There are a couple of graphs that may be helpful in putting some of the stuff in perspective which I can share if that's helpful or not that's fine too. What I want to do is just kind of run through exactly how much water we're talking about, comparison for perspective to other facilities and then some of the standards that apply and address a couple of the points that were brought up in that letter. The first one being a hydro geologic study, in my professional opinion is for projects that would be unusual for such a relatively small well. It is challenging because when we talk about the amount of water that we used over the course of the past year, those numbers sound enormous 1.2 million gallons water for irrigation. But when we look at more of the details of what that means and in comparison to other water uses it's actually not an especially large well. We certainly worked on a number of them that are that size or larger. In any event, to breakdown the amount of water we will use on that site, there's a baseline level that Ben talked about in terms of the office staff. What we would call domestic water use of about 3 to 400 gallons per day. That is equivalent to a single family house. The sort of number we'd use for design flows for that kind of installation. Then really the bulk of course, of the water use is for irrigation which increases in the spring time as the plants are starting to mature peaks in the mid-summer period, of a maximum of 12,000 gallons per day. It falls off sharply as we get into harvest, both because of the cooling weather and because the plants are being harvested and there are fewer plants to irrigate. So the first step is to minimize the amount of water we are using and then to spread that system in terms of use of drip irrigation and soil moisture monitoring. Importantly, that really delivers just the bare minimum water that's necessary to keep the plants thriving. That's the demand side also sort of quantifying the source side and here I'll point to the other suggestion that was made in the letter. In terms of creating storage suggestion was to use potentially storage bladders and to pump sort of consistently throughout 24 hours as opposed to creating this big instantaneous demand on the well is actually a great solution. In fact, the plans already reflect us using a related solution not bladder in this

case. We are proposing to put in a large irrigation pond the plans show upon to about 85,000 gallons which is size to capture about six inches of rainfall off of the roofs of both the hen house building and the greenhouses at one time. That's essentially any you know from an empty pond that's any rain fall short of about hurricane Irene sized. Rainfall is coming in there and that really is going to help us offset a lot of that water use over the course of the year, as well as shave those peaks so that that demand in the summertime isn't quite so much over the course of the year. We anticipate that, by managing that ponds and using every last bit of rainfall, that we can we're going to offset about 40% of the total water use. For the site over the course of 12 months and then what gets tricky is in the summertime where the water use is going to be faster than the rain is filling the pond. But with careful management I'm estimating that we can cut that 12,000 gallon per day peak down to reliance on the well about 8500 or close to 9000 gallons per day so that a reduction right there. Essentially there would only be four months that we would use the well for irrigation water. Then to put this in perspective using potentially 8500 gallons per day out of that well, that number feels very large, but according to State regulations, when we look at private wells, any agriculture well use of irrigation is not regulated by the state but by the Board of Health in terms of location. It can't be too close to septic systems and another potential sources of contamination. But the withdrawal is not regulated at all until you hit a point of withdrawing 100,000 gallons per day, or more than 10 times what this facility is proposing on the peak. And even that is not withdraw hundred thousand gallons on one particular day but an average of 100,000 gallons over a three month period. So when Ben talks about not being even close to that kind of a threshold that's sort of what he's referring to. Looking at sort of comparable installations, if we look at UMASS extensions recommendations for planning water on farms. They say that in Massachusetts you should expect to use between six inches and 24 inches of water on your crop depending on the variety for vegetable crops and based on Will's calculations, we are anticipating using about 19 inches of water, so you can imagine, this as a two and a half acre tomato crop but watered significantly more efficiently than you might would say an overhead boom style irrigation. In terms of the average annual demand, if we look at how much water will be withdrawn over the course of a year. That's averaging out to 3300 gallons per day, which would be the design flow of about 10 homes on this 20 acre site and that's before we account for any of the water that's going to be collected by rainfall. And then, if we look at sort of the comparison to turf grass, which is a thirsty plant again UMASS' sort of recommendations for planning is that peak irrigation demand.

For this is sort of at the peak of the summer, so you can compare this to that 12,000 gallons that we will be using. That a high intensity turf grass installation, you need to water nine to 13,000 gallons per day per acre on average through that very peak period in the summer. So you can also look at this as the equivalent of a single high use athletic field, which is a little bit over an acre. The kind of thing that a high school might do where they want to maximize the number of hours and put a lot of irrigation water into that to keep the grass healthy. Our opinion in terms of the suggestions in the letter is that you know I do not feel that an extensive study is required on but certainly the storage, the idea of stretching that well supply out over time, is an excellent idea, and in fact we've already incorporated that into the plan. And you know Will and I had actually discussed if the site plan allows us to expand upon a little bit more, so that we can start that growing season, with even more water in reserve and hopefully stretch that supply and offset a little bit more of our water.

In trying to look for sort of a quantitative measure of what impact well like this has looked at the public water supply regulations in Massachusetts and again what we're talking about as a private well. So these

are not regulations for us but they're helpful, I think. When we look at well head protection zones, the amount of land that needs to be protected, around a water supply to ensure.

That it continues to provide enough safe water, there are two areas that the State defines for protection zone one in a zone two. Some of the people in Hinsdale It may well be aware of these. The zone two is defined as that area, which water supplying this well would be drawn from under the most extreme conditions reasonably that are going to be faced. So they define that as the maximum pumping rate pumped continuously over a period of 180 days without the contribution of precipitation to recharge the aquifer. On a small well there's a formula to estimate approximately what that area is obviously the real world conditions very so you know we can't take this for an exact answer. It points us in the right direction and that zone two radius for this well if I use the state's formulas based on that maximum 12,000 gallons per day is a radius about 650 feet. I have a figure to show where that is, but essentially it encompasses this entire 20 acre property and you know areas within 100 to 150 feet it extends a little bit past the stream to the west of this site and not any further so again that could be off, even if we double it it's still not overlapping with any of the properties on Route 8. That is sort of the state's ballpark rule of thumb estimate for where the water from this well as coming from again at an extreme use compared to what's actually going to be going on in this site. I may have belabor that a little much but I'm an engineer, so I like to talk in detail.

Morgan Davis: Can I do one follow up question for Chris? Did you say you performed a study for the Peru Road property water study?

Christopher Chamberland: Study meaning looking at water demand, and you know projecting use and similar to sort of the numbers that I just went over here. We did not do a hydro geological study.

Morgan Davis: Okay that was my question, if you did hydro geologic study.

Christopher Chamberland: Okay, if I think it was talked about in a couple of the meetings.

Morgan Davis: If I can now talk back to the town again, please.

Dick Scialabba: Okay.

Morgan Davis: You know excellent presentation, again, we have no issues with this use of a reclaimed gravel pit. We think it's a fair idea. I would put the ownership for the blacktop back on the town. I think we're long, long, long overdue for Bullard's Crossing Road to be black topped. Yes, it's only just 30 cars, a day you come and sit on our on our porch when 40 cars go by our house. Sitting outside our house after five cars go by, you'll be in the House for the rest of the day. When if they approve this either the money from the town; the money that the town is getting from the farm or wherever it's coming from Bullard's Crossing Road needs to be blacktop at least to the top of the hill. How do you guys feel about that?

Dick Scialabba: Well, I think there's an entire priority list of places that have to be want to be paved. Many of them are traveled more heavily than this road is. I also know that you can't just lay blacktop over what's there. You'd have to do an entire rebuild of the road you'd have to put down the proper bedding and stuff you'd have to do drainage work. That would be probably something that you would have to contract out. The Town will not be able to do it. They don't have the equipment to do it.

Morgan Davis: Yeah, I understand.

Dick Scialabba So you're talking several hundred thousand dollars, by the time you're done.

Morgan Davis: I understand and the town is going to be getting more than that from this facility.

Dick Scialabba: Not necessarily we don't know exactly but I don't think we would be getting hundreds of thousands and I also don't think we can depend on that because we don't know what the sales are going to be.

Morgan Davis: Okay, well then we would expect the town to be here once a week spreading calcium chloride, to keep the dust down.

Dick Scialabba: Well, there are other things -- If it becomes a problem, then I guess, we can try to address it. Ben has always been cooperative in any of the discussions we've had about anything. We're not looking to make it be something that is totally untenable. But the calcium chloride works, watering works. As it as we go through this and we see what it is, then we can take a look at what kinds of things might be able to be done, but I can't sit here and make a promise at this point of that because it's too hard to determine what the right thing to do is.

Morgan Davis: Well, the right thing is blacktop. Calcium chloride I'm sure those guys don't want it in the aquifer that they're going to be using for their plants. So that's like a temporary once during the summer process. Water goes away in two days. This is going to be an issue, a constant issue I guarantee that!

Patricia Harris: Can I ask the question, please. Hi, I live on East Washington Road. We were just wondering and Morgan and not to discredit your issues and I totally agree with you. I think that you wrote should be blacktop because it is going to be an issue for you. But this project was originally proposed for Peru Road I understand and then and that now it's on Bullard's Crossing, and I was just wondering. You know why the town of Hinsdale thought that the latter proposal was better than for Peru Road. Because the people around the lake didn't like the smell, but the people on East Washington Road can live with the smell so we're just wondering, you know why did that, why did they change from their original site?

Dick Scialabba: That's their decision to make. Not a decision the Town made.

Patricia Harris: Because of unhappy neighbors complaining about the potential smell was the reason that they decided not to do it. So can we ask them? We live east of the plant. The wind constantly blows from west to east and we're just over one mile from the proposed facility. Am I going to sit on my porch and smell a marijuana plant for the rest of my life? You are changing what we are used to here.

Benjamin Zachs: So a mile away, I really believe absolutely not. I feel very comfortable saying it. We will see. I feel very comfortable that a mile based on our type of facility is sort of out of the distance realm. Why the change? There were a couple of pieces: 1) the density of population, 2) the closeness to the camp. There was also just the height of the land there and the openness of the land that we thought was ultimately better for the plants. As well as the move and change of just sort of like taking everything from our current facility and moving those pieces over. Those were sort of the biggest elements, plus the ability of just sort of fitting the full space in the ability to keep the storm water basin here so that we could collect so that we could use more rain water, so there were both operational pieces, as well as zoning pieces that we felt were ultimately, you know the best mix. Then the area being zoned, for I think

adult entertainment, I think, is the specific term versus what it was on Peru, that was those were sort of the multiple pieces, I hope that again. Maybe clarifies.

Christopher Chamberland: I can actually add a couple of the things that. Ben operates up here and I'm down in the dirt. There were a couple of major challenges with the site plan there. They were resolvable but not easily. The biggest one was the site. The buildable site was 900,000 feet back from road, which was great, but the existing farm that came through passed through a really sensitive wetland area. It narrowed down to about 10 feet at its narrowest, with wetlands on either side, which meant it was permissible to maintain that road. But it really constricted traffic flow. It was going to be challenging and expensive to build. The cleared area where the site was built was also pretty small once you start trying to fit 100,000 square feet and grow in there, whereas this 20 acre site of former gravel pit is basically a sandbox that can be built in a way that's operational.

Patricia Harris: Okay, thank you, I don't know if you guys are aware of the wind is really pretty fierce up here, so it does always go from west to east yeah so it's going to come right up the East Washington Road constantly.

Benjamin Zachs: Right, I did actually look at the percentage of time that the prevailing wind was in that direction. A mile to dissipate this smell is incredibly long way. I do feel comfortable with the distance versus that some of the homes that are closer to the other directions even though trees are there. And so, that's really around distance and smell, I think it would be worse honestly if there was a big hundred thousand square foot building here versus just the wind taking it and honestly, the stronger the wind the more successful it is in dissipating versus a stale wind, which just allows the summer heat to sit there. I do believe that sort of helps the cause, even if it's in the direction because it's going to blow. It's going to move. It's not just going to stay together.

Patricia Harris: Okay, we shall see. But what if we do see? And what if we do smell? What are the ramifications?

Benjamin Zachs: If you do, we're going to work to mitigate. I'm sure you will be in touch with us, as well as the town to figure out these processes. If that question of process for a sort of drip or like water vapor type plan is necessary. If there are other things that we can ultimately research to do. You know and that's within the contract that we have with the town. There are ways that it can be addressed. It has been thought through from before I was involved in the initial facility. Whether the facility was at Peru Road or the facility was here, that is a specific term of the of the host community agreement record.

Patricia Harris: So you mean that we can address it? Because it is in the agreement and we would have some recourse if we told you, you would have to do something about it.

Benjamin Zachs: I don't know the specifics of what defines whatever piece, but it is there that we have to use best remediation efforts at points as information comes on. That's what I'll say I mean, I think this year was a good test case obviously there's going to be more plans moving forward, but I think you know we didn't we really didn't hear, not one complaint, even as people were just walking on the road and walking by. We didn't receive complaints I don't know that I was made aware of from the town so I think that will be consistent moving forward, but as you noted, we won't know until we know.

Patricia Harris: Then it's too late. So your company is out of Connecticut right? what brings you the Hinsdale Mass? You can't grow it in Connecticut?

Benjamin Zachs: So the joke, we like to make and it's not a joke -- it's true is once you start crossing state lines you're no longer a legal cannabis operator you're a drug dealer. So each State has its own rules and regulations. In Connecticut the laws are there are four current cultivators and 18 medical dispensaries. We do not cultivate in Connecticut. You know, we think Massachusetts is obviously an adult use market. It's a market that we want to be in. We believe that this type of cultivation outdoor is different from what's generally going on in the state. We are trying to grow and expand our business in a smart way and to be in Western Mass is a place that makes sense and even as we initially came into what was the former Ipswich Pharmaceutical Associates. It's now our business at FFD, you know as we were looking to expand that Facility under the legal ability of our licenses you know to stay in Hinsdale and to stay at this land. You know that was what we wanted to do and was important to us we're also trying to grow in other states and other places in Mass. It's not just here in this town, but I appreciate the question because we don't get that asked a lot actually so.

Patricia Harris: Okay, thank you.

Keith Harrison: Could I address your question about the other neighbors over on 143? I am actually the abutter on the backside. I was going to be able to look out and see the fences along my back property line and I can see the concern in your faces. I could tell you when they started talking about putting it back there, I was scared to death. I was worried about the guard dogs, the guards walking around machine guns, the lights, the cameras. I wouldn't be able to walk around my property without somebody watching me on a camera. The drug dealers coming through trying to go through and steal the marijuana you know. I had all kinds of things going through my head what was going to go on back there.

I got involved and went and checked out all the facilities down in Sheffield and everything that was going down in Great Barrington. If you read all the different articles that are in the paper about what's going on in these various towns. A lot of them are reworking their bylaws and they're trying to address some of these concerns. What I found out in the process is a lot of my concerns were, I am not going to say overblown or unfounded, but they were probably less significant than I thought they were. What I found with dealing with Ben and Will, is these guys are approachable you had a problem. They answer your calls. They respond to your questions. I have never had a problem dealing with them. Information is power. If I had a question or concern I call them up or I send up in a text and literally within 15 minutes he's back to me. We talked about it. He answers the question. I personally have resolved my questions back here. I've lived 30 years next to a mink farm. I wasn't as worried about the odor as other people, but a lot of my neighbors are absolutely against it. I support my neighbors. So I support the pot farm not going on the Peru Road site, so when they found the option of going over to Bullard's Crossing we're all elated absolutely. I guess my whole point is if there's an issue and if you have a problem, Ben and Will are easy people to deal with. You ask questions, don't be afraid to talk to them. They are not going to hide from you. I found them to be decent upright business people just looking to do you know the right thing. So talk to them. That is all I got to say.

Dick Scialabba: Thank you!

Patricia Harris: Thank you. We all know that. We just don't know how long Ben and Will are going to be in the business, who are we going to be left with later, once this is built in everybody gets their way then you're stuck with it, if there's a problem that's just going to get brushed off right more than likely you're just a taxpayer.

Town Administrator: If I can just respond to that -- in our Host Community Agreement which we did finalize. I'm sorry Ben doesn't have his copy of it yet because I was out for a couple of days, this week, but it has a mechanism in there, if there are concerns that the town has spelled this out, as he said. That we are involved, that you have the right to raise issues and bring concerns. What Keith is telling you is true. They've been very responsive even to our concerns. They'll be responsive to yours. I'm pretty confident of that, but if you're not satisfied, you have a mechanism to come back to us in the Town Hall and to the Select Board. We can raise the issues that you're concerned about I honestly believe that this has been a very reasonable and up and enlightening process as far as how you want things to go. How you want to work with people, particularly when they're coming in with lots of you know, issues that everybody's questioning, and I see it myself. I live in Great Barrington so I know exactly what he's talking about and have read those articles, but I feel like our folks here particularly Ben and Will have been very responsive to the town. They will be responsive to the neighbor. I believe that they will be very good.

I also believe, when I hear Ben talk about what his long range plans are you can see that he's building his business but it doesn't seem to me that he's going to walk away from it anytime soon, so I don't think that we're in a great danger there. I do understand your concerns and they are not falling on deaf ears. Here in the Town Hall that's why we've negotiated all these kinds of the issues we've tried to operate with best practices we've worked with their attorneys we've worked with the town's Council and we've gone back and forth and back and forth updating and modifying these agreements quite a bit, so I do believe that you have good representation, and you have folks here who are concerned about the Community in in both ways we want you to have a good experience as a resident, we also want to bring some new business to the Community. To increase our revenues and in the town, and so I hope that you see we're trying to balance that as well.

Raymond Gochey: I'd like to speak I'm Christina Filkins, and this is my partner Ray Gochey. We are on East Washington Road as well. We just purchased the old _____ farm, in April of 2020. A couple questions that we had, already have been answered. What about any kind of like expansion options that they could have in terms of you know putting in more than two acres I'm just curious as to what you know I'm not familiar with the zoning and things like that I just I'd like to know Ben if you wouldn't mind answering that question, if you can.

Benjamin Zachs: Sure the Cannabis Control Commission as a state limits operators to a maximum of 100,000 square feet so per the State law we can't go bigger than our plan. We as a company have another facility in another town that small. Our plan of 10,000 and I think 80,000 or 72,000 is our max capacity allowable by the state. So we can't expand further unless the law changes in the state and, if that were the case, our Hosts Agreement with that need to be discussed and renegotiated. We'd have to go through all of these pieces again because any sort of change is a multi-step approach and so I don't see it happening. For one I don't see the state changing the law. It's never come up. I mean I know the program is only six to eight years old in Massachusetts but it hasn't come up and that's sort of where the allowable is for that, so I hope that answers.

Christina Filkins: It does, thank you.

Christopher Chamberland: Yes, just add real quick, so the question of if Ben sold the business the zoning bylaw actually then provides that the special permit lapses, and so the new owner would have to come through and get a new special permit from the town in order to continue operating okay.

Christina Filkins: that's good to know. Thank you. I had a question for you. Do you have a similar facility, you mentioned in Sheffield?

Benjamin Zachs: We don't. There are two companies that are in Sheffield.

Raymond Gochey: Okay, all right, because I guess, my question was more towards the town. Is it a similar facility, not by your company, but something that you're looking to model?

Benjamin Zachs: In the sense that it's an outdoor cultivation in Massachusetts - yes.

Raymond Gochey: I guess my question is more towards the Town. Has the town looked into researching or contacting Sheffield's residents down there to see what their feedback is in terms of the smell, the noise, odor all the concerns that I'm hearing tonight from the local residents.

Robert Graves: As far as that goes, we have we've been working with our attorneys who work with several different communities in the area. They have been keeping us abreast of things going on in these other communities and they've been topics of conversation for us as we've modified our own plans. As far as getting into their town business or going down to see those sites. No, I have not done any of that and I don't believe anybody on the Board has. Dick, I know you've traveled a little bit to a couple of other sites, but I'm not sure if there was any formal conversation.

Dick Scialabba: No. The only site I have been to, is the smaller one on Bullard's Crossing during the flowering time. Will took me around. But I wasn't there at the time when it would have been the skunky smell.

Raymond Gochey: Right and I've driven by them, for you know as long as they've been built, but I think what we're missing that the time really needs to look into and I would recommend the feedback from the people that live near there. To hear their concerns and maybe that's something that we can then bring back.

Dick Scialabba: I have had contact with a couple of people and they did not have any severe concerns.

Christina Filkins: And then the last question I have, (I know a lot of people have other questions), so I do apologize. Ben, you mentioned the production of vaping products, pulling the oil out. How is that process going to be conducted at your site? What do you use to pull out the oil? I had read an article concerning high levels of butane and I'm going to assume that isn't okay.

Benjamin Zachs: Now we use a fully closed loop system. Okay, yes, in a C1 D1 prefab room, we have technicians on site, who are trained in the pieces there's no run off of product or of any sort of material. And then we basically pull the oil, and then we fill the pods and sell them. Okay, we do not in our current plans have a like a commercial kitchen or something that would use a lot of other water our plan is really at this point to create just extract initially extractable products through that and in our plans, I think that takes up about 2200 square feet of the building plan. For those rooms and filling and

processing things of that nature so that's what we do there and that's allowed under our RMD license in the state.

Christina Filkins: Okay, and then, lastly, that I heard you mentioned about employees being like they're running their CORIs and background checks. I am just curious to know you know how in depth, are those are like you know, out of state record run I mean you'd probably. Tell them I'm very familiar with that stuff I mean I'm a probation officer and I am fully aware of background checks and things like that, and just curious to know who are people who are convicted of felonies able to work at your facility things like that I guess this, my concern is the population of people that are going to kind of come through.

Benjamin Zachs: Sure, so we have hiring standards in our own company, as well as the CCC guidelines on the medical records. Correct me if I am wrong here, but in the medical which most folks will have agent cards under our medical license here. You cannot have a felony record and work on site. The background checks in Massachusetts are all done by CSI creative services investigation. They look out of state. We had an employee who lived in El Salvador nine years ago, when he was a minor and we still needed to fill out the information from his, and this is at our dispensary site in Rowley. They're very, very, very in depth these checks. They do go out of state. They go into any residences. They go into any previous names. They also believe they do social media checks. As well as being necessary to be done for each employee every single year he or she has an agent card, so that is a consistent process. Mine was done last week, for example, I think it will come back clean pretty sure, but um but uh yeah so that's that and then they also do credit checks it, as well as those on. The because right, this is an expensive product and plants and so ensuring that safety is there at all times is incredibly key, you know that fits into the full camera usage, etc, so all of those pieces are checked by us and it's mandated by the state.

Dick Scialabba: Great thanks. Scott rodman has a question or comment.

Scott Rodman: You know I'm a neighbor on Ashmere Lake. A number of us just like Keith came at this with great concern at the outset. I also by picking the short straw and it was President of the Community water company, I think, because I was the youngest person. And you know, so we went through a lot of the DEP issues and looked at a lot of that and came back very, very comfortable with that issue for our Community water system. I think we had great concerns over the smell at relatively short distances, as did Ashmere Landings and certainly the folks at Lenore which is right next door. Whether that was the appropriate location, the short cycle of the year, as opposed to an indoor facility. That would be producing 12 months makes a big difference. I think we've been you know incredibly impressed with Will and Ben and the way they have been communicating with us and been open to discussing issues. I think it has been a very positive relationship. We felt that and looking at the changes to the bylaw that was important. It was the Bullard's Crossing site, as we looked at a lot of things in dealing with a lot of the issues about smell and water issues it didn't look like it would impact the neighborhood because of prevailing winds and so forth. It seems like the town did a great job. Certainly Ben and Will did so, we were very pleased with that and also working with Keith and some of the other neighbors everyone's been very positive about every all the elements here.

Robert Johnson: I just like to make a comment to this, my name is Bob Johnson I live over and Ashmere Landings. Last fall I drove down to Sheffield to do a sniff test and couldn't get inside but right outside their fence at the peak flowering time there was virtually no odor. It wasn't particularly windy day, but I think had there been even any odor we would have picked it up. I have also driven by Bullard's Crossing the small site that Will is at. In the fall, I think it was late September, maybe early October, and there

was a skunky odor there, I will say it didn't it didn't extend more than 50 or 100 feet down the road. But when you stood kind of just outside your gate there, I did pick up the odor of a very vegetative almost like skunk cabbage you know growing in the woods, but I don't think it would be, I think, is no way would carry a mile and I tend to agree with Ben on that.

Scott Rodman: I also drove that same trip quite a few times to make sure that what we could smell and where, how far away and had the same reaction. We've also spoken to an awful lot of the local towns that have been going through this and tried to get their input on it. One of the comments we had about Sheffield was in that particular location, they had a sod farm before and they'd had tremendously bad smells. And they were very they were actually very pleasantly surprised that they had limited odor from that from that location. And it didn't travel very far.

Christopher Chamberland: Will, I think you could comment on the proximity of that outdoor field in your current facility versus what we're looking at it is significantly closer to the road, then it will be.

Will Kacheris: Certainly nice see some familiar faces. Hello to everyone else. As Ben said, my name is Will Kacheris. I am the general manager on site. Some of you I have definitely seen. Some of you driving by, some of you stopped in. You know I am always happy to show people around. It is what Chris is saying the current site, the edge of the closest plant to Bullard's Crossing was about 2025 feet away obviously through layers of security, but at the new site or fields will be quite offset from the road and pretty much in the Center of our property so pretty much the ideal situation for being as far away from the exterior line of our property as possible and also just jump on what Ben was saying about the plant spacing it's actually even better it's farther apart than nine square foot plant we're actually doing at least a five by five so 25 square foot per plant, so the numbers really are just huge of the comparison would be small citrus trees in size and spacing. We're talking to a handful thousand plants vs tens of thousands of plants for an indoor facility. That coupled with our high wind in the area and just our vast space in the heavy woods all around us really contributed to a good older block in my opinion.

Benjamin Zachs: If I remember correctly in the bylaws, we have to be a certain distance away from the property boundary. The distance is seven or eight times as far as we have to be from the road. Significantly further than where we were and where we are now. So in peak season and only during that flowering period is really when there's any smell coming because the flower is out and that's where the odor comes from.

Christopher Chamberland: The nearest plant is about 200 feet off of Bullard's Crossing Road and if I'm remembering correctly about 1700 feet from the nearest house or structure.

Dick Scialabba: Okay, are there any other substantive issues, or comments?

Patricia Harris: I just have one, so I appreciate the people from Peru Road area and other neighborhoods, who no longer have to worry about this being on this site and telling us that it's all going to be great, but you know I think you have to understand. You know now it's us. It's no longer you. So it isn't really comforting to hear from people in another neighborhood. You know that don't worry about it it's going to be fine, I just wanted to say that because there's three or four people on here who had been you know invited to say those things, and it doesn't it doesn't comfort us because it's here to us now we're facing this -- not them.

Scott Rodman: Patricia, can I make a quick comment? We absolutely understand exactly what you're going through in the concerns. Ben didn't ask me to make a comment. He didn't ask Keith to make a comment, I am sure. We're dealing with this again by the way, because the property right next door to 246 there's a proposal to do an indoor grow, which is far worse than this. These people have not been communicating with us in the same way that Ben has. So it's been it's an interesting experience, we're going through it a second time. If I thought for a second that Bullard's Crossing was not going to be, was going to give you problems that was were what we were concerned about originally and sort of came to grips with I wouldn't be favorable of Bullard's Crossing. I would not be in favor of Hinsdale doing marijuana at all. If I really thought that there was a problem we pushed hard for a bylaw change to limit it so it could not be on various other places there were lots of places in town that it could go as a result of the current bylaw that's in place. And that was a little scary as we started looking at it, I won't list all of them, but I mean it could be, it could be walking over the whole you know right next to downtown basically and it could be within 150 feet of the school. So the bylaw change is probably the thing we're sitting there hoping for the most right now, but if you have questions offline I'd be happy to answer anything anytime you want to talk.

Patricia Harris: yeah I do appreciate that, and you know your knowledge is always something that I would be looking for, but I just thought I should say that. You know that you know now it's us and now we're worried about our property values.

Scott Rodman: And I've made it very clear to everyone we're not doing the NIMBY approach. We're not trying to push this off on someone else that's not the approach taken by any of the people on the Peru Road property.

Patricia Harris: Okay, thank you very much.

Dick Scialabba: If that's everybody....

Morgan Davis: I have one quick comment. I thank you guys, for a very informative session. I think the water and odor controls and information you presented are very good. The dust issue obviously will be monitored daily. I look forward to getting everybody's cell phone numbers. I'm not saying I'm going to be a pain in the butt but I'm going to be a pain in the butt. My only last thing is the continued reference to the adult entertainment thing really gets under my skin. We took one for the town on that because towns in Massachusetts found out that without an adult entertainment zone, it could be put in town. So it was put out on the end of barely maintained Bullard's Crossing with no utilities in the swamp to essentially get sure there was no entertain adult entertainment.

Terri Davis: So what is the point of bringing it up? What's it got to do with a pot growing place? We don't appreciate the dig because we're not a seedy part of town.

Morgan Davis: No really no pertinent to do with a pot growing plant on place now. It worries us, we would like to meet you yeah we'd like to meet you as well,

Benjamin Zachs: So I apologize, I had no idea of the context and background of that so I do fully apologize for I really had no clue. I've been there. It's an open land piece, that's how I see it. It was a gravel pit, so that's my vision, and I truly apologize for that. We can connect and meet. I will be there in two weeks on March third, so we'll meet in person.

Morgan Davis: Thanks! Okay.

Benjamin Zachs: Thank you.

Dick Scialabba: Okay, this piece of it which we're going to wrap up the question and answer piece.

Keith Harrison: I'm Keith Harris, and I just want to say that none of us were asked to be here to speak for Ben or Will or their company. The reason why we're all here is that, as we were as scared as you are in the beginning, and we told the town we're watching everything you do we're going to be here for every meeting. We're going to be with you every step of the way. We want to make sure that what you do is right for the town that's why we are working and pushing to have the bylaws updated. We will support you guys, if you have any problems. We're not going away. We're watching this thing to the end. We're here because we want to be here, not because we're supporting a business. We're supporting our neighbors and we're supporting the talents people. Including you.

Patricia Harris: Thank you that's good to hear.

Keith Harrison: Thank you very much, absolutely.

Dick Scialabba: Thank you well. Just to mention further obviously the town did not ask anybody to be here either, this is an open hearing and anybody can attend that's the legal right that people have been has been cooperative in all those discussions, no question about that And our as I, as the town administrator said the host community agreement does have clauses that cover issues that could come up one of which would be older and does require the best technology available to be used if that becomes an issue. So just to make sure that everybody knows that. That being concluded.

Ray Bolduc: I will make a motion to grant FFD a special permit.

Dick Scialabba: Okay I'll second that. Any discussion between you and me? Do you have anything you want to say?

Ray Bolduc: No discussions have already occurred.

Dick Scialabba: There is one other Select Board member who isn't here. That is Vivian Mason. The reason she isn't here is because she has a financial interest with the former owner of Ipswich Pharmaceuticals and was advised because of that she should not attend this meeting and vote so that's why you're only seeing two of us. So All said Aye.

Ray Bolduc: Aye

Dick Scialabba: Aye, so the permit is approved. We will obviously be watching everything and we will be open to people making us aware of things. We are not trying to shirk any responsibilities, but we have to think about the overall situation. Since this proposal meets all of the bylaw requirements. And also is properly in a place that zoned for it, and we've heard all the issues. We realize something can happen down the road then we'll deal with it. Just so you know where it's not a question of picking on one side versus another side it's just how we see it, for the overall good of the whole town so that's what you saw tonight. And we thank you all for being here and for being very nice too because I've seen some situations that get well out of hand, and this was very nicely conducted everybody was very respectful of others, and that gives me great hope that this can be a successful relationship, so thank you all.

Christina Filkins: Can I say one last thing just to Ben, Chris and Will, do you mind? I grew up in this town. My family lives here. My mother's relatives and they've had you know farms and everything, so I have a really strong roots here. I moved away. I came back. I look at your business through many different lenses I have family members that work in the marijuana business. I'm a probation officer. I enjoy my job and I moved up here with Raymond because this is our sanctuary. This is where we want to spend the rest of our life. We bought this property, in particular, because this is a property that my mother loved. It's a property that we love. I understand you guys want to be good neighbors and I really appreciate that, so I really hope that you know we can continue to have a relationship with you and I appreciate you giving out your email. And I just want you to know that for us, and the living up here it's our sanctuary it's our home. I just wanted to be respected and just to have that open real relationship with you guys, thank you.

Benjamin Zachs: I appreciate that and we no one wants to deal with issues. No one wants to deal with complaints. No one wants to deal with difficult neighbors on any sort of side. Our goal, obviously, is to be as quiet as humanly possible. For you guys to say hey we went through this meetings, and then we didn't have to worry, in the end. We're going to respect the land. It's one of the reasons why we brought Will on board. Honestly, because he came at this from an agriculture standpoint. It's just part of our company values. I didn't just put out my email it but at my cell phone, so you guys can feel free to connect with me. We are going to be there. You'll get a letter next week at some point, because we are having a an outreach meeting as well to go through the plans right on site and walk through it they're going to be on March 3 at 6pm because we have a new address at 120 Bullard's Crossing. We have by the CCC to complete that it's not a town requirement it's a CCC for our piece so. Everyone is out of it you'll get a letter in the mail one and two you're all obviously more than welcome to come and be there. Will is local and so you know you guys can pop by and honestly once we're open and operating if you have any interest and I offered this to someone who called me I spoke to last week. You know, we can set up a time and you can see what the professionalism and reality of the site from inside is as well. You're more than welcome to tour. We just have to do it legally and properly for our regulations. I appreciate everyone's time. We are going to respect the plants, and the land. We're going to respect all of you. We see this as an ongoing conversation, not a finished thing because we got two votes that said yes. This is the beginning.

Will Kacheris: We want to hear from you guys. I am local. I live in Pittsfield unfortunately for my taxes and I welcome you all to shoot me a text. I am not at the farm all day during the winter, but I can I make it out there once a day. I am more than happy to meet you face to face. I know how important that can be. I come from an agricultural background, and that's how we're approaching this where it's not a pot culture. It's an agricultural operation. I look forward to meeting all of you all in person and don't worry about blowing up my phone, because no one can call me more than Scott Rodman already has.

Scott Rodman: I just put my phone number up in case anybody wants it. Anybody who has a concern wants to know what we did his research, I mean glad to talk with any of you.

Dick Scialabba: A motion to adjourn has been made and seconded. Good Night - Thank you everybody.