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March 29, 2021

By email: BuckM@leicesterma.org

Ms. Michelle R. Buck, AICP, Town Planner
Town of Leicester
3 Washburn Square
Leicester, MA 01586

RE: Supplemental information to application for Special Permit for Outdoor Marijuana
Cultivation Leon H. Dykas III
Town Meadow Farm 124 Green Street, Leicester, MA

Dear Ms. Buck:

I hope you find yourself well. We wanted to respond to your March 22, 2021
Memorandum.

1. Plantings/Odor Control

We have spent significant time and expense to develop an extensive odor mitigation plan even though we found no other outdoor marijuana cultivator in the Commonwealth doing anything close to what we are proposing. Our odor mitigation plan will consist of approximately 30,000 thousand square feet of mint. See DC Engineering plans, three plans included. **Ex. 1 (original plan)**, **Ex. 2 (plan with location of perennial plants)**, and **Ex. 3 (mint)**. We will plant approximately 8,000 plants around the east, west, and, north side of the fence perimeter. (See plan). Our mint plantings will be mowed periodically. This, we submit, will provide a lush green, strong root base of perennial plants around the perimeter of the fence.

There will be two additional plant beds on the south side of the fence. These beds total 3,200 square feet of a variety of plants consisting of Lemon balm, Roses, Lavender, Marjoram, Rosemary, English Thyme, and Basil, i.e., Five Hundred and Twenty (520) plants in total. We have also taken the liberty of including some of our invoices from Griffin Green House & Nursery Supplies. See **Ex. 4**.

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The Planning Board has requested information on what other projects have done relative to odor mitigation as it relates to outdoor cultivation. As far as we know no one in Massachusetts has proposed anything as extensive as our plan. We spoke with a colleague from Sheffield, who informed us that they only plant sunflowers around their outdoor cultivation perimeter. We have asked our Sheffield colleague to join us for our upcoming meeting in the event you have any questions.¹ We understand that odor from cultivation may be a concern to some. We told the Planning Board we intend to grow cannabis strains that are not high in noxious terpenes.²

We submit our geographical location will be an important factor to our success. Our location is unique in the sense that the farm is set back from the road. The elevation at our outdoor cultivation site fluctuates between approximately 914' and 900' above sea level. To put things in perspective, Mr. Dykas' farm consists of approximately 141 acres. If we are permitted and licensed to do outdoor marijuana cultivation, the cultivated area of canopy will be 100,000 square feet or 2.29 acres. This means we will be utilizing approximately 1.62% of Mr. Dykas' land for marijuana cultivation.

Our proposed outdoor cultivation area is surrounded by hundreds of acres of woodlands. See, Ex. 5, Google earth view of the subject site as well as an aerial view taken from a drone from last year. <https://vimeo.com/425530678>. The farm experiences prominent southerly winds, especially during the summer and early fall including hurricane season. We submit there are other important factors that explain why we have not had odor problems during our growing season. Our farm is living ecosystem, it is alive. What we mean by that is that every living thing emits its own aroma and pollens. Our farm is encased with hundreds of thousands of trees, plants, bushes, and weeds. There are acres upon acres of grasses, alfalfa flowers, clover flowers, Timothy grass and every type of wild flower you can think of grows in it. Ten acres of corn produces approximately 300,000 corn plants. The air is rich with all these types of aromas from all these living plants and blend together. Our farm is not a sterile environment.

¹ Mr. Dykas spoke with the Assistant Town Manager, Jill Hughes in Sheffield on March 15, 2021. She told Mr. Dykas that they did not receive odor complaints from the two outdoor grow facilities. See, e.g., *Williamstown Cannabis Cultivation Assessment and Business Plan*. Their outdoor cultivation plan states: "Companion crops will be planted in between cannabis plants and along the fence line. They will serve to encourage pollinators, reduce soil loss, and reduce undesirable smells. Flowers along the fence line also give a more attractive appearance to the farm. Companion crops may include: buckwheat, clover, comfrey, lavender, and flowers such as nasturtiums and cosmos." <https://ces.williams.edu/files/2021/01/Cannabis-Final-Report-MR-Edit.pdf>

² Terpenes are aromatic oils that coat cannabis varieties with unique flavors such as citrus, berry, mint, and pine. More than 100 different terpenes have been identified in marijuana plants. A terpene profile, however, may change in the presence of other compounds. This is often referred to as the entourage effect. Online databases have determined that average terpenes profiles of many popular cannabis strains. Some of the most common are: 1) Pinene: producing smells found in pine needles, rosemary, basil and other perennials, 2) Caryophyllene: found in black pepper, cloves, cinnamon, 3) Myrcene: a herbal smell found in hops, lemongrass and mango, 4) Limonene: smells similar to citrus found in rinds, juniper, peppermint and, 5) Terpinolene: found in nutmeg, teas, cumin and lilacs.

Our farm has a rich history of raising livestock and other agricultural commodities. In the past we have had cows, pigs, horses and poultry. At one point we had up to seventy (70) cows at a time and have had herds of over Four Hundred (400) feeder pigs. When Mr. Dykas was raising pigs he would buy tractor trailer loads of raw fish weekly, i.e., fish bi-products from Gordon Fisherman's fish sticks. By way of example, for the last decade Mr. Dykas has been growing cow corn and hay at his farm. Last year they planted ten (10) acres of corn as a result of crop rotation. However, with just ten (10) acres of corn being planted, approximately Four hundred thousand pounds 400,000 Lbs., of raw cow manure was spread. In previous years, when more corn was planted, 800,000 Lbs., or more of raw cow manure was spread at Mr. Dykas' farm. During the last few years winter rye seed was planted by helicopter. No one complained to him about any odors produced by cultivation or farming of his land.

We feel confident that our geographical location, topography, elevation, prevailing winds, cyclical planting (not more than 10 to 12.5% of our field will be mature at one time), our natural woodland buffer coupled with our extensive odor mitigation plan will comply with the requirements of Leicester's Zoning Bylaw § 5.15.04, (C)(8)(e). Any aroma from our proposed outdoor grow facility will blend with other agricultural scent from the farm including the planting and cultivation of corn and high quality hayfields. Another important factor regarding odor concerns is smell is much more prevalent in the trimming process. When you trim marijuana you break plants open and odors are emitted, similar to cutting an onion. We will not be processing or trimming our plants at the farm.

Just to put things in perspective, Mr. Dykas could legally grow unlimited acres of hemp on his farm for commercial purposes under Massachusetts General Law, Chapter 128, § 116 through 123. Hemp and marijuana are different varieties of the same plant species, *Cannabis sativa L.* Put differently, they are varieties of the same plant and cannot be distinguished visually. Hemp produces similar smells that marijuana produces. Jurisdiction for Hemp is given to the Massachusetts Department of Agricultural Resources ("MDAR") while marijuana falls under the Cannabis Control Commission. Under Massachusetts law, any person proposing to plant, grow or harvest, process or sell industrial Hemp in Massachusetts must obtain a license issued by the MDAR. Currently there are three different type of licenses available for growers. Under Massachusetts General Laws, Chapter 40A, Section 3, commercial agriculture use is protected from unreasonable regulations, special permit required under local municipal zoning ordinances or bylaws.³

2. Lighting:

We are aware of the Leicester Zoning Bylaw (§5.15.02.J.), requiring that "Lighting shall not extend beyond property lines. Artificial lighting from within buildings(s) shall not create light pollution." Section 5.15.04.C.8.a, requires the Board to evaluate "character of the neighborhood to include visual compatibility with surrounding areas."

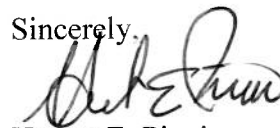
³ The cost of these licenses for a grower is \$300.00.

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We stated during our March 16, 2021 hearing that there would be no security lighting. That is our position, no perimeter lighting, motion activated or otherwise. Our security system does not require lighting to be effective. Other outdoor cultivation site will not use perimeter lighting. Night lights have a negative impact on cannabis plant cycle and cultivation. We have again reached out to enforcement section of the Cannabis Control Commission for additional clarification on an apparent conflict between the CCC security regulations in general, and the CCC regulations governing outdoor cultivation. As mentioned during our initial hearing, we also include photos and specifications of some of the lights will be using at our outdoor cultivation facility. The first is a Tripod LED portable point of use work light. These come with battery operated lights as well as 120 volt. We anticipate using these if we have to work at night, if necessary. Ex. 6, pp. 1. The next one is a standard electric water tight 8' LED, 120 volts work light typically used in garages, barns and greenhouses. *Id.* at 2. This is not a grow light. We anticipate having 10 to 12 of these lights in our greenhouse. Finally, we will have a Farmtech LED wall light, 120 volts. We anticipate having two of these lights in each of our tool sheds and at each gable end of our greenhouse, outside of the cement pad. *Id.* at 3.⁴

I also wanted to formally extend a formal invitation to the members of the Board to look at the parcel of land we intend to cultivate if given the necessary permits by the Planning Board and the Town of Leicester. Please feel free to contact me if you have any additional questions or concerns.

Sincerely,



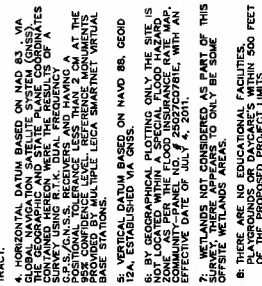
Hector E. Pineiro

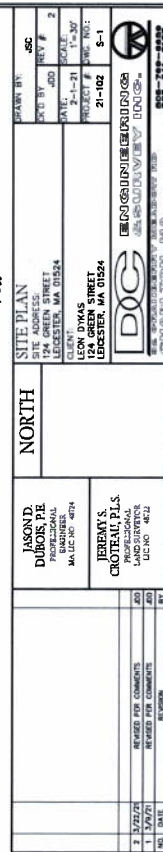
Enclosure

Cc:

Leon H. Dykas, III

⁴ None of these are continuous lights.







March 26, 2021

To Whom it may concern,

I am a plant sales representative for Griffin Greenhouse Supply Inc, and have been working with Lee Dykas from Town Meadow Farm regarding various plantings around the property located at 124 Green St, Leicester, MA. We have been discussing various plant products to plant around the perimeter of his farm for odor mitigation. We are in the process of securing the purchase of 8,000 Mentha peppermint plants at a cost of approximately \$ 6,000.00. These plants should emit a nice peppermint fragrance when mowed and trimmed.

If you have any further questions, feel free to contact me anytime at my cell number listed below.

Scott Almquist
Griffin Greenhouse Supply Inc
Plant Sales Representative
1-508-479-9904 – cell
1-888-800-0054 – office
salmquist@griffinmail.com



Next Truck Delivery: 03/22/2021

Search Customer



My Order

Cart Number: 270579
Payment Method: Purchase Order

Date: 03/19/21 2:26 PM
PO Number: ROSES

Ship To

TOWN MEADOW FARM
124 GREEN STREET
LEICESTER, MA 01524

Customer #: 631052
Phone: 508-414-0130

Bill To

TOWN MEADOW FARM
124 GREEN STREET
LEICESTER, MA 01524

Customer #: 631052
Phone: 508-414-0130
E-mail: LDykas@live.com

Shipping Method

Ship Via: BEST WAY-PPD & ADD PLANT VEND
Comments: PW pots and tags require. Estimated freight is \$100.00. Un-even boxing. Vendor may require second box to be filled. Freight is approximately \$85.00 per box.

Payment Method

Cart Type: Order
PO Number: ROSES
Release Number: FOUR STAR SALES LLC
Customer Job #:
Required Date: 04/05/2021
Tags: Y

Products

Product	Description	Quantity	Unit Meas	P/O Line	Price	Extended
4091690875008	Rosa Oso Easy Hot Paprika 8/8 Qt/Tray	24	EA		4.1365	99.2760
4091551209008	Rosa Oso Easy Italian Ice 8/8 Qt/Tray	16	EA		4.1365	66.1840
Total		40				165.4600



Next Truck Delivery: 03/22/2021

Search Customer



My Order

Cart Number: 270610
Payment Method: Purchase Order

Date: 03/19/21 2:55 PM
PO Number: Amazel Basil

Ship To

TOWN MEADOW FARM
124 GREEN STREET
LEICESTER, MA 01524

Customer #: 631052
Phone: 508-414-0130

Bill To

TOWN MEADOW FARM
124 GREEN STREET
LEICESTER, MA 01524

Customer #: 631052
Phone: 508-414-0130
E-mail: LDykas@live.com

Shipping Method

Ship Via: BEST WAY--PPD & ADD PLANT VEND
Comments: Tags and pots required for this product.
Estimated freight is \$75.00. Tags and pots additional.
First available ship date for this product is 4/19.

Payment Method

Cart Type: Order
PO Number: Amazel Basil
Release Number: PLEASANT VIEW GARDENS
Customer Job #:
Required Date: 04/19/2021
Tags: Y

Products

Product	Description	Quantity	Unit Meas	P/O Line	Price	Extended
0841747053072	Herb Basil PW Amazel 72/72 Tray	72	EA		0.6688	48.1536
Total		72				48.1536



Next Truck Delivery: 03/22/2021

Search Customer



My Order

Cart Number: 270609
Payment Method: Purchase Order

Date: 03/19/21 2:51 PM
PO Number: HERBS

Ship To

TOWN MEADOW FARM
124 GREEN STREET
LEICESTER, MA 01524

Customer #: 631052
Phone: 508-414-0130

Bill To

TOWN MEADOW FARM
124 GREEN STREET
LEICESTER, MA 01524

Customer #: 631052
Phone: 508-414-0130
E-mail: LDykas@live.com

Shipping Method

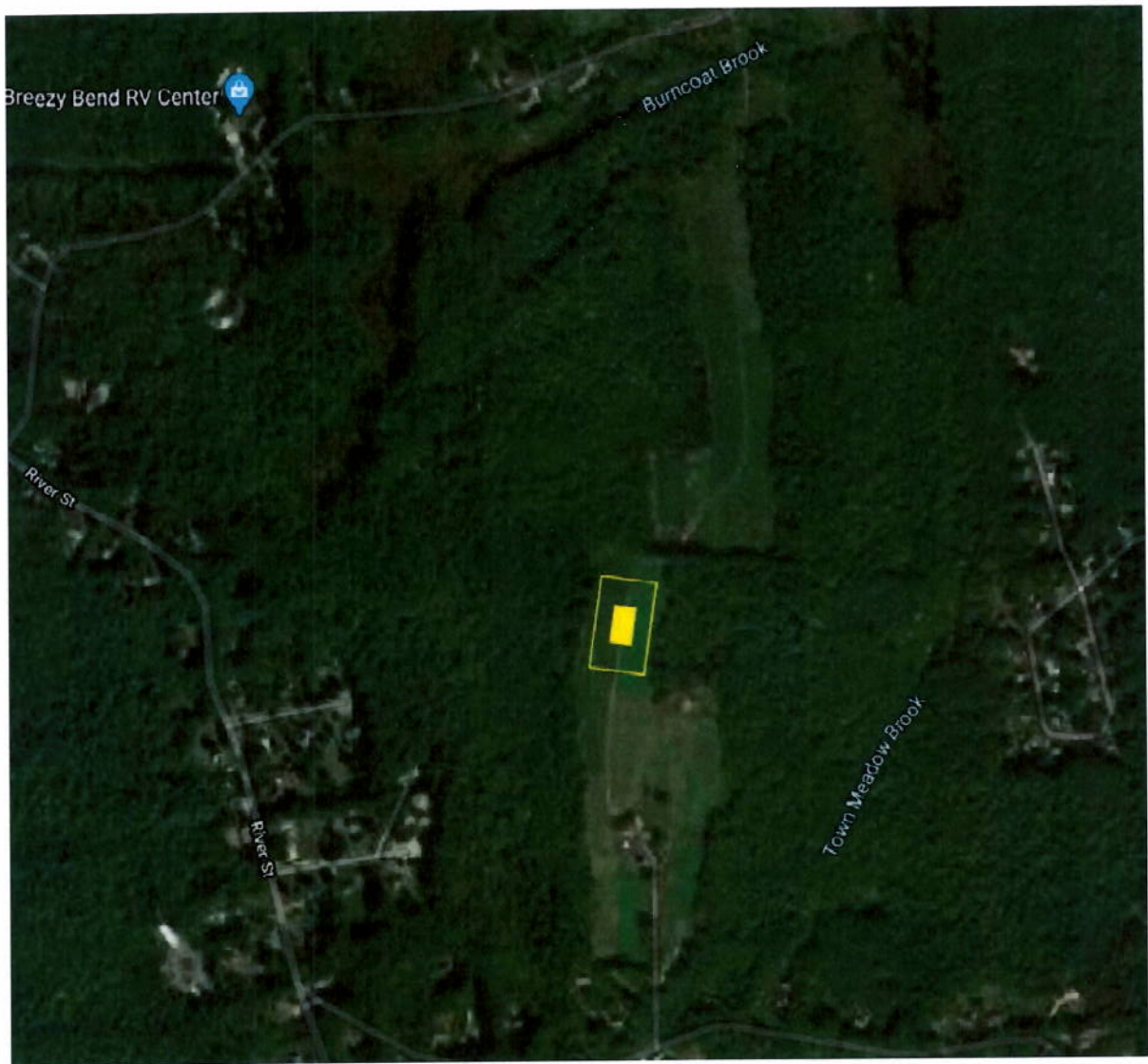
Ship Via: BEST WAY-PPD & ADD PLANT VEND
Comments: No tags needed. Ok to sub.

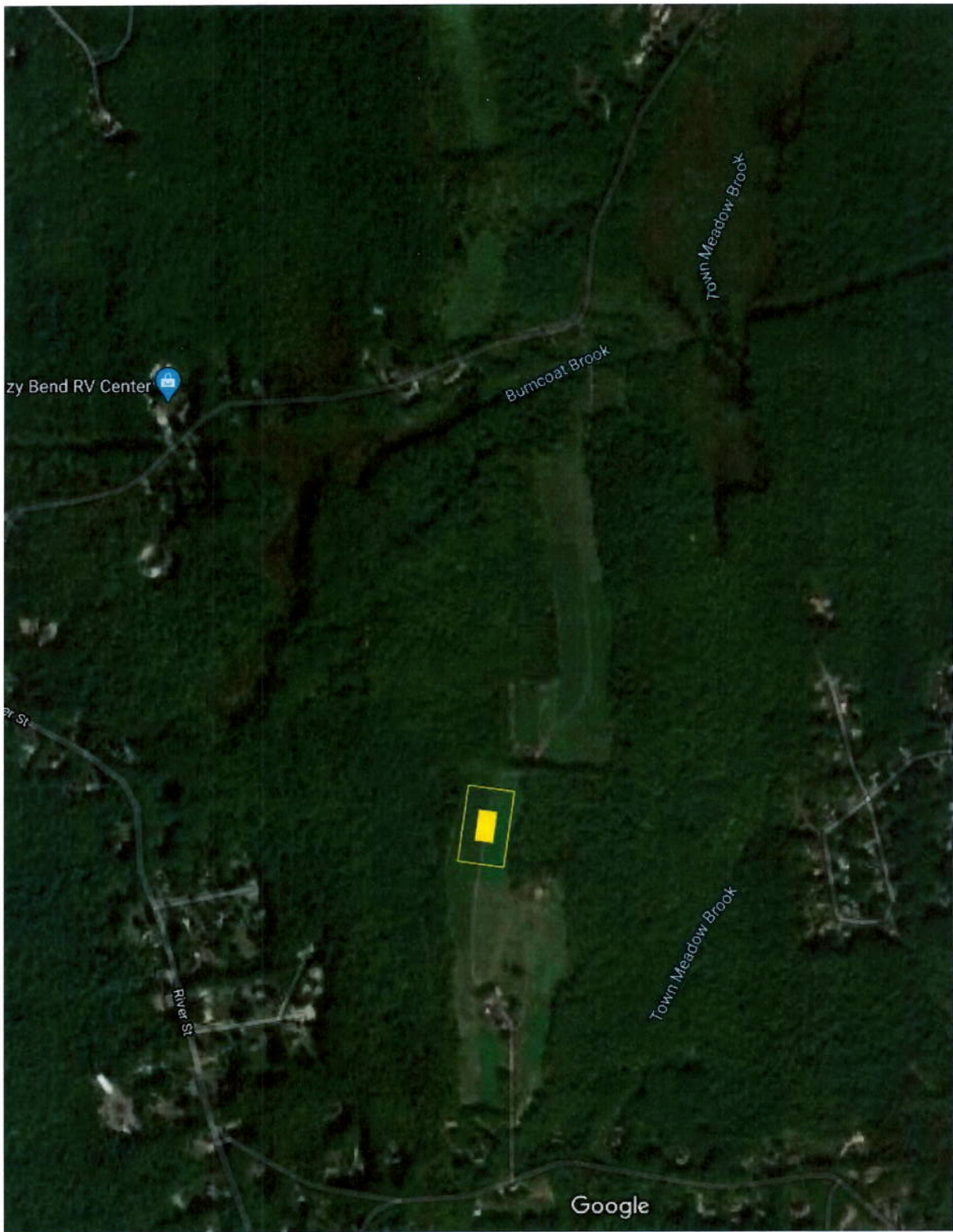
Payment Method

Cart Type: Order
PO Number: HERBS
Release Number: SILVERLEAF GREENHOUSES
Customer Job #:
Required Date: 04/05/2021
Tags: N

Products

Product	Description	Quantity	Unit Meas	P/O Line	Price	Extended
900900517073	Herb Lemon Balm 51/50 Tray	100	EA		0.6000	60.0000
900900517080	Herb Marjoram Sweet 51/50 Tray	100	EA		0.6000	60.0000
900900517118	Herb Rosemary Hill Hardy 51/50 Tray	100	EA		0.6000	60.0000
900900517154	Herb Thyme English 51/50 Tray	100	EA		0.6000	60.0000
900900517063	Herb Lavandula Lavender Goodwin Creek 51/50 Tray	100	EA		0.5800	58.0000
Total		500				298.0000

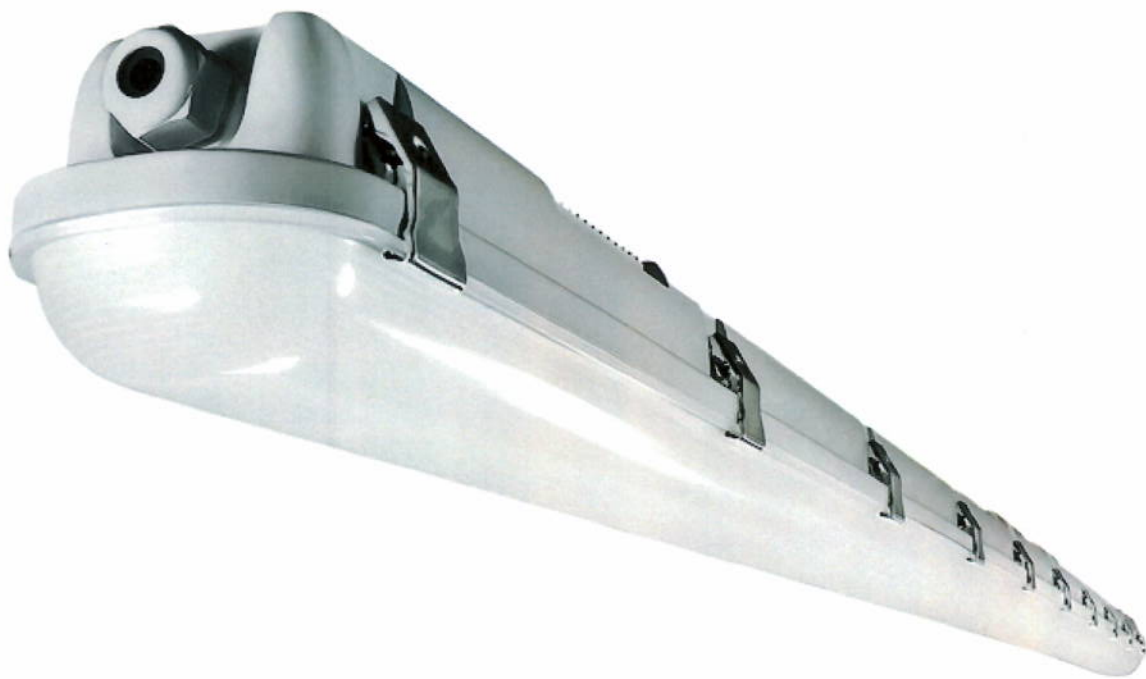






6000 Lumens ProSeries Ultra Bright Flood IP65 Weatherproof Plug-in Adjustable Dual-Head Tripod

9750 Lumens - 8 ft. LED Vapor Tight Fixture - 75 Watt - 4000 Kelvin
6 Lamp Fluorescent Equal - IP65 Rated - 120-277 Volt - PLT-1170



Energy efficient LED wall light. • Polycarbonate UV-stabilized refractor. • Corrosion-resistant rear housing. • Suitable in wet locations. • 5000K, 1600 Lumens. • UL listed. • 120V.

