



COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2221 FAX 707/263-2225

May 7, 2021

David Boies
333 Main Street
Armonk, NY 10504

Subject: Notice of Closed Files – Major Use Permit UP 18-36 and Minor Use Permit MUP 18-37 and Initial Studies for each Use Permit. APN: 012-056-48 and 012-056-49.

Dear Mr. Boies,

On July 24, 2018, Diamond B Farms submitted an application for a Major Use Permit (file no. UP 18-36) and an Initial Study, and a Minor Use Permit (file no. MUP 18-37) and an Initial Study for commercial cannabis cultivation located at 13048 S. Highway 29, Lower Lake, CA.

On February 25, 2020, the County of Lake mailed an 'incomplete' letter for both applications submitted under Diamond B Ranch at the locations listed above. Please see Attachment 1.

On January 21, 2021, I received a letter from you stating that you were authorizing Mitch Hawkins to act in behalf of this property and to continue the application, MUP 18-37 / Initial study 18-47. Please see Attachment 2.

Both applications that were submitted have remained incomplete for nearly two years, and the files have remained inactive during this same time frame.

The Lake County Planning Department has made a decision effective on this date and is hereby permanently closing files number UP 18-36 and MUP 18-37, including both Initial Studies.

The new potential applicant, Mitch Hawkins, may apply for a new Use Permit for this same location, however any new use permit(s) filed with the County would require a new 'Pre Application' meeting and a new use permit submittal, including all required studies, property management plans, water analyses and site / erosion control / security plans.

Sincerely,

Eric Porter
Associate Planner

Cc: Mitch Hawkins via email; File

Attachments:

- 1 – Incomplete letter (copy) dated February 25, 2020
- 2 – Authorization letter naming Mitch Hawkins as being able to act in behalf of David Boies, father and beneficiary of the Diamond B Farms property.

NOTE: *The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Planning Commission's decision, an appeal to the Board of Supervisors may be filed. The appropriate forms and applicable fee must be submitted prior to 5:00 p.m. on or before the seventh calendar day following the Planning Commission's final determination.*



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Lakeport, California 95453

Telephone 707/263-2221 FAX 707/263-2225

February 25, 2020

Michael Green

Consultant via email; michael@greencann.net

RE: **Diamond B Ranch 1 and 2, Commercial Cannabis Application Status**
Files no. UP 18-36 and MUP 18-37

Dear Mr. Green;

I have reviewed the Boies (Major and Minor) applications and have made the following determinations:

UP 18-36 (Major Use Permit):

1. Incomplete letter dated Sept. 6, 2018 lists specific items that were required by the County. It appears that most of these items have been provided within the VanDerWall updated sheets and as Supplemental Information. These items are as follows:
 - a. List of employees (apparently provided per your letter to the County dated 'Rc'd Oct. 4, 2018. Need this list re-sent; **I could not find it in the file**)
 - b. Security Plan / details (**provided**; VanDerWall Sheet 7)
 - c. Storm Water Management Plan(s) (**provided** in the Revised Property Mgmt Plan dated 'received Oct. 4, 2018)
 - d. Waste Management data (**provided** in the Revised Property Mgmt Plan dated 'received Oct. 4, 2018)
 - e. Water Resources data (**provided** in the Revised Property Mgmt Plan dated 'received Oct. 4, 2018)
2. **Application Status:** Incomplete pending new applicant and list of employees

MUP 18-37 (Minor Use Permit):

1. Incomplete letter dated Sept. 6, 2018 lists specific items that were required by the County. It appears that most of these items have been provided within the VanDerWall updated sheets and as Supplemental Information. These items are as follows:
 - a. List of employees (apparently provided per your letter to the County dated 'Rc'd Oct. 4, 2018. Need this list re-sent; **I could not find it in the file**)
 - b. Security Plan / details (**provided**; VanDerWall Sheet 7)
 - c. Storm Water Management Plan(s) (**provided** in the Revised Property Mgmt Plan dated 'received Oct. 4, 2018)
 - d. Waste Management data (**provided** in the Revised Property Mgmt Plan dated 'received Oct. 4, 2018)
 - e. Water Resources data (**provided** in the Revised Property Mgmt Plan dated 'received Oct. 4, 2018)
2. **Application Status:** Incomplete pending new applicant and list of employees

Attachment 1

General Information:

1. 'Bundling Applications' – after Mr. Boies submitted two separate use permits, the County amended its policy and now allows more than 1 application to be reviewed under 1 major use permit. Your client can request a refund for the cost of the minor use permit, and MUP 18-37 can be merged with file no. UP 18-36.
2. New applicant: Whomever assumes responsibility for these 2 applications must undergo and be cleared through 'Live Scan' before the review process can resume.
3. New applicant: The new applicant needs to submit name, contact information and other relevant information to the County before the review process can resume.
4. Letter needed: Please submit a letter stating that MUP 18-37 and UP 18-36 **may remain on hold** until the information included herein is provided to the County. Without this letter, the County will have to move these two applications forward with a recommendation of *denial without prejudice* so that a new applicant could re-apply without having to wait for one calendar year. Conversely, if you are able to get a new applicant, and if they can clear 'live scan', we can proceed with the review of these two use permits.

Please let me know if you have any questions. I can be reached at 707-263-2221

Sincerely,

COPY

Eric J. Porter
Associate Planner

CC: File
Mark Roberts, Scott DeLeon

David Boies
333 Main Street
Armonk, NY 10504
Phone 914 749 8200

January 20, 2021

Attention: Eric Porter
Lake County Project Planner
(707) 263-2221
eric.porter@lakecountyca.gov.

Dear Eric,

I am aware that two cannabis permit applications were submitted for parcel numbers 012-056-490 and 012-056-480 by my son Jonathan Boies, and that those applications are currently pending. My son who originally started the application process, passed on February 19, 2019. I am requesting permission to resume the permit process. Since I am located in New York, I am requesting that the application process be handled by Mitch Hawkins who will handle the facilitation of the application and any additional requirements moving forward.

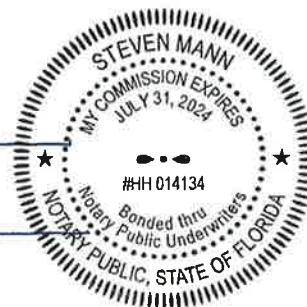
Best,


David Boies



STEVEN MANN

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Attachment 2