

TOWN OF MILFORD

Office of Community Development
Planning • Zoning • Building Safety • Code Enforcement • Health
Economic Development • Active Projects



Administrative Review

Date: June 10, 2019
To: Steve Bonczar, Chair, Zoning Board of Adjustment
From: Lincoln Daley, Community Development Director
Subject: #2019-07 – Ogie Brewing, LLC - SPECIAL EXCEPTION;
Map 26 Lot 157, 12 South Street

The applicant is before the Board of Adjustment seeking a Special Exception Request from Article V, Section 5.05.2.A.4 to permit the manufacturing and processing of materials for the production and distribution of craft beer products. This application was continued from the June 6th meeting. At that time, the Board was seeking additional information pertaining to the manufacturing and disposal process associated with its operations. In reviewing the files for this property, I offer the following comments:

1. Existing Conditions – The subject property consists of a mixed use 2.75 story building situated on 3,049 square foot parcel that is owned by Vynas Realty, LLC.
2. The brewing operations are associated with a proposed low-volume, nano-brewery and falls under the definition of manufacturing.
3. Pursuant to Section 5.05.2.A.4 manufacturing is permitted in the Commercial Zoning District through the issuance of Special Exception. Zoning Ordinance and as such are deemed pre-existing, non-conforming uses.
4. The brewing system/process will be self-contained within the first floor space and utilize the existing kitchen space, propane rail, ventilation hoods and fire suppression for direct-fire kettle burners. There will be no exterior modifications required. In addition, no food will be sold and there will be not outdoor seating or outdoor consumption
5. The brewing and manufacturing system would utilize the existing venting pipe exiting the building.
6. Operations will use municipal water and sewer. Projected water consumption is 50 -100 gal/wk. Product will be divided into bottles, sales, kegs sales, and tasting room.
7. Applicant previously submitted information summarizing comparable operations and responses questions involving the management of waste (liquid and solid) from its operations.
8. The applicant is currently working with the Town Water and Waste Water Management Department for a permit to discharge into the municipal sewer system.
9. The applicant has stated that the physical waste material will be stored in large sealed containers in the rear portion of the space and removed shortly thereafter (no defined time). Material would be used by the farming community.
10. At the conclusion of the May 16th meeting, the Board requested the following:

- a. Applicant would provide an engineering design to adequately mitigate the odors from the adjacent properties and explain the design was an adequate solution to this problem.
- b. Applicant would provide a written management plan regarding byproduct waste regarding removal, timing, storage location and removal details with a commercial contractor or hauler.

Respectfully submitted

Lincoln Daley, Community Development Director



ZBA Application
MILFORD ZONING BOARD OF ADJUSTMENT
GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS

TOWN OF MILFORD
 RECEIVED
 APR 04 2019

Date Received: 4-4-19
 Case Number: 2019-07
 Application Number: 20190660
 Hearing Date: 5-2-19
 Decision Date: _____
 Decision: _____

PROPERTY INFORMATION
 Street Address: 12 South Street, Milford, NH
 Tax Map / Parcel #: 26-157 Lot Size: 3,049 square feet

PROPERTY CURRENTLY USED AS
 Mixed-use building with residential units on the upper floors and a 2,045 first floor retail / commercial.

If the application involves multiple lots with different owners, attach additional copies of this page.

PROPERTY OWNER
 Name: Vynas Realty, LLC / Kokko Realty
 Address: 480 Nashua Street
 City/State/Zip: Milford, NH 03055
 Phone: (603) 673-2885
 Email: management@kokkorealty.com

The applicant is the person who is making this proposal on behalf of themselves, the owner or a third party. This is usually the same as the property owner, but might be a tenant, someone who plans to purchase the property, an engineer or lawyer, etc. If the applicant is the same as the owner, just check "Same as owner" and leave the rest of this section blank.

APPLICANT/REPRESENTATIVE
 SAME AS OWNER
 Name: Ogie Brewing LLC
 Address: 12 South Street
 City/State/Zip: Milford, NH 03055
 Email: ogertbrothersbrewing@gmail.com
 Phone: () Cell: ()

The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.
Indrak Chappell Managing Agent 4.17.19
 Property Owner's signature Date:
for Vynas Realty, LLC

Zoning District (check one):
 Residence A
 Residence B Residence R
 Commercial
 Limited Commercial
 Industrial
 Integrated Commercial-Industrial
 Integrated Commercial-Industrial-2

Overlay District (check any that apply):
 West Elm Street Overlay
 Nashua/Elm Street Overlay
 Commerce & Community Overlay
 Open Space & Conservation
 Wetlands Conservation
 Groundwater Protection
 Floodplain Management

APPLICATION FEES

| | |
|------------------------------|-------------------|
| Application Fee: | \$75.00 |
| Abutters Fee: \$4 x <u>8</u> | \$32.00 <u>36</u> |
| Amount received: | |
| Date Received: | |

Check _____ Cash _____

THE FEES ASSOCIATED WITH THIS APPLICATION DO NOT APPLY TO ANY OTHER FEES REQUIRED FOR APPROVAL OF THIS PROJECT. PLANNING, IMPACT, BUILDING AND OTHER FEES MAY APPLY.



ZBA Application – Special Exception
MILFORD ZONING BOARD OF ADJUSTMENT

Date Received: _____
 Case Number: _____
 Application #: _____
 Date Complete: _____
 Hearing Date: _____
 Decision Date: _____
 Decision: _____

PROPERTY INFORMATION

Street Address: 12 South Street, Milford, NH 03055

Tax Map / Parcel #: 26 - 157

A Special Exception is a use which is permitted by the Zoning Ordinance, but requires approval from the Zoning Board of Adjustment. Most special exceptions have a list of additional criteria that must be met in order for the ZBA to approve the application.

***Note that in addition to the specific criteria that may be listed for a particular special exception, all special exceptions are subject to the general criteria in Section 10.02.1 of the Zoning Ordinance.**

What section of the Zoning Ordinance are you applying under?
 Article V Section 5.02.A.4 *S.0812.A.4 (L0)*

Describe the use you are proposing under the above section of the Ordinance.
 Proposed nanobrewery within the existing first floor retail/commercial space of the mixed use building. The low volume, nanobrewery includes the manufacturing and processing of materials for the production and distribution of craft beer products.

Application for (check all that apply):

Home Occupation
 Self-Storage Facilities
 Accessory Dwelling Unit
 Office in Res-A & B
 Wetland Buffer Impact
 Change/Expansion of Non-conforming Use/Structure
 Side/Rear yard setback reduction Other

General Criteria Section 10.02.1

Describe the project you are requesting a Special Exception for:
 Converting a former restaurant use to a proposed low volume, nano brewery and associated tasting room. The operations include an on-site manufacturing process (brewing and distribution) that will produce approximately 3,100 to 6,500 gallons per year (62 to 124 gal/wk) for retail sales, tastings, and direct distribution. The brewing system/process will be self-contained within the first floor space and utilize the existing kitchen space, propane rail, ventilation hoods, and fire suppression for direct-fire kettle burners. Operations will use municipal water and sewer. Projected water consumption is 50 – 100 gal/wk. Product will be divided into bottle sales, kegs sales, and tasting room. There will be no exterior modifications required. In addition, no food will be sold and there will be not outdoor seating or outdoor consumption.

Explain how the proposal meets the general criteria as specified in Article X, Section 10.02.1 of the Zoning Ordinance:

- A. The proposed use is similar to those permitted in the district because:**
 The nano brewery will function similarly to and is consistent with neighboring restaurant and retail businesses in the Oval district. The process for creating the craft beer products falls under the definition of manufacturing, thus requiring a special exception. The scale of the manufacturing process for the proposed use will be a low-volume nano brewery operating under a NH Nano Brewery license. Said license restricts/limits the total volume of products produced (onsite and distribution) and establishes guidelines for the operations/sales. The manufacturing process will be entirely self-contained within the first floor of building and isolated from the public and abutting properties. The product will be divided into retail sales, 30-40 patron tasting room, and direct distribution. See attached "Proposal for Business Operations" narrative.
- B. The specific site is an appropriate location for the proposed use because:**
 The nano brewery and associated tasting room will be located in a former restaurant space that abuts/in close proximity to other retail and restaurant uses in the Oval district. The granting of a Special Exception would be the continuation of a retail establishment and add to the diversity and experience of the Oval district. From an operational standpoint, the location of the retail / commercial space is ideally suited for a low volume nano brewery given its current internal layout (former restaurant use), minimal required internal remodeling, pedestrian access, and access to Town water and sewer. See attached "Proposal for Business Operations" narrative.
- C. The use as developed will not adversely affect the adjacent area because:**
 The proposal consists of occupying and improving a vacant storefront in the Oval district. The granting of a Special Exception would allow the continuation of a retail/service establishment and add to the diversity and experience of the Oval district. The project will allow reasonable use of the property, is consistent with zoning and will have no measurable negative impacts to the public. The proposed use is unique to the Oval district and we would expect this project to have a positive impact on the surrounding properties and add to the downtown experience. See attached "Proposal for Business Operations" narrative.
- D. There will be no nuisance or serious hazard to vehicles or pedestrians because:**
 The nano brewery will function similarly to the previous restaurant uses occupying the property and neighboring restaurant/retail businesses. Given the limited size and scale of the manufacturing operations, sales, and distribution, there will be no measurable negative impacts to the vehicles and/or pedestrians. See attached "Proposal for Business Operations" narrative.
- E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:**
 The location of the retail / commercial space is ideally suited for a low volume nano brewery given its current internal layout (former restaurant use), minimal required internal remodeling, pedestrian and vehicle access, and access to existing municipal water and sewer. The manufacturing process will be entirely self-contained within the first floor of building and isolated from the public and abutting properties. The Granting of this special exception would allow for the continued productive use of an existing vacant retail/commercial space add to the diversity of uses. See attached "Proposal for Business Operations" narrative.



100 foot Abutters List Report

Milford, NH
April 18, 2019

Subject Property:

Parcel Number: 026-157-000-000
CAMA Number: 026-157-000-000
Property Address: 12 SOUTH ST

Mailing Address: VYNAS REALTY LLC % KOKKO REALTY
480 NASHUA ST
MILFORD, NH 03055

Abutters:

Parcel Number: 025-042-000-000
CAMA Number: 025-042-000-000
Property Address: 285 UNION SQ

Mailing Address: FRANCOEUR, PAUL
271 SEWALL ST
MANCHESTER, NH 03103

Parcel Number: 025-042-001-000
CAMA Number: 025-042-001-000
Property Address: 0 SOUTH ST

Mailing Address: DREYMANN CORP
263 UNION SQ STE 2
MILFORD, NH 03055

Parcel Number: 026-152-000-000
CAMA Number: 026-152-000-000
Property Address: 49 NASHUA ST

Mailing Address: MILFORD, TOWN OF
1 UNION SQ
MILFORD, NH 03055-4230

Parcel Number: 026-155-000-000
CAMA Number: 026-155-000-000
Property Address: 19 NASHUA ST

Mailing Address: LCIMINO LLC
14 ADAMS ST
MILFORD, NH 03055

Parcel Number: 026-156-000-000
CAMA Number: 026-156-000-000
Property Address: 1 NASHUA ST

Mailing Address: BUTTERMILK FALLS, LLC
PO BOX 6182
AMHERST, NH 03031-6182

Parcel Number: 026-158-000-000
CAMA Number: 026-158-000-000
Property Address: 20 SOUTH ST

Mailing Address: 20 SOUTH MILFORD, LLC
PO BOX 7324
GILFORD, NH 03247

Parcel Number: 026-159-000-000
CAMA Number: 026-159-000-000
Property Address: 42 SOUTH ST

Mailing Address: EDRYN INC
263 UNION SQ STE 2
MILFORD, NH 03055

Parcel Number: 026-178-000-000
CAMA Number: 026-178-000-000
Property Address: 1 UNION SQ

Mailing Address: MILFORD, TOWN OF
1 UNION SQ
MILFORD, NH 03055-4230



www.cai-tech.com



Proposal for Business Operations

12 South St., Milford, NH 03055

OGIE Brewing will be a low-volume Nano Brewery, operating under the NH Nano Brewery license. The business will operate under the following state guidelines:

- 1) No more than 2000 BBL production annually (1BBL is 31 gal).
- 2) No food service requirements for operation.
- 3) Tasting Room service limited to one 4oz sample of each beer label and one 16oz pour, per person, per day.
- 4) Direct retail sales of bottled beer, to be consumed off-premise. This includes bottles, growler fills, and/or kegs.
- 5) Direct distribution to licensed alcohol resellers. This includes restaurants, bars, and/or markets.
- 6) No alcoholic beverages will be sold other than that produced by the brewery.

General business operation plans:

- 1) Construct a 2BBL brewing system, producing 2-4 BBL per week (approx. 62 to 124 Gal)
 - a. 100 to 210 BBL annually (approx. 3100 to 6500 gal).
 - b. Product will be divided into bottle sales, keg sales, and tasting room.
- 2) Brewing system will utilize the existing kitchen space, propane rail, ventilation hoods, and fire suppression for direct-fire kettle burners.
- 3) Brewing processes will be conducted Mon-Sun, as required.
- 4) Bottle sales will be available during open hours, no later than 10pm, subject to product availability.
- 5) Tasting Room will be open Friday and Saturday until 10pm, Sunday until 6pm, subject to product availability.
- 6) NOTE: Property lease has a 10pm daily curfew clause
- 7) Brewing operations will be conducted by owner/operator, William Ogert and a brewer's assistant.
- 8) Tasting room and sales will be conducted by 2 employees, potentially more if required.
- 9) All business will be conducted inside... no outdoor seating or outdoor consumption.

Facility modifications and use:

This property was chosen for its wonderful location and functional layout.

- 1) Only minimal interior remodeling is required. No structural reconstruction should be required.
 - a. Existing service windows will be remodeled into “viewing windows” looking at brewing process and equipment.
 - b. Brewing area (kitchen) will be isolated from public access, per TTB guidelines.
 - c. Fermenting / conditioning area will be isolated from brewing area and utilize existing air conditioner.
 - d. Brewing area flooring will be replaced with a water-proof system.
 - e. Existing service counters will be modified to enclose keg coolers and draft lines.
 - f. Dry storage room will be constructed in basement.
 - g. Dining side will have tables & chairs to accommodate approx. 30-40 patrons. Additional seating may be added to service side, approx. 10-15.
- 2) No exterior modifications are required. We would like to change the exterior paint color and awning color.
- 3) Existing sign frame will be utilized. OGIE Brewing logo will also be applied to 2 front windows.
- 4) One front window is intended to showcase a shiny, stainless steel fermenting vessel.

Water usage considerations:

At this brewing capacity, we will discharge about the same water volume as a typical restaurant kitchen.

- 1) All professional brewing equipment is cleaned and sanitized utilizing a “clean in place” system. This is essentially utilizing the brewery pumps and kettles to turn each vessel into a self-contained “dishwasher”. This maximizes cleaning efficiency while minimizing water consumption and minimizing chemical expense. Projected CIP usage would be 50-100 gal per week.
- 2) Pending a water test, brewing water will be either town water run through a filter system or will be purchased from a water distributor. Town water is simpler, but could negatively affect our sewer bill (high water intake, low water discharge... higher percentage of intake water would be consumable product).

Comments:

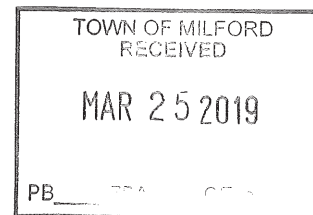
The craft beer industry is still rapidly growing in popularity. Craft breweries tend to become a town pride, whether it's for a local "hidden gem" or for a highly recognized label. Craft beer connoisseurs seek out and visit new breweries. This will bring new business and potentially new recognition to Milford. I hope to work with neighboring Milford businesses to encourage visitors to experience all that Milford has to offer. This is a model that has worked exceptionally well in many towns, like Burlington and Portland.

This brewery will not add another typical bar to Milford. The NH State guidelines for a Nano-Brewery focus on enabling the craft brewer the opportunity to produce and market their product. Samples are intended to encourage visitors to purchase product to take home. Single pour limit means that no patrons will be hanging at the brewery getting intoxicated.

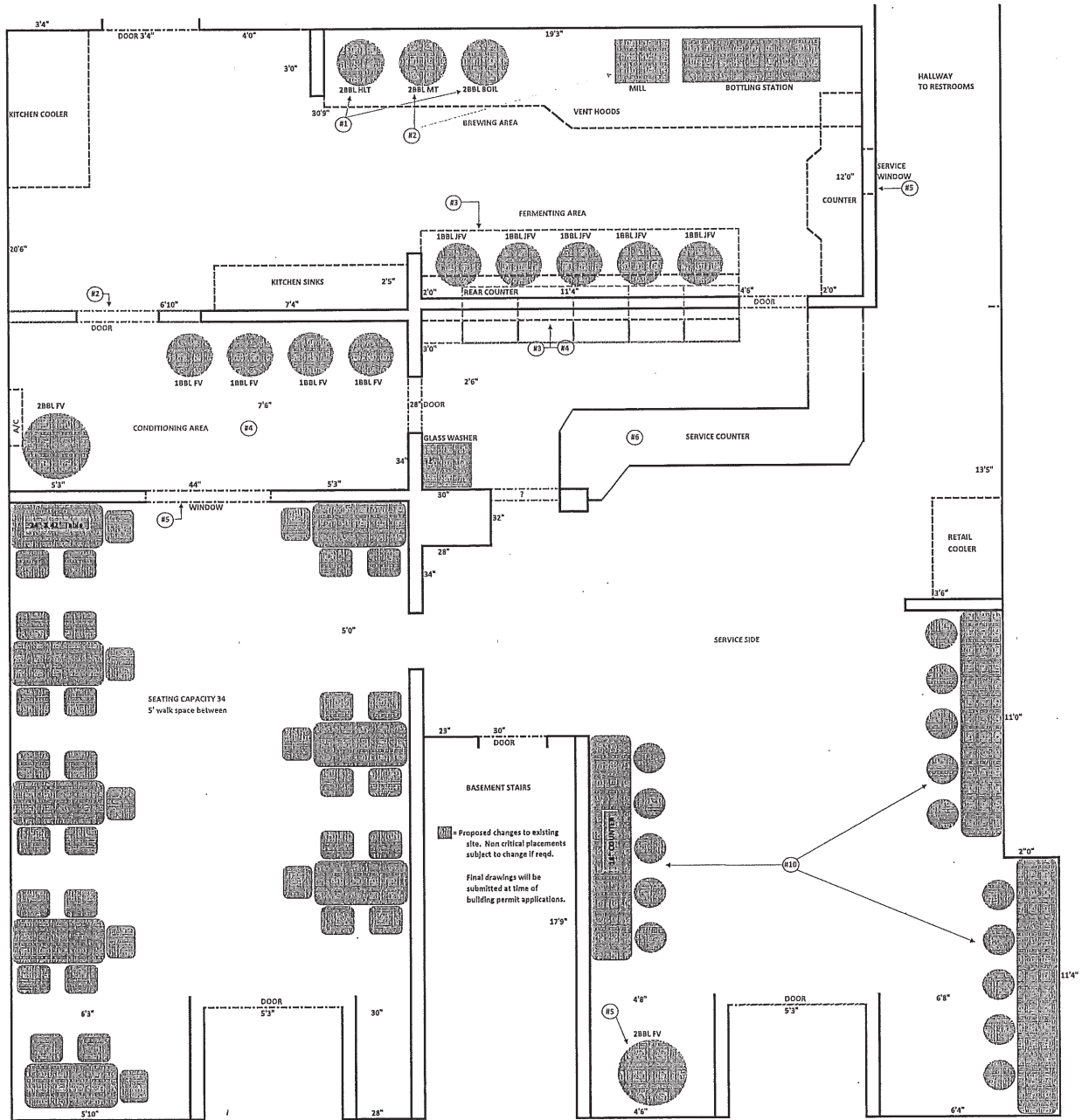
OGIE Brewing: Detailed Site Plan

Light Construction Plans

- 1) New flooring in brewing area. Waterproof materials with a floor drain. Design will be capable of containing any spillage and facilitating easy floor cleaning.
- 2) Construct a 6' non-load bearing wall with doors to separate brewing area from conditioning area. Install a door between conditioning area and service area. Room will utilize existing wall A/C to maintain conditioning temperatures. Also restricts public access to pre-tax product, per TTB requirements.
- 3) High-top counter / wall between brewing area and service area will be lowered to typical bar height. Wall design will be modified to encompass keg coolers, with draft lines fed through countertop to dispensing taps.
- 4) A backdrop will be added to fore mentioned counter / wall and a door installed to isolate brewing area from service area, also restricting public access.
- 5) Existing kitchen service windows, between conditioning area and seating area and between brewing area and hallway, will be modified with transparent material (i.e. glass or plexiglass) restricting public access to these areas while allowing public viewing of the brewing equipment and brewing processes. Window openings may be increased to allow better viewing.
- 6) Forward service counter may be remodeled.
- 7) Interior walls. Existing walls have multiple different finishes that need to be made uniform. Work may range from sanding and repainting (minimum expense) to removal of underlying wall paneling and replacement with conventional drywall, wall tiles, and/or wall paneling.
- 8) Dry storage room to be constructed in basement area. Room will be approx. 8'x8' conventional dry wall construction.
- 9) Replace carpeting on service side with non-carpet option.
- 10) Construct 18" "high top" counters.



Property Owner Approval: _____



[Symbol] = Proposed changes to existing site. Non critical placements subject to change if reqd.
 Final drawings will be submitted at time of building permit application.

PROPERTY OWNER APPROVAL: _____

Aerial View - Tax Map 26 Lot 157





Local Brewery Boil Kettle Venting

I visited several breweries to see how their boil steam venting was addressed. What I found was typical roof venting, some powered (fan driven) and some with natural draft. Only one brewery differed, using a kettle condenser stack. This is typically used on electric kettles that don't need an exhaust flue, to reduce cost. This system does come with the drawback of increased water usage (a fine water mist is sprayed into the column to condense the steam in liquid, which is collected and drained). I also spoke with several of the brewers and owners. None of them had any special requirements for their brewery vents, nor for their spent grain storage.

Martha's Exchange, Nashua NH.

Mixed use zoning on Main St. First floor commercial with apartments and/or condominiums above. 7BBL+ brewing capacity. Boil kettle piped direct to the roof with very low exhaust stack, below the roof line. (see images attached)

Odd Fellows, Nashua NH.

Mixed use zoning on Main St. First floor commercial with apartments and/or condominiums above. 7BBL+ brewing capacity. Boil kettle piped direct to the roof. (see image attached)

Liquid Therapy, Nashua NH.

Mixed use zoning in downtown Nashua, one block behind Main St (the historic firehouse). First floor commercial with a dance studio above and the Court Street Theater to the rear. 2BBL+ brewing capacity. Boil kettle vented to small ceiling height collection hood and piped directly through the wall. (see image attached)

NOTE: Martha's Exchange and Odd Fellows are only 2 blocks apart and across the street from each other. Liquid Therapy is directly across the street from backside of Odd Fellows. Residents and business patrons are subject to over 4X as much brewing exposure than the maximum proposed OGIE capacity.

Millyard Brewing, Nashua NH.

Mixed use zoning in downtown Nashua (approx. 6 blocks from Martha's Exchange). 2BBL+ brewing capacity. Stand alone building with several small businesses and residential housing. Boil kettle piped directly to roof through an exhaust system with return air.

Post and Beam, Peterborough NH. Downtown commercial district (historical GAR hall). 7BBL+ brewing capacity. Stand alone building with many area businesses. Boil Kettle piped through a condenser stack collector and the overall brewhouse ventilated with powered gable vents. (see image attached)

Tree House Brewing, Charlton MA. 1000BBL+ weekly production. Facility is in rural, wooded area with very few neighbors. However, there is a nature sanctuary only 1000 feet away. Boil kettles are all piped directly to the roof.

Local Brewery Boil Kettle Venting



Front view of Martha's Exchange.



Rear view of Martha's Exchange. Two vent stacks on the left of image are the kettle exhausts. Note that they are well below the roof line.

Local Brewery Boil Kettle Venting



7BBL Boil Kettle at Martha's exchange. Note two exhaust pipes, one double-wall for burner exhaust, and one single wall for steam venting.

Local Brewery Boil Kettle Venting



7BBL boil kettle at Odd Fellows. Electric kettle requires only the single wall vent pipe for steam.

Local Brewery Boil Kettle Venting



Court St. side of Liquid Therapy. Brew house vent hood is vented directly through the wall at first floor level. Peacock players rehearsal studio is directly above. Court Street Theatre entrance is to the left-rear. The Nashua American Legion is directly across the street and the Nashua Public Library neighbors on the left.

Local Brewery Boil Kettle Venting



7BBL Boil Kettle at Post & Beam. Large "candy-cane" shaped pipe is the steam condenser.

Local Brewery Boil Kettle Venting

I searched the online discussion forums of several Pro Brewing sites. There are lots of questions and answers about how to adequately vent boil steam and burner exhausts... but only one that asked about a need to filter the steam for odor concerns. So, I proposed the question myself. I received very few responses. Essentially, I am asking for advice to remedy an issue that has never been an issue for other brewers. The one other brewer asked a very similar question as mine, and received the answer to look into a condenser stack (an option I presented to the ZBA previously).

(See attached PDF's)

Every equipment quote I have received [from multiple manufacturers] has included a burner exhaust outlet, a steam vapor condensate (a pipe to prevent condensed steam from dripping back into the boil kettle) and a steam condenser pipe. The buyer decides whether to purchase the condensate or the condenser (only one or the other is required). No quote has suggested any type of odor filtration device... which if was a common necessity would definitely be made available to increase sales to the equipment manufacturers. (These quotes tend to include every nut, bolt, washer, and gasket that a system would use, but at an inflated cost).

Excerpt from Bio Air Solutions:

<https://www.bioairsolutions.com/top-4-considerations-brewery-food/>

“In the food and brewing industries, you can count on there being odors. And while some of the smells can be pleasant, foul smells can cause serious problems inside —and outside— a facility.

Anyone who’s been near a brewery knows that the air around these facilities sometimes smells pleasant. Most of the smells aren’t troublesome to neighbors. But in breweries with wastewater treatment systems on-site, unpleasant odors can form and cause problems. Hydrogen sulfide (H₂S) and mercaptans are the most common; they form when brewing byproducts ferment in anaerobic conditions.”

No craft brewery of the proposed size would ever have an on-site waste water treatment system... period.

The maximum production volume would be a 120 Kettle (3.5BBL), boiling 110 gallons for a maximum of 2 hours per brew session. If I manage to brew two smaller (2BBL) sessions per weekend, that still equals only 4 hours maximum of boil time (not continuous). Grain aroma tends to dissipate very quickly when it hits open air.

SUMMARY:

My proposal is that I am allowed to set up the brewing system per common design, utilizing the existing kitchen ventilation system, following all building codes and inspection requirements. In the case of a substantiated claim of offense, OGIE Brewing would incorporate a condenser stack to reduce the aroma being dispersed through the ventilation. In the case that the condenser stack did not reasonably satisfy the issue, a more aggressive solution would be engineered and implemented.



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05-03-2019, 12:15 AM

#1

Ogie
Registered User

Join Date: Sep 2018
 Location: Nashua, NH, USA
 Posts: 6

Advice needed : Boil vent, aroma

I'm starting a 2 - 3.5 BBL nano. Leased the "perfect" commercial space, ex-pizza shop with propane rail, vent hood, replacement air, and fire suppression (although I've already begun to question direct-fire). It's in a busy commercial/residential town center with several restaurants (many of the buildings, including mine, have commercial on the ground level and apartments above).

An abutter expressed concerns over "brewery stench", presenting multiple internet articles about how the brewing process smells like rotten eggs or cow manure (ugh). While the town board doesn't expect that to be the case, they've still asked me to find "an odor reducing element" to incorporate into the system. They also asked me to show examples of functioning craft brewery's solutions to odor management.

I've searched this forum and found only a suggestion to use a condenser stack. I mentioned this option to the town board, but they seemed to prefer an activated carbon filtration system or equiv. Does the condenser significantly reduce vent emissions?

I'm self-financing on a very tight budget, so hiring an engineer to present a study is not an option. Does anyone know of reference material or articles? Or have any advice??

Thanks in advance

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#2

05-04-2019, 08:54 AM

feedstoresteve 
Registered UserJoin Date: Dec 2017
Location: Bloomfield, IN, USA
Posts: 1


Everything I read in some brief research indicates that bad smells from breweries are related to waste water treatment. Can you post any links from the complainer?

Sent from my iPhone using Tapatalk

[Reply With Quote](#)

05-04-2019, 01:45 PM

#3



soia1138 
Registered UserJoin Date: Sep 2013
Location: Massachusetts
Posts: 243

Bad smelling breweries are dirty breweries. Don't be a dirty brewery and you and the neighbors will be fine. Find a farmer to get rid of grain daily, clean your floor drains, don't let mold grow all over the place. Don't be a dirty brewery.

[Reply With Quote](#)

05-05-2019, 10:44 AM

#4

Ogie 
Registered UserJoin Date: Sep 2018
Location: Nashua, NH, USA
Posts: 6 Originally Posted by **feedstoresteve** 

Everything I read in some brief research indicates that bad smells from breweries are related to waste water treatment. Can you post any links from the complainer?

Exactly. And the zoning board members caught that his articles were based on large commercial breweries with onsite waste water treatment. His other articles referred to spent grains as "sticky, smelly mush" like rotting oatmeal. I brought a zip-lock to show them spent grains after mash and drain. They didn't bother to view it. They don't believe his claims, but the burden is on me to prove that his concerns have been adequately addressed. I will present multiple examples of local breweries using roof vent systems with no neighbor issues (hopefully I can get some brewers and/or their neighbors to write statements of such).

 Originally Posted by **soia1138** 

Bad smelling breweries are dirty breweries. Don't be a dirty brewery and you and the neighbors will be fine. Find a farmer to get rid of grain daily, clean your floor drains, don't let mold grow all over the place. Don't be a dirty brewery.

Again, exactly! The zoning board is hoping that I could find a low-cost odor control solution being used by other brewers... something that would squelch this noisy neighbor. But I can't find a common solution to an uncommon issue.

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02-19-2018, 08:07 PM

#1

SaintBernard

 Registered User

 Join Date: Sep 2017
 Location: Akron, OH
 Posts: 1

 Charcoal or Carbon filter for steam stack aromas ?

We are looking to put a 7bbl brewery in a location that has apartments on the floors above our space. The landlord is asking that we place a charcoal or carbon filter on the steam stack from the boil kettle to reduce the aromas from the beer production. The landlord is also wanted a negative pressure to be maintained within the space to keep any aromas within the space. Has anyone else encountered something like this?

I should make a note that the vent run would be approximately 100' (40' through the building, then 60' up through the roof), and would need to be powered by a roof mounted fan.

Thanks

[Reply With Quote](#)

02-20-2018, 10:50 AM

#2

BrewinLou

 Registered User

 Join Date: Sep 2005
 Location: Louisville, KY
 Posts: 951

I would look into a vapour condensers for your stack. No vent needed if you use one. I know Specific Mechanical has made them for some brewers. Basically your stack runs into a small tanks with water misters in it that condense the steam. the hot water can then use for other purposes or dumped. Cheers

Joel Halbleib
 COO / Zymurgist
 Goodwood Brewing Co
 636 East Main St
 Louisville, KY
 goodwood.beer

Reply With Quote

03-02-2018, 01:03 PM

#3

Rocky Mountain Vessels 
 Registered User

Join Date: Oct 2014
 Location: Montrose, CO USA
 Posts: 1

Vapour Condenser

We agree, a vapour condenser would offer a simple and cost effective solution that would address your needs.

We fabricate a condenser that has a unique design relative to many of the other solutions that are offered in the US market today.

Most notably:

- Our solution works with the laws of thermodynamics to reduce the amount of cooling water required (all else equal) to knock out steam and odors. This translates into savings.
- The design emphasizes the need to prevent undesirables from making their way back into the kettle.
- Our customers achieve an excellent boil off.

Please let me know if you would like more information about our solution.

Sincerely,

Ralph Stellmacher
 Rocky Mountain Vessels, LLC
 5 Ponderosa Court
 Montrose, CO. 81401

303-829-9428
Ralph@rockymountainvessels.com
<http://www.RockyMountainVessels.com>

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By SEBC in forum Filtration (Available for sponsorship)

Replies: 12
 Last Post: 04-05-2016, 04:41 AM

Carbon Filter Size

Replies: 12

OGIE Brewing; Additional Notes for ZBA

I wanted to see where the objector's misinformation about brewery odors had originated. What I found was articles about large breweries that are required to have their own waste water treatment systems. These articles refer to large breweries, producing beer in 60BBL to 250BBL, or larger systems.

MANY craft breweries exist in every state. If brewery smell was as suggested, towns like Burlington, VT or Portland, ME would have town meetings flooded with angry citizens. Martha's Exchange in Nashua has operated since 1993, brewing regularly on a 7BBL system. They have residents above, just as 12 South St does. My system will operate a 2 or 3.5BBL capacity per session, boiling only 70-110 gallons at a time. Boil loss is 10-15%... 10 Gal loss typical, up to 16 Gal maximum, over 1-2 hours.

Primary waste from brewing is spent grains. These are barely, wheat, oat, corn and rice which have been steeped in water. The water is drained off for the beer, leaving damp grains. Most competent brewers seek spent-grain solutions which reuse (recycle)... i.e. feed for livestock and compost for fertilizing crops. Secondary solution is a reliable garbage removal service, the same as any restaurant.

Perhaps if a brewery left its spent grains unattended long enough to rot, then there would be an issue to address. But that wouldn't be any different from a restaurant leaving food waste in a dumpster unattended. Grains do not rot any quicker than other perishables.

I have contacted multiple local farms, in Milford, Wilton, and Hollis. A couple of them have already agreed to take grain when it becomes available. I am waiting to hear back from several others. My plan is still to contact the Milford Agriculture Society to seek additional farms that would use the spent grains. Arrangements would be made to place these grains into sealed food-grade drums or portable container for pickup or delivery to farms. Transfer of the grains would be weekly, preferably 1-2 days after brewing. The storage containers would be held in the garage bay that is used for receiving supply shipments.

May 16, 2019

ZBA Case #2019-07

Exhibit

Photograph of Current Vent (not above roofline)

provided by: LCimino, LLC



May 16, 2019

ZBA Case #2019-07

Exhibit

Email from Landlord of a Brewery in Nashua

provided by: LCimino, LLC

May 16, 2019

ZBA Case #2019-07

Exhibit

Suggested / Requested Restrictions

provided by: LCimino, LLC

Date: May 16, 2019

From: Aaron Kaplan

LCimino, LLC

25 Union Square, Milford, NH 03055

Owner of abutting property: 19 Nashua Street, Milford, NH 03055

To: Milford Zoning Board of Adjustment

Regarding: Milford ZBA Case #2019-07, 2nd Hearing (Special Exception for Ogie Brewing)

Suggested/Requested Restrictions:

- 1. Brewing operations to be conducted no more than 2 days per week. No more than 4 barrels per week produced.**
- 2. Brewing waste by-product (spent grains) shall be removed within 24-48 hours of brewing process. Waste will not be stored for any amount of time anywhere other than the designated area for it (to be shown on site plans.) If waste emits noticeable odors outside the premises, then it will be removed immediately and not be stored for any length of time.**
- 3. Door and garage door to rear of 12 South Street will remain closed at all times, except for the purpose of ingress and egress.**
- 4. Objectionable odors shall not be noticeable outside the premises. If complaints are made by neighbors, abutters, or upstairs residential tenants, then deference will be granted to them as to what constitutes objectionable odor. Odor must be demonstrable to Town Officials or other enforcing party (Town Official can smell the odor).**
- 5. If conditions are not met, then immediate mitigation of the problem will be required by the Applicant. If mitigation is not achievable immediately for any reason, then brewing operations will cease until problem is mitigated.**
- 6. Existing vent stack extended, as per guidance from expert witness.**

LAW OFFICE OF
THOMAS F. QUINN
PROF. CORP.

62 Elm Street
Milford, NH 03055

PH: 603-554-1662
FAX: 603-554-1495

E-MAIL: tquinn@tfqttitle.com

May 15, 2019

Steve Bonczar, Chair
Milford Zoning Board of Adjustment
Milford New Hampshire Town Hall
1 Union Square
Milford, NH 03055

Re: Ogie Brewing, LLC, Case #2019-07

Dear Mr. Bonczar and Board Members:

As you know, I represent Buttermilk Falls, LLC, the owner of property situated at One Nashua Street. I am writing to state again that my client is not opposed to the Application for Special Exception filed by Ogie Brewery, LLC provided that reasonable conditions are placed on any approval in order to ensure that the proposed use is implemented in such a way that it does not create adverse conditions within the neighborhood in general and to my client's property in particular.

My client hereby requests that the Board impose conditions limiting the scope of the brewing operations and requiring that a tasting room be considered an integral part of the use to be approved. Additionally, my client requests that the Board impose conditions requiring the Applicant to take steps to mitigate the emission of malodorous vapors from the premises and to store and dispose of the spent grain in a manner that mitigates the offensive odor generated by the proposed nano brewery.

At the risk of repeating myself, I will point out that a person applying for a special exception must satisfy all the requirements of Article II, Section 2.04.0 as well as the requirements of Article X, Section 10.02.1. And the burden of establishing that all such requirements are satisfied is on the Applicant.

Article II, Section 2.0.4.0 provides that:

No residential, business, commercial or industrial use shall be permitted which could cause any undue hazard to health or safety or which is offensive to the public because of noise, vibration, noxious odors, smoke or other similar reason (emphasis added).

Article X, Section 10.02.1 provides that:

The Board of Adjustment may in appropriate cases, and subject to appropriate conditions and safeguards as determined by the Board, grant permits for such special exceptions as allowed in the various zoning districts as set forth in Article II. The Board may refer all applications for special exceptions to the Planning Board for its review and recommendations prior to holding public hearing on then applications. The Board of Adjustment, in acting on an application for a special exception should take into consideration the following conditions:

- A. The proposed use shall be similar to those permitted in the district.
- B. The specific site is an appropriate location for the proposed use.
- C. The use as developed will not adversely affect the adjacent area.
- D. There will be no nuisance or serious hazard to vehicles or pedestrians.
- E. Adequate appropriate facilities will be provided for the property operation of the proposed use.

The Applicant has applied for a special exception to use the premises for

“a nano brewery within the existing first floor retail/commercial space of the mixed use building. The low volume nano brewery includes the manufacturing and processing of materials for the production and distribution of craft beer products”. (emphasis added).

Pursuant to RSA 178:12-a, a nano brewery licensee may manufacture not more than 2,000 barrels annually for sale to the general public or to other licensees. Two thousand barrels is roughly 62,000 gallons annually. Although the Applicant suggests that his business plan is to produce only two to five barrels (62 to 124 gallons) per week, or between one hundred to two hundred ten barrels (3,100 to 6,500 gallons) per year, there is nothing contained within the Application that would restrict the Applicant to that size operation. Indeed as one of the abutters noted, it is the rare business that opens with the goal of remaining small. Success breeds growth. There is nothing in the Application that precludes the Applicant from taking full advantage of the license and providing up to 2,000 barrels per year. Although the Applicant has suggested that the size and layout of the premises would preclude significant growth, there is nothing within the Application that would preclude the Applicant from reducing the size of the tasting room in favor of expanding the brewing process. So at a point in the future, the tasting room could be reduced or eliminated in favor of expanded brewing and distribution capacity. In short, as presented, this facility could become a facility used exclusively for the purpose of brewing and distributing up to 62,000 gallons of beer annually.

At the May 2nd hearing, much was made of the assertion that the proposed use is not dissimilar to restaurant uses, which is a common, and perhaps, prevalent use on the Oval and that the brewing

process is not much different from “cooking”. That line of reasoning assumes, of course, that the proposed use will consist not only of a brewing function but will also include use of the premises as a tasting room. I think that we can all agree, that while a nano brewery/tasting room may be an appropriate use of the premises, upon reasonable conditions, the use of the premises primarily for use as a brewery, without a significant tasting room function or restaurant function is not. A simple brewery operation is best located in an industrial or commercial district outside of the Oval. My client requests that, in the event approval is granted, a condition be imposed on the approval that limits the growth of the brewing functions or the reduction in the size of the tasting room.

Although there was some disagreement at the first hearing about the cause and strength of the malodorous vapors associated with the operation of a brewery, there seemed to be general consensus that the brewing process does, indeed, generate vapor and that the vapors generated carry an odor that can be offensive.

My client’s expert, C. George Bower, of ESRA Consulting, LLC, has testified that there are three recognized, primary, sources of odor in the brewing process:

1. The boiling of the waste and the disposal of the solids;
2. The fermentation process; and
3. The roasting of hops.

Because there is less disagreement regarding the effects of the spent grains, I will address that first. A basic step in the brewing of beer is the cooking of grains in boiling water and the eventual siphoning of the water, leaving the residue, or “spent” grain. It is undisputed that the spent grain has an odor that increases with time and that at least after a day or two has an odor that must be characterized as unpleasant. At the May 2nd hearing, the Applicant acknowledged that fact and agreed that the spent grain would be stored in sealed containers in the basement and would be disposed of within two days of it being generated. It would not be stored outside at any time. This agreement should be made a condition of any approval granted.

The issues raised by the roasting of the hops, boiling of the wort, and the fermentation process are similar. All three steps generate vapors and those vapors carry odors. The Applicant argues that those odors are similar to baking bread and are not unpleasant. If the applicant truly believes that, the solution to this issue is simple. The Applicant should agree not to vent the vapors to the outside. A simple agreement/condition that no vapors be emitted from the premises could be imposed and that would be sufficient. The reality is, however, that the Applicant does not wish to retain the vapors internally because it would be bad for the tasting room business.

Dr. Bower has identified three primary systems for reducing odors from the vapors generated by the brewing process. The first is the installation of condensers to cool and capture the vapors generated during the process. The second is the use of activated carbon filters to absorb the vapors. Both are effective. The condensers operate by collecting the steam, cooling it by the addition of a spray of cool water, thereby reducing the vapor to liquid so that it can be disposed

of easily. Condensers are most effective in controlling the vapors from the wort boiling and often operate with a efficiency of up to 70% of the vapor. Condensers are less effective at controlling fermentation vapors, but carbon absorption is very effective removing as much as 90% of fermentation vapors. Carbon absorption is less effective at controlling the vapors generated from the wort boiling unless the vapors are first cooled, a process which is different and expensive.

Based upon these facts, it is reasonable to require that the Applicant employ a condenser for the purpose of reducing the vapors and the odor associated with it with respect to the boiling of the wort and an activated carbon filtration system with respect to the fermentation process. My client requests that the Board impose these requirements as a condition of approval.

The Applicant proposes, however, to remove the wort boiling and fermentation vapors and odors from the brewing room by use of the existing ventilation system and roof stack. The Applicant has not made a specific proposal with respect to the vapors generated by the roasting of the hops.

The problem is that no testing has been done to determine the parameters of the ventilating system, and so it is not possible to determine whether the proposed ventilation system will be adequate to the task. According to Dr. Bower, the parameters consist of the stack gas volume, velocity and temperature. The stack parameters determine: 1) the extent to which odors contained in the vapors are collected and disposed; and 2) where the point of odor impact on the property and/or surrounding properties will occur.

Dr. Bower has indicated that an alternative to capturing the brewing odors through a condenser and a carbon filtration system is by creating a ventilation system that will collect the odors producing vapors at the source and effectively disposing the vapors above the building without impacting surrounding properties. The dispersion of the exhaust from the vent stack is improved by increasing the height of the stack above the roof peak and by increasing the velocity of the air discharge thereby increasing dispersion.

Given the available solutions to the problem of obnoxious odors generated by the manufacturing of beer, it is obvious that the problem exists. Why else would solutions have been created? The Applicant himself has acknowledged at the first hearing that:

“A lot of nano businesses operate with a system that takes the steam and turns it into a {liquid} and drops it into a bucket.”

And in his most recent filing, the Applicant confirms that:

“Every equipment quote I have received {from multiple manufacturers} has included a burner exhaust outlet, a steam condensate (a pipe to prevent condensed steam from dumping back into the boil kettle) and a steam condenser pipe.”

That is because the problem of odor in the vapor being emitted to the outside is a problem. So basic equipment quotes include condensers to control the odor.

Considering the requirements of Article II, Section 2.04.0 of Article X, Section 10.02.1, my client believes that the Applicant has not met his burden and that The Board should not grant the Application at this time.

Until such time as the Applicant has demonstrated by specific, detailed information that the brewing process can be conducted from the premises without becoming offensive to the public and abutters because of unpleasant, obnoxious or noxious odors, the Board cannot approve the Application pursuant to Article II.

Similarly, although the proposed use could be found to meet the requirements of Article X, that is only true if necessary conditions are imposed that restrict the size of the brewing operation, that require the tasting room be maintained as an integral part of the operation, that prohibit the outside storage of the spent grains and require the removal of the spent grain from the premises shortly after it is generated and that adequate provision be made to avoid the release of malodorous vapors into the atmosphere and especially in the area immediately surrounding the premises. Without such conditions, none of the conditions contained in Section 10.02.1 are met.

Again, because my client is not, in fact, opposed to the proposed use in principal, my client is not requesting that the Board deny the Application tonight. Rather, again, my client is requesting simply that the hearing be continued for fourteen or thirty days and the Applicant be required to develop and submit an odor control/mitigation plan. At a minimum, the plan should include:

1. Handling of the grain waste to minimize odor production;
2. Management of the brewing operations (e.g. scheduling) to limit potential impact;
3. Capture of the brewing process odors and application of an effective control technology such as a condenser and/or carbon absorption system;
4. A review of the existing ventilation system discharge to ensure that the brewing operations will not create negative impacts on surrounding properties and make modifications, such as increasing the height of the stack and adding a fan, to ensure that the exhaust discharge is not subject to building downwash.

Two to four weeks is a reasonable amount of time within which to have such a plan prepared. And the expense is a reasonable cost of doing business, much like site plan review.

In the event the Board decides to proceed without the benefit of an emissions management plan, the Board should impose the following conditions:

1. The manufacture of beer shall never exceed a total of twelve thousand four hundred barrels (12,400) gallons per year.
2. The tasting room capacity shall not be reduced to below 30 to 40 patrons nor shall the brewing area be expanded into the service area as laid out on the floor plan submitted with the Application.

3. The spent grain shall be stored in sealed containers in the basement and shall not be stored outside or in dumpsters at any time. The spent grain shall be removed from the premises within two days of being removed from the kettles.
4. The Applicant shall install condenser pipes and carbon absorption systems in order to control odors associated with the building of the wort, the fermentation process and the roasting of the hops.
5. In the event any aspect of the brewing process is vented to the outdoors, the vent pipe currently serving the ventilation equipment shall be raised to a height of three feet above the peak of the roof and the ventilation system shall be equipped with an exhaust fan sufficient to ensure that all exhaust is dispersed effectively so as not to cause odors that impact abutting properties.
6. Additionally, in the event that the Board does not impose Condition #4, Condition #5, at a minimum, shall be imposed as a pre-condition to operation. And, in the event the existing ventilation system, as modified, fails to protect abutting properties from the odor associated with the exhaust, the Applicant shall take all steps necessary to mitigate such odor to ensure that abutting properties are not adversely impacted including, but not limited to, installation of a condenser and a carbon filtration system.

On behalf of my client, I thank the Board for its attention to this matter. These matters are always difficult. Frequently, as here, making the correct decision involves the balancing of interests. My client recognizes the landowner's and the Applicant's right to the reasonable use of their property. But my client, and other abutters, also have the right to the reasonable use and enjoyment of their property.

The zoning ordinance, in both Article II and Article X, condition the use of one's property. First, by prohibiting the creation of a nuisance as set forth in Article II. Second, by imposing the five conditions contained in Article X, every one of which requires that the use proposed for Special Exception fit into the neighborhood and not adversely effect the adjacent area. We believe that this proposed use can be made to fit into the neighborhood only through implementation of the conditions proposed above.

Respectfully submitted,



Thomas F. Quinn, Esquire
(On behalf of Buttermilk Falls, LLC)

TFQ/djl

Date: May 2, 2019

From: Aaron Kaplan
LCimino, LLC
25 Union Square, Milford, NH 03055
Owner of abutting property: 19 Nashua Street, Milford, NH 03055

To: Milford Zoning Board of Adjustment

Regarding: Milford ZBA Case #2019-07 (Special Exception for Ogie Brewing, LLC)

Members of the Milford ZBA:

I am writing to you regarding a request for a Special Exception made to this board to allow a brewery and tasting room in the Milford Oval Downtown District. We (LCimino, LLC) own an abutting property that is in extremely close proximity to the proposed location. The venting piping for the proposed brewery is less than 10 feet from our building, and our two buildings are actually connected at one point.

The proposal of a tasting room does not concern us, and we have no objection to that use of the abutting property. A brewery, however, is a manufacturing operation that produces noxious odors, by-products, and waste more suitable for an industrial district. This proposed use concerns us greatly. The facility does not have the space, buffer, or suitable location for this particular use. We ask that this Board deny this application, as the application does not meet any of the criteria required for the granting of a special exception.

In considering this application and our request for denial, we ask that the Board take the following into consideration. Three surrounding breweries in nearby towns are: 1) Able Ebenezer Brewing Company in Merrimack, NH; 2) White Birch Brewing in Nashua, NH; 3) 603 Brewing in Londonderry, NH. All three of these breweries, which also brew for wholesale distribution, are located in Industrial Districts. Able Ebenezer and White Birch both have tasting rooms, and have been successful in their locations, as these locations to our knowledge seem to be suitable for the manufacturing of alcohol and all the impacts that the manufacturing process can have on abutting neighbors. Industrial Districts are compatible with this use.

The Milford Oval Downtown District is not compatible with this use. The Town of Milford does not need to allow this use into the Downtown District, only to regret it later, as we have multiple other towns and cities to look to as examples of what can go wrong when this happens. Please see the attached 4 news articles taken from various news sources and websites chronicling the problems encountered with breweries in incompatible districts or areas throughout the country. 1) "*Brewery working to control smell that permeates neighborhood*", 2) "*Downtown Brewery's Odor Repels Neighbors*", 3) "*What's that smell?*", and 4) "*San Diego is Awash in Craft Beer – and Its Sticky, Smelly Byproduct*" are 4 articles that I invite this Board to read and take into consideration. I have also included a 2-page "Excerpts" section that highlights

the most salient points of these articles. Milford can learn from other municipalities' mistakes, and prevent those same mistakes from happening here.

Keeping in mind these articles, the proposed use and submitted application do not meet any of the 5 required criteria for the granting of a Special Exception. We would counter the applicant's answers with the following:

A. Proposed use similar to those permitted in district:

A brewery is not consistent with neighboring restaurants. The local restaurants that serve liquor do not have any of the challenges and problems presented by the manufacturing and brewing of alcohol, just as the downtown diner establishments do not have the challenges and problems of a farm or slaughterhouse just because they serve eggs and bacon. It is not possible to have an entirely "self-contained" brewery. The odors must be vented somewhere. The by-product must be stored somewhere. Those odors and that waste do not currently exist on the Milford Oval.

B. Specific site is an appropriate location for the proposed use:

The site is appropriate for a tasting room. It is also appropriate for the retail sale of liquor (assuming regulations are abided by). It is not, however, appropriate for the manufacturing and brewing of alcohol, and the process that goes along with it. The applicant presents the proposed use as a continuation of the prior use as a restaurant. A tasting room could possibly be considered a continuation of the previous use, but the manufacturing process is an entirely new use that presents far too many problems. These problems are not addressed in the Special Exception application. Most importantly, we do not believe that they can be addressed.

C. Use as developed will not adversely affect the adjacent area:

There are at least two measurable negative impacts that a brewery will bring to the Milford Oval District. As evident by the news articles provided with this letter, other cities and towns that have allowed breweries to operate in mixed-use, commercial, or residential districts provide prime real-world examples of what can go wrong. "Rotten egg", "Manure", "Cat Urine-like", and other noxious odors would certainly affect both commercial and residential neighbors. Waste and by-product storage and removal would create further health and nuisance issues relating to smell, attraction of pests, etc.

D. There will be no nuisance or serious hazard to vehicles or pedestrians:

A nuisance to pedestrians would be created by the previously mentioned issues with noxious odors and waste storage. This would drive people away from the Oval District, rather than attract them to it.

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:

Again, there is no way to entirely "self-contain" a brewery operation. See all provided news articles proving this point. The proposal submitted to this Board shows that the existing ventilation system will be used. That system vents into the alley directly behind the proposed

property, less than 10 feet from our building. There are two windows on our building, one of which is the only usable window in one of our units. The other is to a common hallway, which will affect both units. There are other adjacent properties that would be adversely affected if noxious odors are vented out of this building. Even the residential tenants above the brewery stand to be affected. In one of the provided articles, an affected neighbor describes the problem as: **"Kind of an acrid, penetrating odor. It comes inside the building and gets in your hallways, in the elevators, and down in the parking garage."**

There is no waste or by-product storage shown on the proposed layout. The alley between the buildings contains a right-of-way to our building, and so bins of waste and by-product could not be stored there, not only due to the right-of-way, but due to the public health and nuisance concerns that this type of storage brings. According to an article: **"One of the challenges of opening up a new craft brewery is figuring out what to do with piles of gunk every new batch of beer leaves behind."** Furthermore, **"Spent grain is basically the malted barley residue left behind in the brewing process. It's thick, like mushy oatmeal, and brewers produce so much of it they can't just throw it in dumpsters."**

Furthermore, Section 2.04.0 PUBLIC NUISANCE (2008) of the Milford Zoning Ordinance states: "No residential, business, commercial or industrial use shall be permitted which could cause any undue hazard to health or safety or which is offensive to the public because of noise, vibration, noxious odor, smoke or other similar reason." The noxious odors created by a brewery and the health hazard of improper facilities for storage of waste make the Application incompatible with this section of the Zoning Ordinance.

One final note, the Town's comments state: "Pursuant to Section 5.05.2.A.4 manufacturing is permitted in the Commercial Zoning District through the issuance of Special Exception. Zoning Ordinance and as such are deemed pre-existing, non-conforming uses." I do not believe that the current building and use are a pre-existing, non-conforming use, as it was utilized as a restaurant which is allowed in the district. I believe this to be a typo, and might not have any bearing on the case, but address it nonetheless.

Although we welcome the Applicant and his business into Milford, we cannot support a planned location that will have a detrimental effect on our and other neighbor's businesses, places of living, and sources of income. The potential for loss of customers, tenants, and right of enjoyment is too great. We hope the best for the Applicant in his search for a suitable location, but unfortunately, the currently proposed one is not it. For all above reasons, we respectfully request that this Board deny the Special Application before it.

Thank You,

Aaron Kaplan
LCimino, LLC

 5-2-19

Excerpts taken from provided 4 articles

Article 1:

Downtown Brewery's Odor Repels Neighbors

“Ever since Pike Place Brewery owner Tom Leavitt fired up the giant kettle in the center of the Market's South Arcade to produce his microbrews, some of his next-door neighbors in the 98 Union condo tower have been incensed by the scent.”

“Tower resident Scott Williams says he's offended by the strange aroma of boiled grains and hops used in the brewery's award-winning pale ales and specialty microbrews. The stinky steam, he says, wafts from a smokestack on the arcade's roof to his condo on the adjacent tower's 10th floor.”

"I don't want to get too crude, but if you ever stepped in what the dog left behind, it's that kind of smell," he said. "Kind of an acrid, penetrating odor. It comes inside the building and gets in your hallways, in the elevators, and down in the parking garage."

"It's more like a sewer smell."

“Leavitt, who also runs the Liberty Malt Supply Co. retail outlet in the South Arcade, says the steam vented during the brewing process produces a unique odor that he as a brewer finds rather pleasant. It all depends on your sense of scent, he said.”

source: <http://community.seattletimes.nwsourc.com/archive/?date=19960722&slug=2340486>

Article 2:

Brewery working to control smell that permeates neighborhood

“Sometimes, when people walk into West Utica Foodland market, they complain to the owners about the smell and say they are going to call the health department.”

“It smells like backed up sewage. Cow manure is better than that.”

“Frank Ferrone of In Tune Automotive has put a sign on his business saying the smell doesn't come from his location.”

“This has been going on for more than a year and it hasn’t been resolved yet,” Ferrone said.”

source: <https://www.uticaod.com/article/20140607/News/140609537>

Article 3: San Diego Is Awash in Craft Beer – and Its Sticky, Smelly Byproduct

“One of the challenges of opening up a new craft brewery is figuring out what to do with piles of gunk every new batch of beer leaves behind.”

“Spent grain is basically the malted barley residue left behind in the brewing process. It’s thick, like mushy oatmeal, and brewers produce so much of it they can’t just throw it in dumpsters.”

“Huge barrels of spent grain started piling up. The smell of the rotting beer byproduct started becoming a pungent problem – his landlord and customers complained.”

“I had like 16 trash cans of spent grain in my brewery just stinking up the place,” he said.”

source: <https://www.voiceofsandiego.org/topics/food/san-diegos-craft-beer-obsession-gross-side-effect-thats-getting-harder-contain/>

Article 4: What’s that smell?

“As most of you know, brewery wastewater stinks. The short story is there are nutrients in wastewater, but usually insufficient oxygen to allow aerobic bacteria to grow.”

“The sulfides don’t oxidize in an anaerobic environment, instead they react with hydrogen to form hydrogen sulfide. The rotten egg smell.”

“There are no great odor controls options that I’m aware of yet, just like life, there are tradeoffs.”

source: <https://brewerywastewater.com/whats-that-smell/>

ZBA Case #2019-07

May 2, 2019

Full News Articles Referenced by
LCimino, LLC



Sign that a nearby business put up
in one of the referenced news articles.

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Monday, July 22, 1996 - Page updated at 12:00 AM

E-mail article Print

Downtown Brewery's Odor Repels Neighbors

By Charles E. Brown
Seattle Times Staff Reporter

Go ahead. Call it a brewhaha.

Ever since Pike Place Brewery owner Tom Leavitt fired up the giant kettle in the center of the Market's South Arcade to produce his microbrews, some of his next-door neighbors in the 98 Union condo tower have been incensed by the scent.

Tower resident Scott Williams says he's offended by the strange aroma of boiled grains and hops used in the brewery's award-winning pale ales and specialty microbrews. The stinky steam, he says, wafts from a smokestack on the arcade's roof to his condo on the adjacent tower's 10th floor.

"I don't want to get too crude, but if you ever stepped in what the dog left behind, it's that kind of smell," he said. "Kind of an acrid, penetrating odor. It comes inside the building and gets in your hallways, in the elevators, and down in the parking garage."

Paula Devon Raso, a tower resident who has a business across the street, says she's caught whiffs occasionally when she's home for lunch. "Unfortunately, it's not a scent that's appealing or tantalizing," she said. "It's more like a sewer smell."

Other residents of the condo tower say they, too, have detected it, as have residents of the Sisters of Providence's Vincent House low-income apartment residence at the opposite end of the South Arcade.

Williams figures if they can smell it, area workers, shoppers and even tourists might be repulsed by it, too.

The condominium's homeowners association has appealed to Harbor Properties, the condo's developer and the arcade's landlord, to intercede.

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"There's worse smells in the market," agreed Louie DeLaurenti of the nearby DeLaurenti Specialty Food Market.

Still, Leavitt is not ignoring the complaints. "We are looking into it now and trying to determine what, in fact, is going on and what can be done," he said.

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OBSERVER-DISPATCH

Brewery working to control smell that permeates neighborhood

By Elizabeth Cooper

Posted Jun 7, 2014 at 5:30 AM

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It's the anaerobic digesters at the F.X. Matt Brewing Co.

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And Frank Ferrone of In Tune Automotive has put a sign on his business saying the smell doesn't come from his location.

"This has been going on for more than a year and it hasn't been resolved yet," Ferrone said.

The situation reached a boiling point at a recent Utica Concerned Citizens meeting, which Matt's Chairman and CEO Nick Matt attended.

"We are aware that there is an aroma that is not pleasant and should not be coming from the digester, and is not natural to that process," Matt said. "We will solve it because we don't like to hear that people are upset about it. We will solve it."

Matt said the day after the meeting he reached out to a consultant to analyze the problem, and five or six possible reasons for the odor already had been indentified.

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In the meantime, residents are wondering what the odor is, and whether there are any associated health risks.

Marjorie Gannon, who also lives on Stark Street, said her husband always has been prone to migraine headaches, and the smell is making them worse and more frequent.

"It gets really bad," she said. "I can't even sit on my front porch."

Follow [@OD_Cooper](#) on Twitter or call her at 792-5006.

- Voice of San Diego - <https://www.voiceofsandiego.org> -

San Diego Is Awash in Craft Beer – and Its Sticky, Smelly Byproduct

Posted By *Kinsee Morlan* On April 28, 2017 @ 7:00 am

One of the challenges of opening up a new craft brewery is figuring out what to do with piles of gunk every new batch of beer leaves behind.

Spent grain is basically the malted barley residue left behind in the brewing process. It's thick, like mushy oatmeal, and brewers produce so much of it they can't just throw it in dumpsters.

"How do you get rid of your spent grains? I'm looking to unload at least a 1,000 pounds a week. Any ideas? I'm new."

Cameron Pryor, cofounder of the new [California Wild Ales](#) ^[1] brewery in Sorrento Valley, posted his question in a craft beer group on Facebook last month. It's a query that [comes up often](#) ^[2] among those opening new breweries across San Diego County.

Pryor did eventually hook up with a local farmer. Most San Diego breweries have [ranchers pick up their spent grain](#) ^[3] for free. They use it to feed their animals.

Rawley Macias said he hadn't yet figured out what to do with his spent grain when he opened the doors to his [Rouleur Brewing Company](#) ^[4] in Carlsbad a month ago. He contacted several farmers, but he said he kept hearing that their livestock feed needs were met.

"The skids have been greased and breweries had been working on these relationships with farmers for a long time," Macias said. "But for new brewers, a lot of farmers want you to be making a lot of grain. They also want you to be brewing a few times a week and stay on that schedule so the pickups can be consistent, but it's hard as a new brewery because you don't have the demand yet."

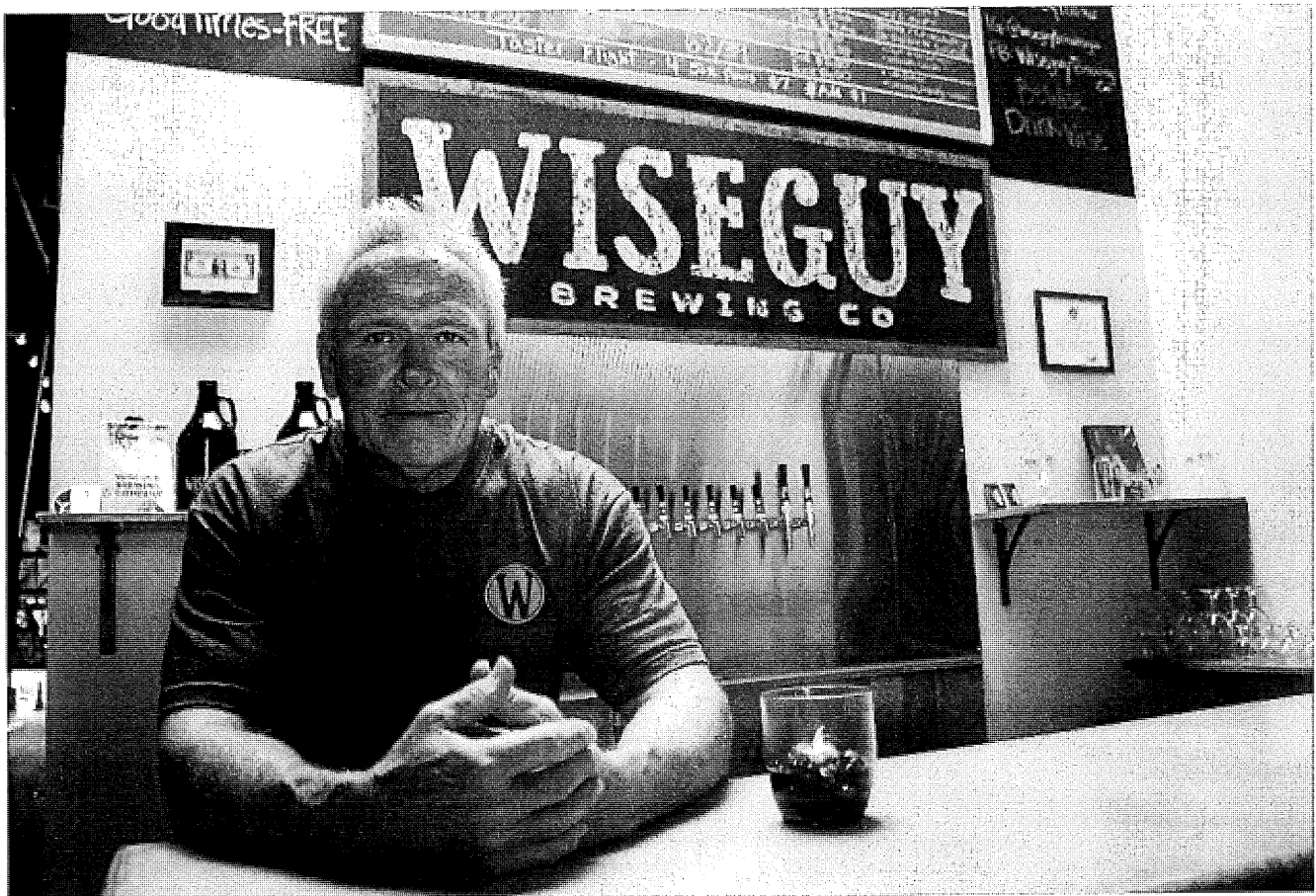
Without finding a farmer, Macias opened his brewery. Huge barrels of spent grain started piling up. The smell of the rotting beer byproduct started becoming a pungent problem – his landlord and customers complained.

"I had like 16 trash cans of spent grain in my brewery just stinking up the place," he said.

Eventually, Macias connected with a pig farmer from Valley Center. His spent grain is now picked up soon after it's produced. He said he's heard from plenty of other breweries in the region with the same spent grain problem on their hands. His next-door neighbor, in fact, Wiseguy Brewing Co ^[5], had a backlog of spent grain until Macias hooked them up with the pig farmer.

Tom Gent, who owns Wiseguy Brewing Co ^[6], with his son, said he thinks as more breweries open in a region that already has about 140 ^[7], it'll get harder and harder to find folks who want all the spent grain.

"It's going to be a larger problem on a bigger scale as microbreweries become more and more popular," he said.



[8]

Photo by Kinsee Morlan

Eric Larson, executive director of the San Diego County Farm Bureau, said he's already heard from several farmers who say they turn new breweries away. He said while there are a lot of farms in the county, there aren't many farms filled with animals.

"We have a relatively small amount of livestock because land is expensive here and livestock tends to be raised on inexpensive land," he said. "So we're producing a lot of beer here, but not enough animals to eat the spent grain."

A few, small crafty San Diego companies have come up with creative things to do with spent grain. A homebrewing couple uses their spent grain to make soap ^[9]. David Crane makes dog treats ^[10] with spent grain from local breweries. And a new startup company called Upcycle & Company ^[11] uses spent grain from Ballast Point as one of its main ingredients for fertilizer.

"We just launched but we are already scaling up," said Upcycle's director of operations James Griffin. "So we are working with multiple breweries, but we're still in negotiation stages."

Councilman Chris Cate, whose district is home to most of the city of San Diego's breweries ^[12], has his eye on the spent grain problem. He said his office has been working on coming up with a more comprehensive solution, at least for breweries within city limits.

Cate said his office is partnering with the Center for Sustainable Energy and UC San Diego. The coalition is working to secure grant funding and eventually build an anaerobic digester ^[13] at the UCSD campus that could turn the spent grain from city breweries into renewable energy. Essentially, waste creates methane gas, and that gas can be used to power ^[14] the very same breweries that supplied the spent grain.

"We'll be powering beer with beer," Cate said.

He said his office has heard from breweries having a hard time figuring out what to do with spent grain, but there's another issue – too many breweries are relying on far-away farmers, even some outside the county, to pick up the beer waste. Those long-distance trips don't align well with the carbon-cutting goals in the city's Climate Action Plan ^[15].

Cate's office has given a few presentations to the San Diego Brewers Guild to let local brewers know about the future plans for spent grain, and to talk about other sustainable practices, like onsite composting, that breweries can do with the waste. He said they're also getting ready to survey San Diego brewers to get a better idea of the amount of spent grain being produced.

"We want to come up with a creative solution to address the Climate Action Plan and address the problem our brewers are having when it comes to offloading spent grain," Cate said.

source: <https://brewerywastewater.com/whats-that-smell/>

What's that smell?

By JohnApril 2, 2018Odor, General reading, Piping, Pumps, Septic

As most of you know, brewery wastewater stinks. The short story is there are nutrients in wastewater, but usually insufficient oxygen to allow aerobic bacteria to grow. So a different type of bacteria thrives, called *sulfate reducing bacteria*. These bacteria utilize natural sulfate (SO_4^-) in the wastewater as their oxygen source, creating sulfides (SO_2). The sulfides don't oxidize in an anaerobic environment, instead they react with hydrogen to form hydrogen sulfide (H_2S). The rotten egg smell. Or in beer terms, what light struck beer smells and tastes like. H_2S is also insoluble, so it hangs out in the tank and pipe head space.

But so what? Wastewater stinks, shouldn't it? The big deal is above the water line in tanks and pipes, aerobic bacteria oxidize the H_2S to create a weak sulfuric acid, H_2SO_4 . Sulfuric acid eats mild steel. Things like bolts, rebar, chains, pump parts, ductile iron, cast iron, and structural steel... It will also eat the calcium carbonates in your concrete. This is starting to sound expensive, and it certainly can be. Plan ahead.

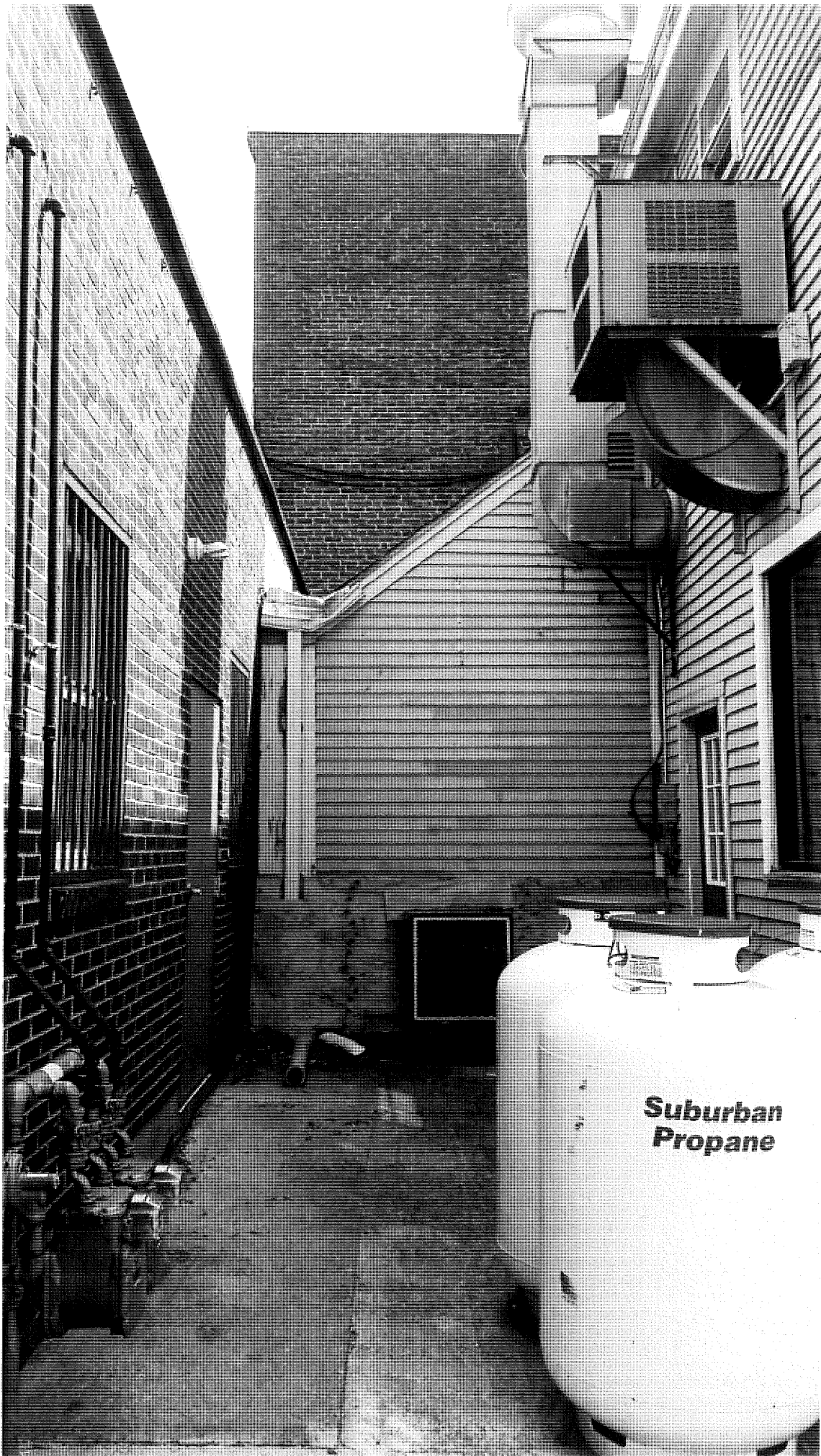
Look at this image from a few years ago:

Nightmare. This is at a brewpub near me. They had to tear out the slab in their brewery and replace the below grade piping due to H_2S corrosion. See [this post](#) for more.

What to do without going overboard? Any concrete tank should have a liner installed, even that little pump station at the end of your trench drain. The liner doesn't need to be fancy, it can be epoxy, or urethane, rated for immersion in water. Coal tar epoxy is a cheap option, but fumeey, nasty, and no fun to work with. A good liner will protect your concrete and your rebar. Equipment in a wastewater tank should be plastic or stainless steel. Period. This includes all bolts, fasteners, pipes, and pump components. Above ground, a plastic or stainless steel tank is great. Below grade, as much as I hate to say it, stick with concrete. Plastic tanks below grade are not advised for a brewery due to high water temperatures. What about your pipes? Stainless is always the best choice. But let's be realistic, it's wastewater and will never be seen, most people don't want to pay to put in stainless piping below grade. CPVC is a good option, solid core ABS plastic is also a good choice.

Is the odor causing you a problem beyond the underground? Wastewater tanks or vents near the public can get an activated carbon filter, or even a biofilter. Carbon filters can be small or big, they're easy but the costs can rack up since the carbon can only absorb so much. Also water vapor condensate can saturate the filter. There are no great odor controls options that I'm aware of yet, just like life, there are tradeoffs.

Back from the beyond! My first new post to this site in about a year. I'm still here doing what I do, but I have been really busy with all of this brewery work. It's good to have some time to catch my breath and get back to this website.



← Proposed
brewery
venting

→ Neighbor's
2 windows
& door.

**Suburban
Propane**





8 9F 9 9F 10 9F 11 10F 120 1 10F 2
116 117 118 119 120 121 122



↑ Right of Way ↑



Right of Way

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Unofficial Document

This conveyance is made subject to the rights and privileges contained in deed of Milton B. Wadleigh to Summer B. Emerson, dated November 12, 1895, and recorded in Volume 567, Page 383 of the Hillsborough County Registry of Deeds.

Right of Way
from South St
to 19 Nashua
located in alley.

Together with a right of way 11 feet wide from South Street to the rear of the building on the premises herein conveyed and the bulkhead now in existence which enters the basement on the Westerly side of the building located on the premises all as set forth in deed recorded in Volume 1127, Page 269 of the Hillsborough County Registry of Deeds.

Unofficial Document

Unofficial Document

Meaning and intending to convey the same premises conveyed to the said Grantors by deed of John Vasilopoulos dated April 20, 2004 and recorded in the Hillsborough County Registry of Deeds at Book 7230, Page 0650.

This is not homestead property.

Witness its hand this 22nd day of April, 2016.

Yiannis Realty, LLC

[Signature]
Witness

By: [Signature]
John Vasilopoulos, Member

Unofficial Document

Unofficial Document

STATE OF NEW HAMPSHIRE
HILLSBOROUGH, SS.

Personally appeared the above-named John Vasilopoulos, Member of Yiannis Realty, LLC and acknowledged the foregoing instrument to be his free act and deed on behalf of said Company.

Unofficial Document

Unofficial Document

[Signature]
Notary Public
My commission expires:



Unofficial Document

Unofficial Document

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5/2/19

LAW OFFICE OF
THOMAS F. QUINN
PROF. CORP.

62 Elm Street
Milford, NH 03055

PH: 603-554-1662
FAX: 603-554-1495

E-MAIL: tquinn@tfqtitle.com

May 2, 2019

Steve Bonczar, Chair
Milford Zoning Board of Adjustment
Milford New Hampshire Town Hall
1 Union Square
Milford, NH 03055

Re: Ogie Brewing, LLC, Case #2019-07

Dear Mr. Bonczar:

Please be advised that I represent Buttermilk Falls, LLC, the owner of property situated at 1 Nashua Street, and a direct abutter. My client has requested that I appear on its behalf this evening.

Let me assure the Board that my client is not opposed to the proposed use of the property situated at 12 South Street for the purposes contained in the Application for Special Exception. If the relief is granted, my client will welcome Ogie Brewing to the neighborhood and wish the Company nothing but success, provided that the issues raised below are addressed.

My client does have a few concerns, however, which need to be addressed. As you know, the proposed nano brewery falls under the definition of manufacturing and is, therefore, permitted in the Commercial District only by Special Exception.

The standards for granting a Special Exception are set forth in Article X, 10.02.1:

The Board of Adjustment may in appropriate cases, and subject to appropriate conditions and safeguards as determined by the Board, grant permits for such special exceptions as allowed in the various zoning districts as set forth in Article II. The Board may refer all applications for special exceptions to the Planning Board for its review and recommendations prior to holding public hearing on the applications. The Board of Adjustment, in acting on an application for a special exception should take into consideration the following conditions:

- A. The proposed use shall be similar to those permitted in the district.
- B. The specific site is an appropriate location for the proposed use.
- C. The use as developed will not adversely affect the adjacent area.
- D. There will be no nuisance or serious hazard to vehicles or pedestrians.
- E. Adequate appropriate facilities will be provided for the proper operation of the proposed use.

The reference to Article II incorporates additional requirements. Article II Section 2.04.0 reads:

No residential, business, commercial or industrial use shall be permitted which would cause any undue hazard to health or safety or which is offensive to the public because of noise, vibration, noxious odor, smoke or other similar reason.

My client is very concerned that both the residual grain/mash, a byproduct of the fermenting process, and emissions from the brewery will result in the creation of noxious odors. The odor is a result of the creation of hydrogen sulfide. The smell of this gas has been likened to the smell of rotten eggs. Certainly, these are not odors the Town wants permeating the Oval. And as a direct abutter with a second story open deck to serve an anticipated restaurant, such odors are totally unacceptable.

Considering the requirements of Section 10.02.1, I will address the points in order.

- A. The proposed use shall be similar to those permitted in the district. We don't contest this since the use is permitted by special exception.
- B. The specific site is an appropriate location for the proposed use. It is, but only if the issues associated with the use are adequately addressed.
- C. The use as developed will not adversely affect the adjacent area. Again, this is likely true, but only if the issues associated with the use can be addressed.
- D. There will be no nuisance or serious hazard to vehicles or pedestrians. This also is likely true, but only if the issues associated with the use can be addressed.
- E. Adequate appropriate facilities will be provided for the proper operation of the physical use. This is the crux of the matter. Safeguards need to put in place in order that the proposed use does not create foul odors in the neighborhood through emissions or the generation and outside storage of malodorous by-products.

With respect to the requirements of Section 2.04.0, my client is concerned this business will likely result in the generation and emission of noxious odors which will be offensive to the public.

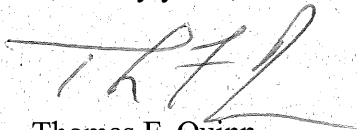
The burden of proof on all these issues is on the Applicant. Neither tonight's presentation, nor the presentation before the Planning Board, provides sufficient evidence or assurances that the proposed use is an appropriate location for this proposed use, that it will not adversely affect the adjacent area, that the emissions and generation of waste material will not create a nuisance or emit noxious odors or that adequate appropriate facilities will be provided for the proper operation of the proposed use.

But, again, my client is not apposed to the use, so we are not requesting that you deny the Application tonight. We only request that you table the Application and require that Applicant, if it wishes to proceed, engage the services of an engineer specializing in the area of air quality, environmental science or other appropriate field for the purpose of designing a system for the proper handling of emissions, waste and other aspects of the business to ensure that the business does not release in to the neighborhood unpleasant odors.

Failing that, and in the event that the Board grants the Application, my client urges you to impose conditions on the approval requiring that the Applicant submit a plan for handling the mash produced from the process and ensuring that the business will not generate unpleasant emissions. Such plan to be prepared and certified by an engineer practicing in the area of environmental matters, air quality, or other appropriate field. Such a plan should also provide for periodic testing and other compliance procedures.

Thank you for your consideration.

Sincerely yours,



Thomas F. Quinn

TFQ/sg

OBSERVER-DISPATCH

Brewery working to control smell that permeates neighborhood

By Elizabeth Cooper

Posted Jun 7, 2014 at 5:30 AM

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It's the anaerobic digesters at the F.X. Matt Brewing Co.

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And Frank Ferrone of In Tune Automotive has put a sign on his business saying the smell doesn't come from his location.

"This has been going on for more than a year and it hasn't been resolved yet," Ferrone said.

The situation reached a boiling point at a recent Utica Concerned Citizens meeting, which Matt's Chairman and CEO Nick Matt attended.

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Matt said the day after the meeting he reached out to a consultant to analyze the problem, and five or six possible reasons for the odor already had been identified.

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Monday, July 22, 1996 - Page updated at 12:00 AM

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ADVERTISING

Downtown Brewery's Odor Repels Neighbors

By Charles E. Brown
Seattle Times Staff Reporter

Go ahead. Call it a brewhaha.

Ever since Pike Place Brewery owner Tom Leavitt fired up the giant kettle in the center of the Market's South Arcade to produce his microbrews, some of his next-door neighbors in the 98 Union condo tower have been incensed by the scent.

Tower resident Scott Williams says he's offended by the strange aroma of boiled grains and hops used in the brewery's award-winning pale ales and specialty microbrews. The stinky steam, he says, wafts from a smokestack on the arcade's roof to his condo on the adjacent tower's 10th floor.

"I don't want to get too crude, but if you ever stepped in what the dog left behind, it's that kind of smell," he said. "Kind of an acrid, penetrating odor. It comes inside the building and gets in your hallways, in the elevators, and down in the parking garage."

Paula Devon Raso, a tower resident who has a business across the street, says she's caught whiffs occasionally when she's home for lunch. "Unfortunately, it's not a scent that's appealing or tantalizing," she said. "It's more like a sewer smell."

Other residents of the condo tower say they, too, have detected it, as have residents of the Sisters of Providence's Vincent House low-income apartment residence at the opposite end of the South Arcade.

Williams figures if they can smell it, area workers, shoppers and even tourists might be repulsed by it, too.

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FOOD

San Diego Is Awash in Craft Beer – and Its Sticky, Smelly Byproduct

Some new craft brewers are struggling to find ways to dispose of spent grain, the thick, mushy residue each batch of beer leaves behind. Some farmers will take it, but many of them have so much that they're turning new breweries away.

Kinsee Morlan
April 28, 2017



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STAY UP TO DATE

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What have you always wondered about San Diego, the

0/500

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"I had like 16 trash cans of spent grain in my brewery just stinking up the place," he said.

Eventually, Macias connected with a pig farmer from Valley Center. His spent grain is now picked up soon after it's produced. He said he's heard from plenty of other breweries in the region with the same spent grain problem on their hands. His next-door neighbor, in fact, Wiseguy Brewing Co., had a backlog of spent grain until Macias hooked them up with the pig farmer.

Tom Gent, who owns Wiseguy Brewing Co. with his son, said he thinks as more breweries open in a region that already has about 140, it'll get harder and harder to find folks who want all the spent grain.

TRENDING STORIES

| Week | Month | Year |
|------|-------|------|
|------|-------|------|

The City Sends About 15 Percent of the Recycling it Collects to the Dump

School Officials Who Failed to Act on Report of Sexual Abuse Say it Went to Spam Folder

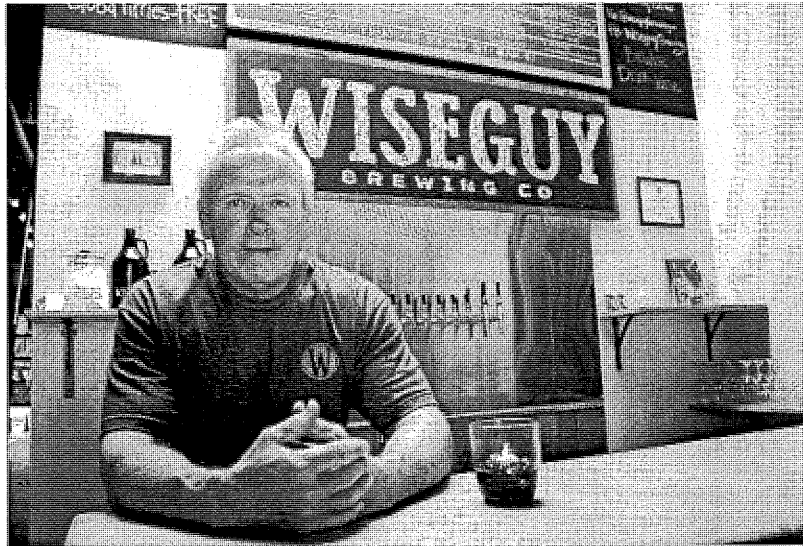
Politics Report: What Kind of Vision? Bold!

What the Latest Homelessness Census Shows – and What it Doesn't

When Police Can – and Can't –

“It’s going to be a larger problem on a bigger scale as microbreweries become more and more popular,” he said.

Pull You
Over



voiceofsandiego

Photo by Kinsee Morlan

Eric Larson, executive director of the San Diego County Farm Bureau, said he’s already heard from several farmers who say they turn new breweries away. He said while there are a lot of farms in the county, there aren’t many farms filled with animals.

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“We have a relatively small amount of livestock because land is expensive here and livestock tends to be raised on inexpensive land,” he said. “So we’re producing a lot of beer here, but not enough animals to eat the spent grain.”

A few, small crafty San Diego companies have come up with creative things to do with spent

grain. A homebrewing couple uses their spent grain to make soap. David Crane makes dog treats with spent grain from local breweries. And a new startup company called Upcycle & Company uses spent grain from Ballast Point as one of its main ingredients for fertilizer.

“We just launched but we are already scaling up,” said Upcycle’s director of operations James Griffin. “So we are working with multiple breweries, but we’re still in negotiation stages.”

Councilman Chris Cate, whose district is home to most of the city of San Diego’s breweries, has his eye on the spent grain problem. He said his office has been working on coming up with a more comprehensive solution, at least for breweries within city limits.

Cate said his office is partnering with the Center for Sustainable Energy and UC San Diego. The coalition is working to secure grant funding and eventually build an anaerobic digester at the UCSD campus that could turn the spent grain from city breweries into renewable energy. Essentially, waste creates methane gas, and that gas can be used to power the very same breweries that supplied the spent grain.

“We’ll be powering beer with beer,” Cate said.

He said his office has heard from breweries having a hard time figuring out what to do with spent grain, but there's another issue – too many breweries are relying on far-away farmers, even some outside the county, to pick up the beer waste. Those long-distance trips don't align well with the carbon-cutting goals in the city's Climate Action Plan.

Cate's office has given a few presentations to the San Diego Brewers Guild to let local brewers know about the future plans for spent grain, and to talk about other sustainable practices, like onsite composting, that breweries can do with the waste. He said they're also getting ready to survey San Diego brewers to get a better idea of the amount of spent grain being produced.

"We want to come up with a creative solution to address the Climate Action Plan and address the problem our brewers are having when it comes to offloading spent grain," Cate said.

Tags:

breweries

craft beer

spent grain

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Written By

Kinsee Morlan

Kinsee Morlan was formerly the Engagement Editor at Voice of San Diego and author of the [Culture Report](#). She also managed VOSD's [podcasts](#) and covered the arts, culture, land use and entrepreneurs.

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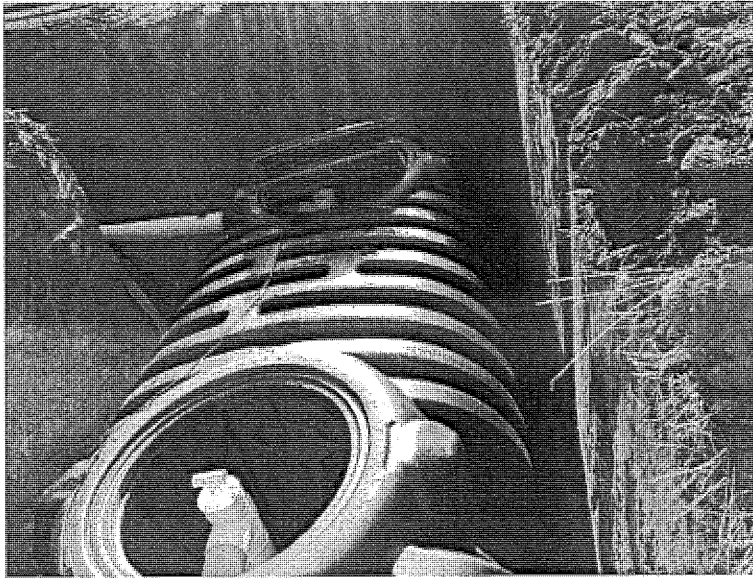
What's that smell?

By John April 2, 2018 Odor, General reading, Piping, Pumps, Septic

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As most of you know, brewery wastewater stinks. The short story is there are nutrients in wastewater, but usually insufficient oxygen to allow aerobic bacteria to grow. So a different type of bacteria thrives, called *sulfate reducing bacteria*. These bacteria utilize natural sulfate (SO_4^-) in the wastewater as their oxygen source, creating sulfides (SO_2). The sulfides don't oxidize in an anaerobic environment, instead they react with hydrogen to form hydrogen sulfide (H_2S). The rotten egg smell. Or in beer terms, what light struck beer smells and tastes like. H_2S is also insoluble, so it hangs out in the tank and pipe head space.

But so what? Wastewater stinks, shouldn't it? The big deal is above the water line in tanks and pipes, aerobic bacteria oxidize the H_2S to create a weak sulfuric acid, H_2SO_4 . Sulfuric acid eats mild steel. Things like bolts, rebar, chains, pump parts, ductile iron, cast iron, and structural steel... It will also eat the calcium carbonates in your concrete. This is starting to sound expensive, and it certainly can be. Plan ahead.

Look at this image from a few years ago:



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Nightmare. This is at a brewpub near me. They had to tear out the slab in their brewery and replace the below grade piping due to H₂S corrosion. See this post for more.

What to do without going overboard? Any concrete tank should have a liner installed, even that little pump station at the end of your trench drain. The liner doesn't need to be fancy, it can be epoxy, or urethane, rated for immersion in water. Coal tar epoxy is a cheap option, but fume, nasty, and no fun to work with. A good liner will protect your concrete and your rebar. Equipment in a wastewater tank should be plastic or stainless steel. Period. This includes all bolts, fasteners, pipes, and pump components. Above ground, a plastic or stainless steel tank is great. Below grade, as much as I hate to say it, stick with concrete. Plastic tanks below grade are not advised for a brewery due to high water temperatures. What about your pipes? Stainless is always the best choice. But let's be realistic, it's wastewater and will never be seen, most people don't want to pay to put in stainless piping below grade. CPVC is a good option, solid core ABS plastic is also a good choice.

Is the odor causing you a problem beyond the underground? Wastewater tanks or vents near the public can get an activated carbon filter, or even a biofilter. Carbon filters can be small or big, they're easy but the costs can rack up since the carbon can only absorb so much. Also water vapor condensate can saturate the filter. There are no great odor controls options that I'm aware of yet, just like life, there are tradeoffs.

Back from the beyond! My first new post to this site in about a year. I'm still here doing what I do, but I have been really busy with all of this brewery work. It's good to have some time to catch my breath and get back to this website.



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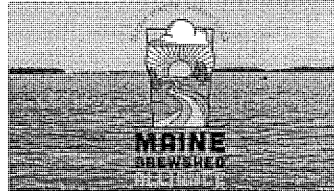


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