



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD
550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board
FROM: Cynthia Franklin
Director, ABC Board

DATE: April 11, 2016

RE: Hoarfrost Distilling #5436

This is a new application for distillery license in the City of Fairbanks. Fairbanks has protested the issuance of the licenses pending the issuance of a certificate of occupancy. This application was tabled at the February 10, 2016 ABC meeting to provide the applicant an opportunity to obtain the certificate of occupancy.

Date of application: December 7, 2015

Date of Protest: January 26, 2015

Basis of Protest: City Council voted at meeting on January 25, 2016 to protest until a Certificate of Occupancy is issued

Requirements Met: Yes, applicant notified per 3 AAC 304.145(d) when matter went before City Council

Action Required: City of Fairbanks is still waiting for notification from applicant that they are ready for final inspection that would result in issuance of certificate of occupancy.

Recommendation: Uphold City of Fairbanks protest, deny application per AS 04.11.480(a) and due to applicant's non-responsiveness to Fairbanks and ABC board and failure to obtain certificate of occupancy

From: [Kim S. Hill](#)
To: [Danyielle Snider](#); [Clemens M. Clooten](#)
Cc: [Franklin, Cynthia A \(CED\)](#); [Sawyer, Jane Preston \(CED\)](#); [AMCO Local Government Only \(CED sponsored\)](#)
Subject: RE: Hoarfrost Distilling Company, License #5436
Date: Monday, April 18, 2016 8:11:01 AM

Good morning all,

Sorry I was out of the office for a few weeks and just catching up. The permit for this project was picked up and paid for on 02/23/2016. The contractors have yet called for any type of inspections so I'm not exactly sure when they will request a Certificate of Completion.

Thank you,

Kimberly S. Hill

Building Administrative Assistant

City of Fairbanks

800 Cushman St.

Fairbanks, AK 99701

(PH)907-459-6723

(FX)907-459-6719

From: Danyielle Snider
Sent: Monday, April 11, 2016 3:32 PM
To: Clemens M. Clooten; Kim S. Hill
Cc: cynthia.franklin@alaska.gov; jane.sawyer@alaska.gov; amco.localgovernmentonly@alaska.gov
Subject: Hoarfrost Distilling Company, License #5436

Clem & Kim,

I received a call this afternoon from the Alcohol and Marijuana Control Office (AMCO) requesting an update on the status of Hoarfrost Distilling Company (**3501 Lathrop Street, Unit F**). They need to provide an update to their Board and have asked the following questions:

- 1) Is progress being made on the project?
- 2) When do you estimate that a Certificate of Occupancy will be issued? Or, have they requested a Certificate of Occupancy already?
- 3) What was the date of the last inspection of the premises?

Please "reply all" with your response as I have copied AMCO on this email. Thanks in advance!

Dani



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6702
Fax (907)459-6710

January 26, 2016

Maxine Andrews, Business Registration Examiner
Alaska Alcohol and Marijuana Control Office
550 W. 7th Avenue, Ste. 1600
Anchorage, Alaska 99501-3567

Please be advised that at the regularly-scheduled meeting of January 25, 2016, the Fairbanks City Council voted to **PROTEST** the application for the following new distillery license until a Certificate of Occupancy is issued by the City of Fairbanks:

Type: Distillery, License #5436
Licensee/Applicant: Hoarfrost Distilling / Hoarfrost Distilling, LLC
Physical Location: 3501 Lathrop Street, Unit F, Fairbanks, Alaska

The Fairbanks Building and Fire Departments informed the Council that a Certificate of Occupancy has not yet been issued for the building. The Council voted to protest the license until a Certificate of Occupancy is issued and allow for the protest to be lifted upon issuance.

Alaska Statutes section 04.11.480(a) provides that "A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license... If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, or unreasonable."

Should you need further information do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink that reads "D. Danyielle Snider".

D. Danyielle Snider, CMC
City Clerk

cc: File(s)
Toivo Luick
Fire Department
Building Department