From:	Ken Perry
To:	Marijuana Licensing (CED sponsored)
Cc:	Marijuana, CED ABC (CED sponsored); CED AMCO Enforcement (CED sponsored)
Subject:	Comment TEMPT, LLC
Date:	Sunday, January 22, 2017 5:12:30 PM

Dear Ms Franklin

Please excuse the rather informal use of e-mail as a substitute for my normal participation in State Legislative and Regulatory discussions and MOA Regulatory adjustment involvement. I have been home bound from my business Pied Piper Pest Control since receiving a 3-6 month "eviction notice" from Pancreatic Cancer the 6th of November. While I have been privileged to address many matters of concern to my pest control industry I usually have tried to be more formal and meaningful in my submissions. Unfortunately I just Friday received a copy of your January 4 letter to TEMPT, LLC in which you state your personal desire to oppose their request for license approval based on an issue of buffer zone. My time is unfortunately not always spent in the best of comfort and conducting business. But I felt the need to speak to this issue.

It is in my capacity of primary partner of Perry Rentals, LLC, the owners of the property on which you claim a school is present (2440 E 88th Ave), that I now write. In your quotation therein of **18 AAC 306.010(a)** you erred in indicating the existence of additional wording in the posted regulations by the use of the English Grammar 3 periods between the words "of a" AND "school". There was never anything written in code here. In addition, you erred by closing that quoted sentence prematurely by not adding the word "grounds" (hence the officially registered combined word "school grounds") a change you requested and received in January and which became part of The Alaska officially REGISTERED version in April:

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Therefore, as the owner of the property under discussion, it is my privilege to inform you that there exists NO SCHOOL GROUNDS at, on or near 2440 E 88th Ave Anchorage, AK 99507. This property is completely surrounded by parking lot (North & East) and storage/work lot (South & West). There is absolutely no provision to use any of this property for any purpose other than the parking of all three businesses located INSIDE the building with the exception that ADT may put up and take down at will a temporary parallel parking area consisting of 4-6 flagged cones. Therefore, the necessity of a hearing on the "buffer zone issue" at the February 2 meeting is without foundation and should begin and end with a quick withdrawal of your objection to the TEMPT application on this matter.

In case the Board's concern is, as you mistakenly stated, the existence of a school at this location, (though no current regulation exists to promote that exception) let me also reassure you that the word "School" is NOT USED in the title of "Anchorage Driver Training. Unfortunately, the board has been quite busy, and chose NOT to define either "School" or "School Ground" in its regulations, perhaps referencing an existing State of Alaska Registered definition. For example, when ADEC and the Pest Control industry worked with the Legislature in 2002 & 2007 the discussion of pesticide application at schools was codified. However, given the poorly-descriptive meaning of the word "school" it was decided to include a definition to remove confusion AND meet the desire to protect our children. Hence: ***(50) "school" means a facility used for educational instruction from kindergarten through 12th grade; "school" includes associated playgrounds, playing fields, gardens, lawns, or other real property devoted to the functions of the facility; "school" does not include a private home or teacher residential area;***

The ADT certainly does not meet that well considered definition. Instead, it is a location where persons (mostly 16 and up) can go to meet a driving instructor, join him for on the road training, and return to the parent or guardian required to have delivered them to the office almost always waiting on site. Arrangements can also be made for the instructor and student to meet at a more convenient location. Once every two weeks (on a Saturday or Sunday) a formal classroom setting is used to

teach classes, mostly to already licensed adults who need a certain certification for their work location OR to prove to DMV that they have taken a qualified class to have points removed from their record. While there may be someone in the age range of 16-21 taking those classes, the education they are receiving is for personal reasons, not the common goal off secondary education as publicly recognized. Please notice that ADT also does not list or refer to itself on its website as "a school". http://www.training-drivers.com/

In closing, let me reassure you, the board, ADT & TEMPT that my response to this issue has nothing to do with my business or personal relationships with any or all. While I would hate to lose a good renter like ADT if they decide to pursue a status in the future AS a licensed Alaska School and all of the improvements and changes Perry Rentals would likely have to meet to qualify with The State, I would certainly wish them well if they so choose. I also have no pecuniary relationship with TEMPT except as a customer to a totally different (tire shop) business owned by one of its members. I am also not personally a supporter of Marijuana itself, but I AM a supporter of Alaskan's right to conduct legal businesses without unjustified opposition from government or public.

Cc: TEMPT, LLC; WMAS

Ken Perry

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