#11051
Northlink LLC
4/4/17

EXHIBIT 1

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-08: Local Government Notice Affidavit

What is this form?

A local government notice affidavit is required for all marijuana establishment license applications with a proposed premises that is located within a local government, per 3 AAC 306.025(b)(3). As soon as practical after initiating a new marijuana establishment license application, an applicant must give notice of the application to the public by submitting a copy of the application to the local government and any community council in the area of the proposed licensed premises. For purposes of this notification, the document that must be submitted is the application document produced by the online application system titled "Public Notice".

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Northlink LLC	**License Number:**	11051		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	Northlink LLC				
Premises Address:	1550 Cushman Suite B				
City:	Fairbanks	**State:**	Ak	**ZIP:**	99701

Section 2 – Certification

I certify that I have met the local government notice requirement set forth under 3 AAC 306.025(b)(3) by submitting a copy of my application to the following local government official and community council (if applicable):

Local Government: City of FBKS FNSB — Name of Official: D. DANYIELLE SNIDER Planner III Bryan Schimel

Title of Official: City Clerk — Date Submitted: 02/02/17

Community Council: — — Date Submitted: _____
(Municipality of Anchorage and Matanuska-Susitna Borough only)

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

Signature of licensee

Travis Fraser
Printed name of licensee

D. DANYIELLE SNIDER My Commission Expires NOTARY PUBLIC with office STATE OF ALASKA

Notary Public in and for the State of Alaska

My commission expires: w/office

Subscribed and sworn to before me this 2nd day of FEBRUARY, 2017

CITY OF FAIRBANKS

Office of the City Clerk
800 CUSHMAN STREET
FAIRBANKS, ALASKA 99701-4615
OFFICE: 907-459-6702
FAX: 907-459-6710
cityclerk@ci.fairbanks.ak.us

April 4, 2017

Jane Sawyer, Business Registration Examiner
Alcohol and Marijuana Control Office (AMCO)
550 W 7th Avenue, Ste. 1600
Anchorage, Alaska 99501-3567

Dear Ms. Sawyer:

At the regularly-scheduled meeting of April 3, 2017, the Fairbanks City Council voted to **PROTEST** the application for the following NEW Marijuana Cultivation License **until a Certificate of Occupancy is issued by the City Building Department**:

License Type/Number:	Marijuana Cultivation Facility/License #11051
D.B.A.:	Northlink, LLC
Licensee/Applicant:	Northlink, LLC
Physical Location:	1550 Cushman Street, Fairbanks, AK

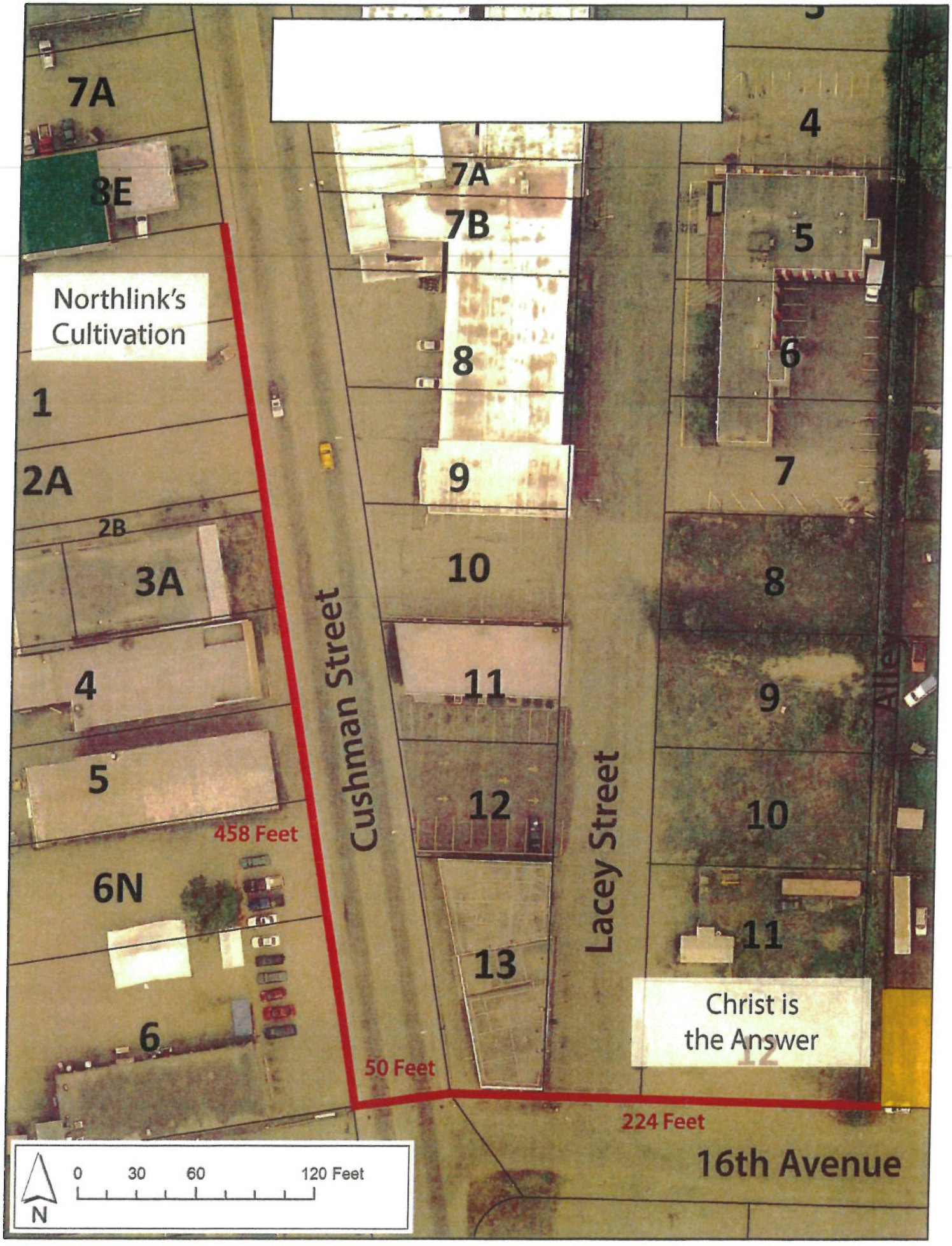
I will notify the Alcohol and Marijuana Control Office when a Certificate of Occupancy is issued for the premises. If you have any questions or would like further information do not hesitate to call me.

Sincerely,

D. Danyielle Snider, CMC
Fairbanks City Clerk

cc: File
Travis Fraser, Northlink, LLC
Jim Styers, City Fire Chief
Clem Clooten, City Building Official

EXHIBIT 2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Cushman Street
Lacey Street
Alley
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224 Feet
Christ is the Answer
16th Avenue
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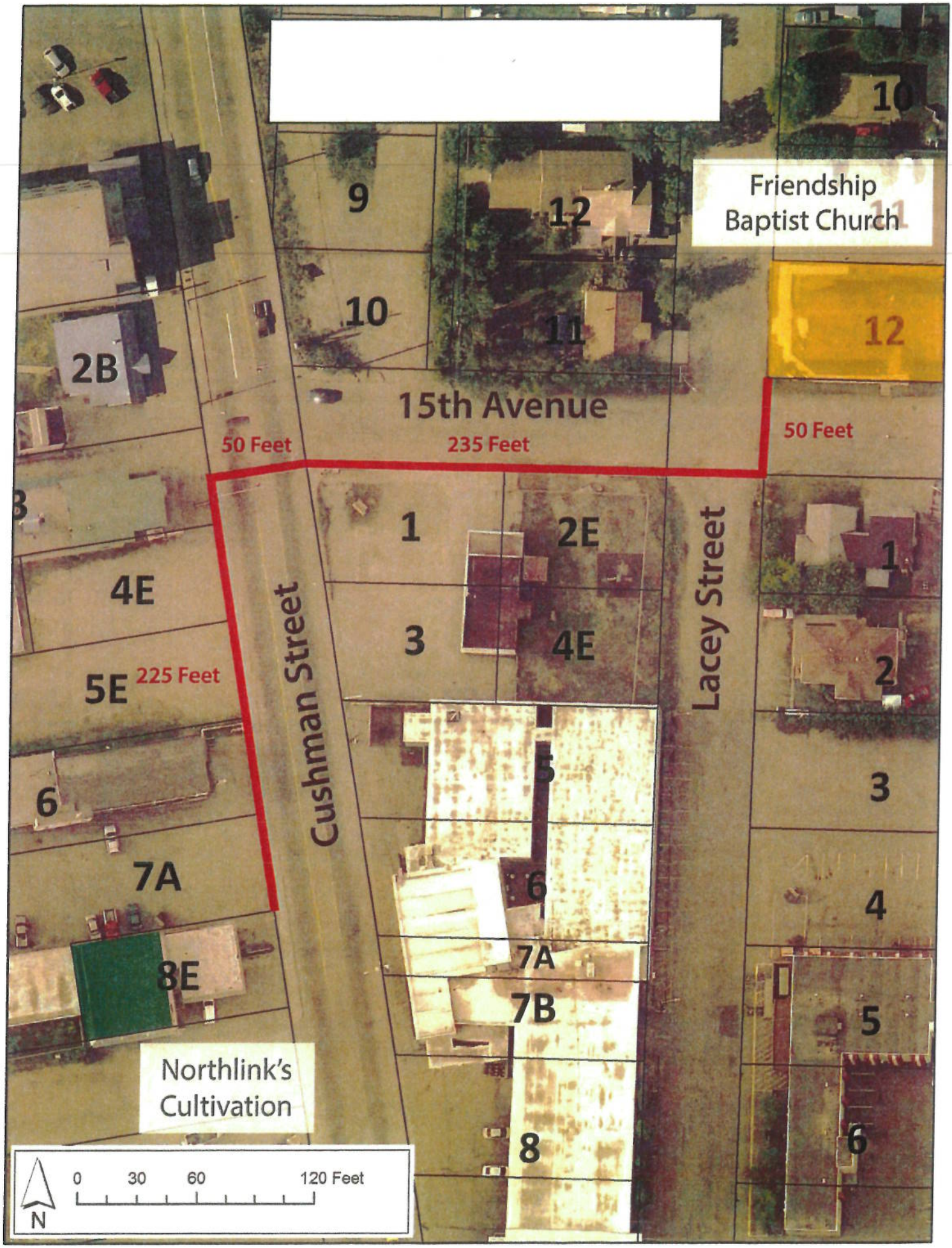
Friendship
Baptist Church
15th Avenue
235 Feet
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Lacey Street
Northlink's
Cultivation
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EXHIBIT 3

Brandon Emmett motions to accept all of 3 AAC 306.010 as amended 10:02:51 AM
Mark Springer seconds motion
Board votes, and motion carries unanimously 11:45:43 AM

Brandon Emmett motions to strike "child-centered facility including a school, daycare, or other facility providing services to children" and replace with "school" in 3 AAC 306.010(a). 10:04:25 AM
Mark Springer seconds motion
"Memorandum for all United States Attorneys: Guidance Regarding Marijuana Enforcement" from Deputy Attorney General James M. Cole dated August 29, 2013 (Cole Memo) handed out to Board members.
Discussion regarding the Cole Memo, federal drug-free zoning laws, definition of "school", distances from a school, AS 11.71.030 and AS 11.71.900(20).
Board votes, and amended motion carries unanimously 11:12:50 AM

Brandon Emmett motions to amend amendment to read "within 500 feet of a school or a recreation or youth center", and use the definition of "recreation or youth center" from AS 11.71.900(20). 10:46:47 AM
Mark Springer seconds motion
Motion carries unanimously

BREAK 10:52:14 AM

Discussion of public comments on 3 AAC 306.010 11:17:02 AM

Mark Springer motions to strike 3 AAC 306.010(b) 11:27:58 AM
Brandon Emmett seconds motion
Motion carries (3-1, Peter Mlynarik votes No)

Mark Springer motions to strike "violation of AS 04" from 3 AAC 306.010(d)(2) and replace with "violation of AS 04.16.051, AS 04.16.052, or AS 04.11.010" 11:42:01 AM
Brandon Emmett seconds motion
Motion carries unanimously

Brandon Emmett motions to accept 3 AAC 306.015 11:46:25 AM
Peter Mlynarik seconds motion
Board votes, and motion carries (3-2, Bruce Schulte and Brandon Emmett "No") 1:47:52 PM

Brandon Emmett motions to amend 3 AAC 306.015(a) to strike "direct or indirect financial interest" and replace with "controlling interest" 11:53:38 AM
Mark Springer seconds motion
Brandon Emmett withdraws motion to amend 12:19:06 PM
Mark Springer seconds
No vote

EXHIBIT 4

THE STATE of ALASKA

GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

MEMORANDUM

TO: Chair and Members of the Board

DATE: January 26, 2017

FROM: Sara Chambers
Interim Director, Marijuana Control Board

RE: Tempt, LLC #11091

This is an application for a Standard Marijuana Cultivation Facility in the Municipality of Anchorage by Tempt, LLC DBA Tempt, LLC

Date Application Initiated:	09/23/2016
Date Under Review:	10/24/2016
Incomplete Letter(s) Date:	01/16/2017
Date Final Corrections Submitted:	01/18/2017
Determined Complete/Notices Sent:	01/18/2017
Local Government Response/Date:	01/18/2017 – Protest pending municipal license and special land use permit
DEC Response/Date:	N/A deferred
Fire Marshal Response/Date:	N/A deferred
Objection(s) Received/Date:	Yes

Concerns: Anchorage Driver Training, LLC is located next door to the proposed cultivation facility. The center holds a contract with the Anchorage School District to teach children aged 14 and up how to drive. Staff has considerable concern that Anchorage Driver Training, LLC, falls under the definition provided in 3 AAC 306.990(b)(35):

3 AAC 306.010. License restrictions (a) The board will not issue a marijuana establishment license if the licensed premises will be located within 500 feet of a school ground, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility

3 AAC 306. 990(b)(35) "recreation or youth center" means a building, structure, athletic playing field, or playground (A) run or created by a local government or the state to provide athletic, recreational, or leisure activities for persons under 21 years of age; or (B) operated

by a public or private organization licensed to provide shelter, training, or guidance for persons under 21 years of age

Recommendation: If the board finds that Anchorage Driver Training meets the definition of "recreation or youth facility," it is recommended to deny based on the requirements of 3 AAC 306.010.

John Troutman, disabled vet and retired drug and alcohol counselor, provides testimony in support of the application and in marijuana.

Don Hart, investigator for Central Investigation Agency, provides testimony in favor of the application and encourages the Board to reconsider the possibility of giving her the definitiveness of it being complete. He adds that out of her own pocket, Adele Davis has been doing this thing all by herself all over the state; that she's been driving all over the state and doing this Green Cross thing, getting medical marijuana to patients.

Peter Mlynarik asks the Board members if in light of the public testimony, whether they would wish to go in any other direction than the one in which they have.

B. Complete Applications

1. **License #11091: Tempt, LLC** **2:18pm** **TAB 20**

Licensee:	Tempt, LLC
License Type:	Standard Marijuana Cultivation Facility
Premises Address:	2410 E 88th Avenue Anchorage, AK 99507
Local Government:	Municipality of Anchorage

Matt and Tammy Seidler, applicants, identify themselves for the record.

Mark Springer motions to approve license #10091 with delegation.
Brandon Emmett seconds the motion.

Leslie Hysom, Anchorage Driver Training, states that they provide training to anyone ages 14 and above.

The Board members discuss whether or not this meets the definition of "recreation or youth facility" in regulation.

Cade Inscho, public member, states that this is a cultivation facility and would not be open to the public, so there shouldn't be an issue.

Motion to approve the license with delegation carries, 4-1 (Peter Mlynarik votes No).

- **APPLICATIONS FROM PREVIOUS MEETINGS**

A. Operating Plan Changes

1. **License #10021: Enlighten Alaska, LLC** **2:30pm** **TAB 21**

Licensee:	Enlighten Alaska, LLC
License Type:	Retail Marijuana Store
Premises Address:	2600 Spenard Road Anchorage, AK 99503
Local Government:	Municipality of Anchorage

EXHIBIT 5

FAIRBANKS NORTH STAR BOROUGH Department of Community Planni
907 Terminal Street ☆ P.O. Box 71267☆ Fairbanks, Alaska 99707-1267 (907) 459-1260 ☆ FAX (907) 459-1255

MEMORANDUM

TO: Mayor Matherly and City of Fairbanks City Council

FROM: D. Christine Nelson, AICP, CFM DCN
Director of Community Planning

DATE: March 20, 2016

SUBJECT: Marijuana Buffer Distances

In regulating where marijuana facilities can be located, the borough and the state have different sensitive uses that must be buffered. These sensitive uses have different definitions, different buffer distances, and different ways that buffer distances are measured.

FNSBC 18.96.240(A)(3) addresses borough buffer distances for commercial marijuana establishments. More specifically, FNSBC 18.96.240(A)(3)(c) establishes the buffer distance of 100 feet from any "youth centers, group homes serving persons age 18 and under, public swimming pools, state licensed day care facilities, arcades, state licensed substance abuse treatment provider or facility providing substance abuse use treatment, church buildings, and residential zones (RE, RR, SF, TF, MF, MFO)". Borough buffer distances are measured directly from the closest edge of commercial marijuana establishment (building) to the lot line of the lot containing the sensitive use or zone in accordance with FNSBC 18.96.240(A)(3)(d) (see Exhibit #1).

Within a 500 foot perimeter measured directly around the marijuana cultivation facility proposed to be located in a portion of the building addressed as 1550 S. Cushman Street, there are two churches and a day care business. The borough's 100 foot buffer is met for all three of these sensitive uses.

"Little Thinkers Licensed Home Care" located at 1554 Stacia Street meets the borough's definition of a "state licensed daycare" and is located approximately 154 feet from the closest portion of the marijuana cultivation facility as measured to the property line of the day care, thereby meeting the FNSB's 100 foot buffer requirement (see Exhibit #2).

The state measures their buffer distances by shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of a school ground, to the outer boundaries of the recreation or youth center, to the main public entrance of the building in which religious services are regularly conducted, or to the main public entrance of the correctional facility (see Exhibit #3).

The state has a definition of "child care facility" listed in 7 AAC 57.010(b) (see Exhibit #4) but does not have a marijuana buffer specified for a "child care facility" (see Exhibit #3). However, the state does have a 500 foot buffer for a "recreation or youth center" defined in 3 AAC 306.990(35) as: ***"recreation or youth center" means a building, structure, athletic playing field, or playground***

(A) run or created by a local government or the state to provide athletic, recreational, or leisure activities for persons under 21 years of age; or
(B) operated by a public or private organization licensed to provide shelter, training, or guidance for persons under 21 years of age;

Previously the state had not definitively included child care facilities in the category of "recreation or youth center" when the borough originally asked the question in April 2016 (see Exhibit #5A and B). Last week, at the request of FNSB Community Planning, the state reviewed Little Thinkers Licensed Home Care as it applies to the state's definition of recreation or youth center (see Exhibit #6)

The state also has a 500 foot buffer requirement for "a building in which religious services are regularly conducted". Attached maps illustrate one possible pedestrian route for each church location (see Exhibits #7 and #8) and are measured from lot line to lot line; not door to door as listed in state regulations (see Exhibit 3)

All measurements are based on FNSB GIS data layers. However, the maps and data, including shown buffers, are intended to provide users with a general idea of the provisions within Ordinance 2015-41 and should be used solely for general informational purposes. There may be errors in the data. FNSB does not warrant the accuracy of maps or data provided, nor their suitability for any particular application (see Exhibit 9). It is the applicant's responsibility to identify all of the uses within a 500-foot proximity of the lot (FNSBC 18.96.240(A)(5) as well as to comply with all other applicable legal requirements, including state buffer distances.

Enclosures:

Exhibit 1:	FNSBC 18.96.240 Standards for commercial marijuana establishments
Exhibit 2:	Map illustrating FNSB buffer distance for "Little Thinker Licensed Home Care"
Exhibit 3:	3 AAC 306.010 License Restrictions
Exhibit 4:	State and FNSB definitions
Exhibit 5A:	Email to AMCO regarding day care as a recreation and youth center
Exhibit 5B:	Frequently Asked Questions (FAQs) posted on the AMCO website
Exhibit 6:	Email from AMCO regarding classification of "Little Thinkers" daycare
Exhibit 7	Map illustrating potential pedestrian route to "Friendship Baptist Church"
Exhibit 8:	Map illustrating potential pedestrian route to "Christ is the Answer" church
Exhibit 9:	FNSB GIS marijuana map disclaimer

Exhibit #1

18.96.240 Standards for commercial marijuana establishments.

A. General Standards.

1. Applicability. Standards of this section shall apply to commercial marijuana establishments regardless of whether they are a permitted or conditional use.

2. A commercial marijuana establishment may only be allowed with the written consent of the owner of the property.

3. No marijuana establishment, except a marijuana testing facility, shall be located within the following buffer distances:

a. Five hundred feet of primary and secondary school buildings (K-12) including vocational programs, playgrounds, adult and juvenile correctional facilities and housing facilities owned by a public housing authority with children as residents; and

b. Two hundred feet of any post-secondary school buildings including but not limited to trade/technical/vocational schools, colleges and universities; and

c. One hundred feet of youth centers, group homes serving persons ages 18 and under, public swimming pools, state licensed day care facilities, arcades, state licensed substance use treatment provider or facility providing substance abuse use treatment, church buildings and residential zones (RE, RR, SF, TF, MF, MFO).

d. Buffer distances shall be measured from the lot line of the lot containing a use or zone listed in subsections (A)(3)(a) through (c) of this section to the commercial marijuana establishment.

e. Buffer distance measurements shall not extend beyond the nearest ordinary high water (OHW) mark of a river or lake or beyond the nearest edge of a right-of-way (ROW) of a controlled access facility.

4. Outdoor Storage. No outdoor storage of marijuana, marijuana products or hazardous substances shall be allowed.

5. In all zones in which marijuana establishments, with the exception of a marijuana testing facility, are a permitted or conditional use, the applicant shall include an area map drawn to scale indicating all land uses on complete parcels within a 500-foot proximity of the lot upon which the applicant is seeking a zoning permit or conditional use permit.

6. Marijuana establishments other than marijuana cultivation facilities, indoor small and marijuana testing facilities located in GU-1 or GU-5 zoning and adjacent to a lot upon which a principal building used as a dwelling is located are a conditional use subject to the requirements of this title.

B. Cultivation Facility Standards.

1. Yard Setbacks. Outdoor marijuana cultivation facilities, including all land planted with marijuana, shall be located at least 50 feet from a lot line.

2. Height Limitations.

a. The maximum height for a marijuana cultivation facility, indoor small shall be 35 feet.

b. The maximum height for a marijuana cultivation facility, indoor large shall be 75 feet. (Ord. 2015-41 § 19, 2015; Ord. 2016-30 § 4, 2016)

Exhibit #2
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Little Thinkers
Licensed Home Care
Northlink's
Cultivation
154 Feet
50 Feet
16th Avenue
Stacia Street
Cushman Street
0
30
60
120 Feet
N

Exhibit #3

Authority: AS 17.38.010 AS 17.38.150 AS 17.38.200
AS 17.38.070 AS 17.38.190 AS 17.38.900
AS 17.38.121

3 AAC 306.010. License restrictions. (a) The board will not issue a marijuana establishment license if the licensed premises will be located within 500 feet of a school ground, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility. The distance specified in this subsection must be measured by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school ground, the outer boundaries of the recreation or youth center, the main public entrance of the building in which religions services are regularly conducted, or the main public entrance of the correctional facility. This section does not prohibit the renewal of an existing marijuana establishment license or the transfer of an existing marijuana establishment license to another person if the licensed premises were in use before the school ground, recreation or youth center, the building in which religious services are regularly conducted, or a correctional facility began use of a site within 500 feet. If an existing marijuana establishment license for premises located within 500 feet of a school ground, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility is revoked or expires, the board will not issue another marijuana establishment license for the same premises unless the school ground, the recreation or youth center, the building in which religious services are regularly conducted, or the correctional facility no longer occupies the site within 500 feet.

(b) The board will not issue a marijuana establishment license if the licensed premises will be located in a liquor license premises.

(c) The board will not issue a marijuana establishment license when a local government protests an application under 3 AAC 306.060 on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

(d) The board will not issue a marijuana establishment license to a person that

(1) is prohibited under AS 17.38.200(i) from receiving a marijuana establishment license because of a conviction of a felony; if the applicant is a partnership, limited liability company, or corporation, the board will not issue a license if any person named in 3 AAC 306.020(b)(2) is prohibited under AS 17.38.200(i) from obtaining a license; in this paragraph, "conviction of a felony" includes a suspended imposition of sentence;

(2) has been found guilty of

(A) selling alcohol without a license in violation of AS 04.11.010;

(B) selling alcohol to an individual under 21 years of age in violation of AS 04.16.051 or 04.16.052; or

Exhibit # 4

7 AAC 57.010 (b)

A child care facility

(1) means a place where child care is regularly provided for children after 6:00 a.m. and before 10:00 p.m., unless nighttime care is authorized by the department;

(2) includes a child care center, a child care group home, and a child care home;

(3) includes the physical location of the facility, including any child care entity; in this paragraph, "entity"

(A) means the other parts of the building housing the facility, and adjoining grounds over which the administrator has direct control;

(B) includes the land, vehicles, equipment, supplies, water supply, wastewater system, and plumbing associated with the entity.

3 AAC 306.990. Definitions

(35) "recreation or youth center" means a building, structure, athletic playing field, or playground

(A) run or created by a local government or the state to provide athletic, recreational, or leisure activities for persons under 21 years of age; or

(B) operated by a public or private organization licensed to provide shelter, training, or guidance for persons under 21 years of age;

FNSB Definitions –

"Day care facility" means a home or institution used and maintained to provide care for seven or more individuals unrelated to the care provider.

"Youth center" means any public or private recreational facility and/or gymnasium, including any parking lot appurtenant thereto, intended primarily for use by persons under 18 years of age, which regularly provides athletic, civic, or cultural activities.

AMCO Frequently Asked Questions –

Does a daycare qualify as a "recreation or youth center", as it pertains to 3AAC 306.010?

This is a complex question that AMCO cannot provide a definitive answer for. Some guidance on how the Marijuana Control Board feels regarding this issue can be found in the meeting minutes from the August 10 and 11, 2015 meetings. Keep in mind, local governments could interpret this provision differently than the MCB.

Exhibit #5A

Bryan Sehmel

From:	AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>
Sent:	Thursday, April 07, 2016 11:10 AM
To:	Bryan Sehmel
Cc:	AMCO Local Government Only (CED sponsored)
Subject:	RE: youth center definition

Hello Bryan,

The question of whether a daycare qualifies as a "youth center" is a complex question that AMCO cannot provide a definitive answer for. Some guidance on how the Marijuana Control Board feels regarding this issue can be found in the meeting minutes from the August 10 and 11, 2015 meetings. Keep in mind, local governments could interpret this provision differently than the MCB.

Thank you,

Christina Thibodeaux

Business Registration Examiner | Dept. of Commerce, Community and Economic Development | Alcohol and Marijuana Control Office
550 W. 7th Ave. Ste. 1600 Anchorage, AK 99501 | 907.754.3588 |

Please consider the environment before printing this e-mail.

Less paper is better for us and our environment.

From: Bryan Sehmel [mailto:BSehmel@fnsb.us]
Sent: Thursday, April 07, 2016 10:49 AM
To: AMCO Local Government Only (CED sponsored)
Subject: youth center definition

Good morning,

I have another one for you courtesy of my supervisor. An Assembly member has suggested that the State's definition of "youth center" could be interpreted to include daycares. Does the State have any interpretation on this?

This has direct implication to a cultivation and retail facility that was recently permitted that is outside of the Borough's required 100-foot sensitive use buffer for licensed day care facilities, but appears to be well within the State's 500-foot nearest pedestrian route (were it to apply).

Thank you for your feedback.

Bryan Sehmel
Planner III – Code Enforcement
Department of Community Planning
907-459-1270 / bsehmel@fnsb.us

Fairbanks North Star Borough
PO Box 71267 / 809 Pioneer Road
Fairbanks, AK 99707-1267

Exhibit #5B

https://www.commerce.alaska.gov/web/amco/marijuanafaqs.aspx

Chapter 18.96 SUPPLEMENTAR... | Marijuana FAQs, Alcohol & ...

File Edit View Favorites Tools Help

FNSB Code | NovaTime | PayCheck | Portal Home | Google | Maps | Dictionary | Spam | ADOT Data | Suggested Sites | Page | Safe

- I am hoping to start a marijuana business. What do I need to know about raising capital for my business?

LOCAL OPTION QUESTIONS:

- Will individual communities be able to opt out of allowing commercial marijuana establishments?
- Where can I find a list of communities that have already opted out?
- Do you maintain a list of municipal zoning ordinances or other local government ordinances related to marijuana?
- I want to open a marijuana business at 123 Sally Street in Medium City, Alaska. Can you tell me if this location will work for me?
- The 500 foot buffer zone blocks off the location I want to use for a marijuana licensed premises. Can my local government seek a variance from the Marijuana Control Board to allow it?

REGULATORY QUESTIONS:

- Who wrote the regulations in 3 AAC 306?
- Where can I get a copy of the marijuana regulations?
- The location of the premises I am considering is near a park. Is that allowed?
- Does a daycare qualify as a "recreation or youth center", as it pertains to 3AAC 306.010?

  This is a complex question that AMCO cannot provide a definitive answer for. Some guidance on how the Marijuana Control Board feels regarding this issue can be found in the meeting minutes from the August 10 and 11, 2015 meetings. Keep in mind, local governments could interpret this provision differently than the MCB.

- Do the existing regulations allow a home-rule municipality to protest the issuance of a marijuana license? Also, do they preclude home-rule municipalities from charging a permit fee to operate marijuana facilities in city limits?

TRANSPORTATION OF MARIJUANA:

- How much is allowed to be carried for personal possession?
- Is there a 5 pound or other limit for transporting commercially?
- Does it have to be carried on or can it be checked, or shipped without a person accompanying it (like goldstreak)?
- How does it have to be packaged?
- What do the permits and manifests look like?
- Who do they contact if they have questions? Enforcement email

Exhibit #6

Christine Nelson

From: Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>
Sent: Monday, March 20, 2017 2:55 PM
To: Christine Nelson
Subject: 1550 South Cushman Cultivation Buffer Zone issue

Christine,

I was advised by the MCB Legal Counsel that the regulation regarding State buffer zones (3 AAC 306.010 License Restrictions) for marijuana establishments, specifically in regards to a youth facility, is in fact interpreted as meaning that the daycare in question, Little Thinkers, is included as a youth facility by definition.

The State definition under 3 AAC 306.990(35) defines "recreation or youth center" as a building, structure, athletic playing field, or playground (a) run or created by a local government to the state to provide athletic, recreational, or leisure activities for persons under 21 years of age; or (b) operated by a public or private organization licensed to provide shelter, training, or guidance for persons under 21 years of age.

Amanda Stonecipher
Investigator III
Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203
Fairbanks, AK 99701
Office (907) 451-2748
Cell (907) 987-6656
amanda.stonecipher@alaska.gov

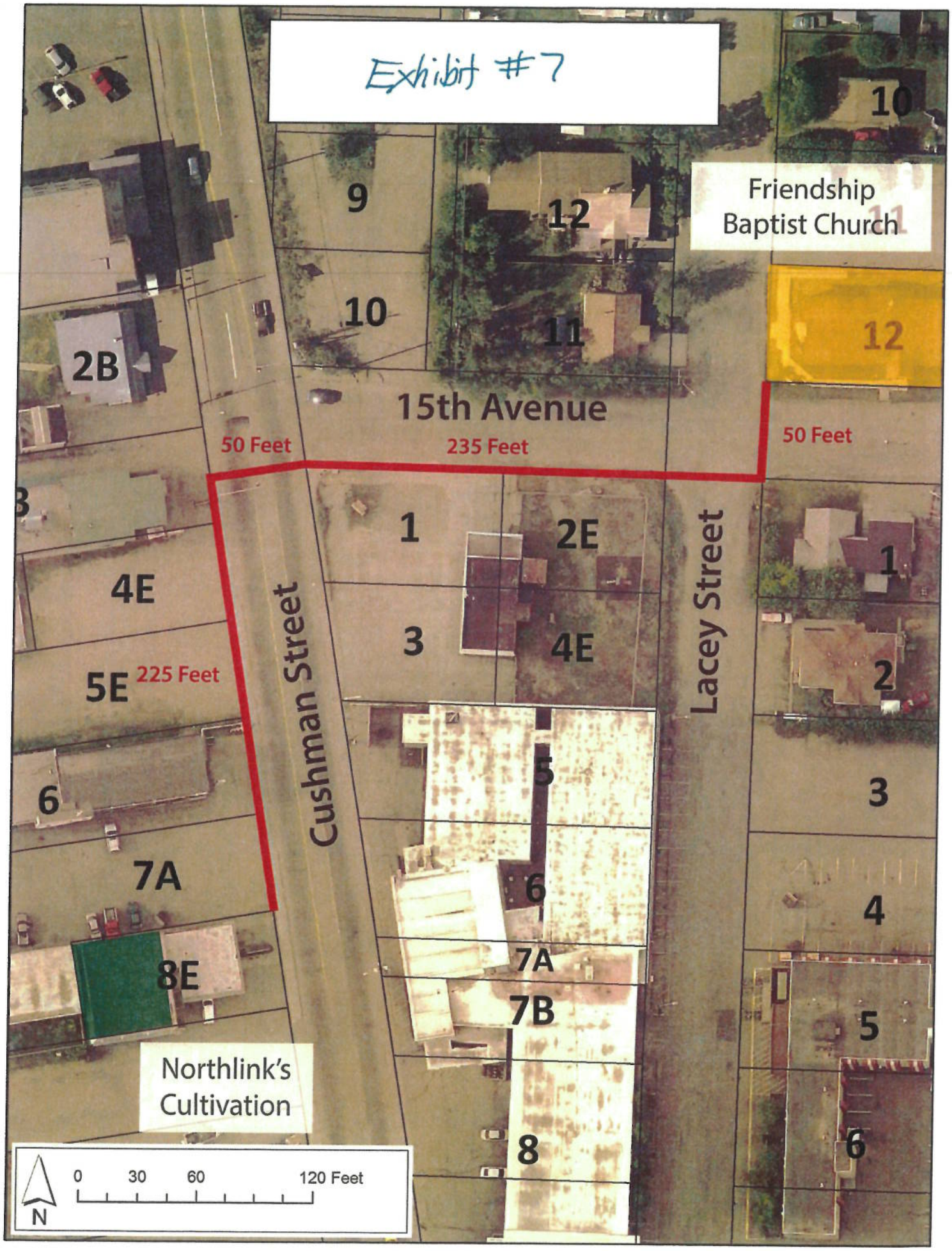
Exhibit #7
Friendship Baptist Church
15th Avenue
235 Feet
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Lacey Street
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0 30 60 120 Feet
N

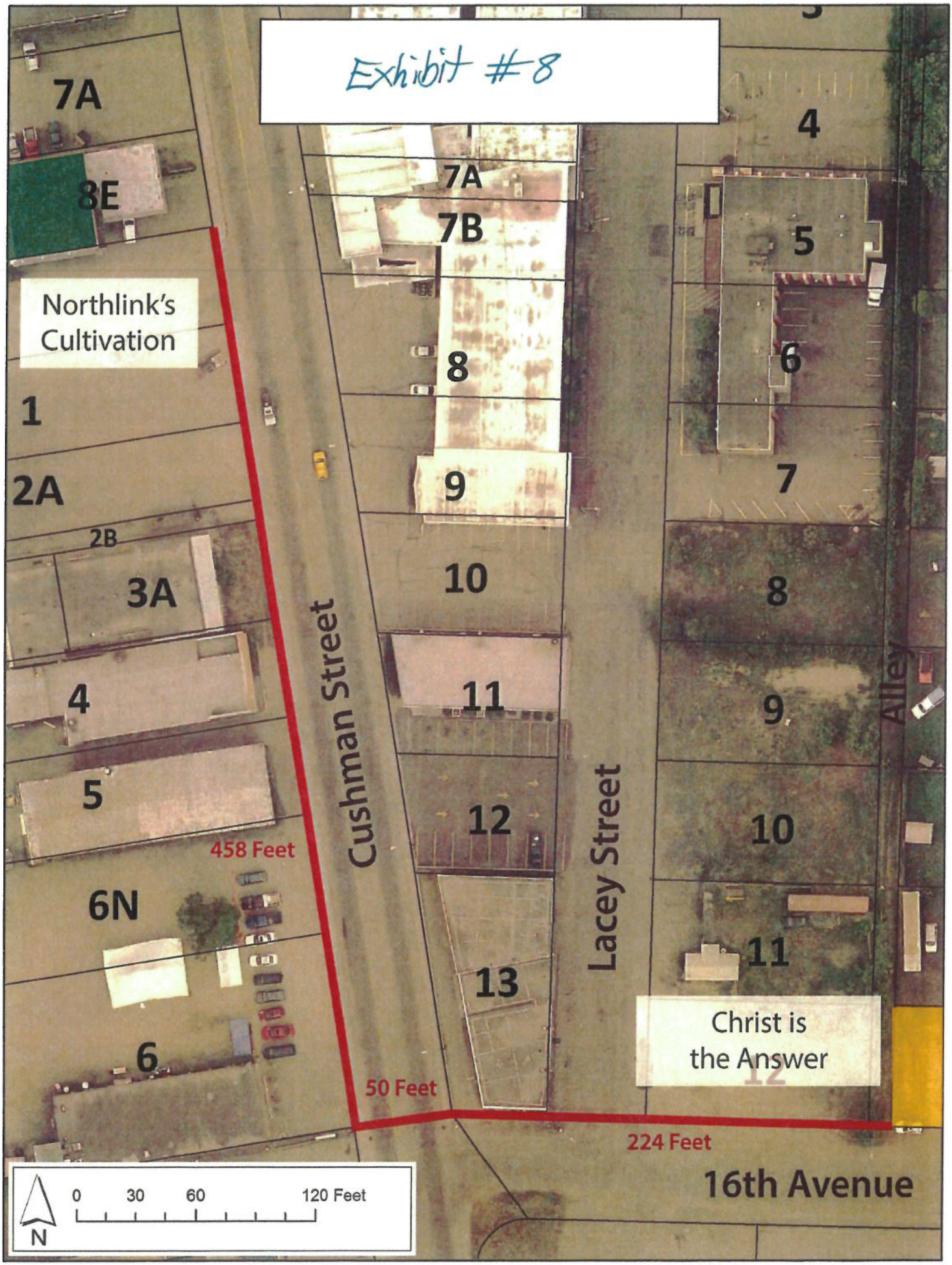
Exhibit #8
7A
8E
Northlink's Cultivation
1
2A
2B
3A
4
5
6N
6
458 Feet
Cushman Street
7A
7B
8
9
10
11
12
13
50 Feet
Lacey Street
4
5
6
7
8
9
10
11
12
Alley
Christ is the Answer
224 Feet
16th Avenue
0 30 60 120 Feet
N

Exhibit #9

http://gis.co.fairbanks.ak.us/agonline.htm

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EXHIBIT 6

7 AAC 57.010 (b)

A child care facility

(1) means a place where child care is regularly provided for children after 6:00 a.m. and before 10:00 p.m., unless nighttime care is authorized by the department;

(2) includes a child care center, a child care group home, and a child care home;

(3) includes the physical location of the facility, including any child care entity; in this paragraph, "entity"

(A) means the other parts of the building housing the facility, and adjoining grounds over which the administrator has direct control;

(B) includes the land, vehicles, equipment, supplies, water supply, wastewater system, and plumbing associated with the entity.

3 AAC 306.990. Definitions

(35) "recreation or youth center" means a building, structure, athletic playing field, or playground

(A) run or created by a local government or the state to provide athletic, recreational, or leisure activities for persons under 21 years of age; or

(B) operated by a public or private organization licensed to provide shelter, training, or guidance for persons under 21 years of age;

FNSB Definitions –

"Day care facility" means a home or institution used and maintained to provide care for seven or more individuals unrelated to the care provider.

"Youth center" means any public or private recreational facility and/or gymnasium, including any parking lot appurtenant thereto, intended primarily for use by persons under 18 years of age, which regularly provides athletic, civic, or cultural activities.

AMCO Frequently Asked Questions –

Does a daycare qualify as a "recreation or youth center", as it pertains to 3AAC 306.010?

This is a complex question that AMCO cannot provide a definitive answer for. Some guidance on how the Marijuana Control Board feels regarding this issue can be found in the meeting minutes from the August 10 and 11, 2015 meetings. Keep in mind, local governments could interpret this provision differently than the MCB.