Alcohol & 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

Cover Sheet for Marijuana Establishment Applications

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

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

Licensee:	Van Geer Enterprises, LLC.	**License Number:**		12002	
License Type:	Limited Marijuana Cultivation Facility				
Doing Business As:	VAN GEER ENTERPRISES, LLC				
Physical Address:	7411 W. Dean Drive				
City:	Wasilla	**State:**	AK	**Zip Code:**	99623
Designated Licensee:	Cameron Van Ryn				
Email Address:	tightropemedia@mtaonline.net				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	- Responses to protests received · 2 Letters RECEIVED APR 11 2017 ALCOHOL MARIJUANA CONTROL OFFICE STATE OF ALASKA Thank you

OFFICE USE ONLY					
Received Date:		Payment Submitted Y/N:		Transaction #:	

LAW OFFICES OF LANCE CHRISTIAN WELLS, LLC
733 W. Fourth Avenue, Suite 308
Anchorage, Alaska 99501
(907) 274-9696
e-mail: lwells@gci.net **Fax No. (907) 277-9859**

April 11, 2017

Via Hand Courier Delivery

Ms. Erika McConnell, Director
AMCO
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

Re: Van Geer Enterprises, LLC
License no. 12002
Objection to Marijuana License Dated March 7, 2017

Dear Ms. McConnell:

This letter is written in response to the March 7, 2017 e-mail received from Todd and Bonnie Fisher, objecting to the limited cultivation license being applied for by my client Van Geer Enterprises, LLC.

In response to the e-mail received, it is important to first point out that the proposed location is within the Mat-Su Valley Borough. Secondly, it is a limited cultivation that meets all requirements set forth by the state as well as the Mat-Su Borough. This is a limited cultivation and not a standard cultivation license.

Furthermore, the residence, along with the proposed location for the limited cultivation (former airplane hanger), is located at plat 71-88. This is a non-restricted use plat which does not limit the use of the land for residential use only. Commercial use is allowed. Please see my AMCO letter dated February 24, 2017, responding to a previous protest where I have attached the complete plat map and title report prepared by Stewart Title of Alaska. No Mat-Su Borough special land use permit is required for this limited cultivation.

While I understand people are concerned regarding the cannabis industry, I would like to point out that this is not an operation that is open to the public. This is a small, limited cultivation where there will be no foot traffic nor will there be cars coming and going. The proposed location is in a former airplane hangar upon the property.

While none of us can control crime in the neighborhood, rest assured that my client is doing our best to have the tightest security possible: not just meeting the state's minimum requirements. Nowhere has it been shown in Alaska that the cannabis industry brings down property values. This has been a common theme of speculation and conjecture brought upon by most people filing objections.

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Furthermore, there will be no signage and no one will know what takes place "behind closed, locked and alarmed doors." This is not illegal drug dealing: this is a highly regulated industry and they are following all regulations. They are not going to disturb the peace and quiet of the neighborhood.

My client is available anytime to answer questions that may be posed either by AMCO or by Todd and Bonnie Fisher.

Sincerely,
LAW OFFICES OF LANCE C. WELLS, LLC

By: _____
Lance C. Wells, Esq.

cc: Van Geer Enterprises, LLC

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April 11, 2017

Via Hand Courier Delivery

Ms. Erika McConnell, Director
AMCO
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

Re: Van Geer Enterprises, LLC
License no. 12002
Response to Objection filed by Meadow Lakes Community Council, Inc.

Dear Ms. McConnell:

This letter is in response to the March 20, 2017 objection filed by the Meadow Lakes Community Council. First, it is important to point out that the MJ-08: Local Government Notice Affidavit, was first sent to the Mat-Su Borough, Mr. Alex Strong, Development Services Manager, on January 31, 2017. At that time, notice was also forwarded to the Meadow Lakes Community Council, Inc. Now, on March 20, 2017, an objection has been filed where they indicate that they did not know the date that they received notice. This is disingenuous, as it was forwarded with a cover letter by undersigned counsel. It further appears they all well past their period allowed for objections. Despite this, a number of other concerns have been raised.

First, Matanuska-Susitna Borough Code (MSBC) 17.36.210 has been cited and argued that my client's proposed location does not meet borough requirements for this building. This is incorrect as the airplane hangar, which is the proposed location, was built during the late 1970s, prior to the enactment of 17.36.20 regarding setbacks and shorelines. This statute was effective [Ord. 83-81 §2 (part), 1983]. In short, the structure was built well before this ordinance was adopted by the Mat-Su Borough. Furthermore, the plat, where my client's home and proposed location for the limited cultivation facility is to be located, is on plat no. 71-88. This is a non-restricted use plat which does not limit the use of the land for residential use only. Commercial use is allowed. See attached plat maps and title reports prepared by Steward Title, filed with my response to objection letter dated February 24, 2017, within your file. In addition and most importantly, MSBC 17.55.020 deals with setbacks for shorelands and states as follows:

(A) Except as provided in subsection *(B) of this section*, no structure or footing shall be located closer than 75 feet from the high water mark of a watercourse or body of water. Except as provided otherwise, eaves may project three feet into the required setback area.

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(B) Docks, piers, marinas, *aircraft hangars*, and boathouses *may be located closer than 75 feet and over the water, provided they are not used for habitation and do not contain sanitary or petroleum fuel storage facilities.* Structures permitted over water under this subsection shall conform to all applicable state and federal statutes and regulations.

This property meets all offset provisions of the State of Alaska statutory requirements as well as the Mat-Su Borough. No Mat-Su Borough Special Land Use Permit is required, as this is a limited cultivation. All statutory and regulatory requirements to allow this limited facility have been meet and satisfied. Secondly, Van Geer Enterprises, LLC has invested a substantial sum of money in bringing this property up to State of Alaska compliance regulations for this permitting process. Thus, improving not only this location, but the neighborhoods as a whole. Furthermore, there has been no correlation shown, much less demonstrated, by the complaining parties that property values will fall as a result of a limited cultivation facility within the area. In fact, had a requirement not have been for placing the advertisement within the local newspaper, no one would have ever known it was to be here. This is a limited cultivation facility. It is not something that is advertised or publicized and there is to be no signage. Furthermore, a perceived drop in sales or home values is not a legal justification in which to deny my client's license. This is merely conjecture and speculation as is raised by most who protest these types of licenses. Their letter is further in error when it refers to a standard cultivation facility and the property not being large enough. This is a limited cultivation: a 500 square foot grow canopy.

Concerns were also raised regarding waste and waste water from the growing facility. This is a soil/medium growing facility. It is not a hydroponic grow. Wastewater will be contained via catchment at the bottom of the pots in which the plants are in. All are to be hand watered. Water will not be allowed to escape, nor will water be put down the drain/septic. Any and all overflow will be reabsorbed back by the plants, in conjunction with the natural evaporation process. Either way, it will not go into the lake thus eliminating any concerns people may have.

As to the presence of a marijuana cultivation inviting an increase in traffic into the neighborhood, such could be not further from the truth or reality. As set forth above, this is a limited cultivation facility. It is not advertised, publicized, nor will signage be in place. This is not the type of operation where traffic, either vehicular or foot traffic, is to occur.

Meadow Lakes Community Council cites a covenant of subsection plat MSC 76-79 that does not allow business operations in this subdivision. Again, this is incorrect as m client's plat is 71-88. This is an unrestricted use plat, which clearly allows commercial use.

As to the requirements for security lighting, alarm systems and surveillance, my client is located on a lot which is approximately one-half acre in size. Many people have alarms within the neighborhood. They also have outside lights. The video surveillance is not for his neighbors (which incidentally is not prohibited even under the law under the Plain View Doctrine/Open Fields) but they am not videotaping their neighbors or their activities. They are videotaping activities occurring within the confines of this limited grow facility and the outside area surrounding it.

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Concerns are also raised about an odor problem existing with cultivation facilities in other states. As you are aware, this is also regulated, and charcoal filters are in place to prohibit any odor from being detected outside of the facility.

In closing, it is agreed that this is a quiet residential neighborhood. My client will not be destroying or disturbing the peace and tranquility of this neighborhood. His licensed limited grow cultivation is nothing that hasn't happened for many, many years within the black market. The difference is, this is a legal limited cultivation facility. The ambiance of the neighborhood will not change, nor will anyone's lifestyle.

Thank you for your time and consideration of this response. My client is available to answer any additional questions you may have.

Sincerely,
LAW OFFICES OF LANCE C. WELLS, LLC

By: _____
Lance C. Wells, Esq.

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cc: Van Geer Enterprises, LLC
Meadow Lakes Community Council, Inc.

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