From:	J&K Rockwell
To:	Marijuana Licensing (CED sponsored)
Cc:	lynnreich@hotmail.com
Subject:	Objection to Specific Application 13299 DBA "Down to Earth Farms"
Date:	Wednesday, June 28, 2017 7:07:34 PM
Attachments:	Subdivision Plat.pdf

RE: License 13299 DBA "Down to Earth Farms"

Our family has several objections to the application of Ms. Evelyn Reich **(aka Evelyn Grolz)** to operate a marijuana cultivation facility in our residential subdivision:

LACK OF TIMELY NOTFICATION:

I. A. The South Knik River Community Council was informed by Ms. Evelyn Reich **(aka Evelyn Grolz)** of her application to operate a marijuana cultivation facility on the evening of June 15, 2017. Afterward, the Council Secretary forwarded a copy of Ms. Reich's application to members of our community on the e-mail list. The Secretary also forwarded a scanned image of the Public Notice which was posted in the *Frontiersman* and published on June 14, 2017. A neighbor let us know on June 18.

B. We contacted **Mark** at (907) 269-0350 at the Alcohol and Marijuana Control Office in Anchorage on Monday, June 19, to find out the date by which neighbors could respond, because the "Posting Date" is missing at the bottom of the Public Notice. (Public Notice Application for Marijuana Establishment License for License 13299). Mark told me it was **the responsibility of the applicant to fill in the date.** He said the license application was accepted in their office on May 30, 2017, and so we only had until June 30, 2017 to respond. This ***considerably*** shortens the allowable time for property owners and neighbors to respond, especially one owner who lives out of state and shares a property line with Ms. Reich.

C. Ms. Reich did not comply with 3 AAC 306.025. (1) (B) and failed to post a copy of her application in the area of the proposed premises. Of the neighbors we informed or heard from, none would have seen the print version of the Public Notice.

We are skeptical about Ms. Reich's intent in waiting to notify the South Knik River Community Council in person rather than ***"as soon as practicable"*** 3AAC 306.025.(B). By waiting to announce her plan until the ***mid-month*** meeting of the Council on Thursday, June 15 rather than e-mailing or phoning the council secretary, she reduced the time neighbors would be notified and could respond. Her State of Alaska Business License #10058225 for "Down to Earth Farms", Zlorg LLC, was filed with the State of Alaska on May 8, 2017, and she submitted her marijuana license request on May 30, so she must have had forethought about the process.

D. Due to misleading remarks Ms. Reich made at the community council meeting (See **II. A.** below) and her failure to comply with

3 AAC 306.025. (1) (B) and 3AAC 306.025.(B), we respectfully petition AMCO either to grant more time for community objections, especially for those who are away on vacation or live out of state, *OR* to **deny her license based on her failure to act in a forthright manner and to comply fully with all regulations.**

CONFUSION ABOUT THE LICENSEE AND PARTNERS IN THE LLC.:

II. Two neighbors who attended that meeting were shocked to learn later that the cultivation facility would be on our street; Ms. Reich had told those assembled that her son, ***Craig Reich, Jr.,*** really would be the one running it and apparently "misrepresented" that the facility would be in

some other location outside our subdivision. If in fact her son will be a partner in her business, his name must appear as a partner in her filing (3 AAC 306.020. (b) (1) (2) (C) and additional regulations related to 3 AAC 306.020.). **It doesn't, and so her current application cannot be valid.**

AUTOMATIC LICENSE RESTRICTION:

III. Our family's HOME SCHOOL is defined as a legal **school** under A.S. 14.30.010 - A.S. 14.30.045 and operates less than 500 feet from the outer boundaries of our school yard/property and the front door of the licensee's proposed marijuana growing facility. (Chapter 306 Regulation of Marijuana Industry: License Restrictions 3AAC 306.010 (a)) This home school has operated since 1995, as long-time residents of our subdivision are aware. Our school also hosts five other home-schooled children for co-op classes, and these children as well as others in our neighborhood, are in our school yard often.

ONE PERSON CAN RUIN IT FOR EVERYONE:

IV. Both the home and growing facility of the licensee are built on only 0.98 acre (Matanuska-Susitna Borough Real Property Detail for Acct: 3399B02L005; Gross Acreage/Taxable Acreage) and are located between two other properties within a middle-sized subdivision of approximately 35-40 families; there are 16 other homes on E. Birch Hill Drive alone with two lots owned by absent owners with plans to build homes. (Platt of subdivision attached)

ADVERTISEMENT FOR CRIME:

V. Ms. Reich's property is very near the street with little visual barrier between the street and the homes adjacent to and across the street from her. The prospective growing facility is only partially hidden from view of the road. What ***is*** noticeable driving down our street are the two large German Shepherds patrolling the yard and ugly "No Trespassing" and "Keep Out" signs. These conflict with the quiet character of our subdivision and will literally scream **"marijuana growing operation"!**

We are a small community-within-a-community off the Knik River in the area of the Butte where the criminal element will learn of this facility quickly, making it a theft/robbery/violent crime risk to our subdivision, and especially to the families living directly adjacent to and across the street from Ms. Reich.

CREATING A SLUM DISTRICT:

VI. We fear financial loss through property depreciation and for the safety of our family and community. There have been two drug-related murders on Knik River Road only a few miles from our neighborhood over the past year. "Smash and grab", more sophisticated robberies, and home invasions have become commonplace both of medical marijuana shops and cultivation facilities in other states. http://www.nbcnews.com/id/35940756/ns/us_news-crime_and_courts/t/criminals-target-medical-marijuana/#.WU18d2jytPY, CO.

With a license pending for another cultivation facility, dba "Knik Glacier Gardens", a few miles down Knik River Road and a marijuana retail store called "The Green Store" a few miles further, our community will be saturated with marijuana-related operations. Knik River Road is only 11.2 miles long with subdivisions and single lots extending only two miles off either side of the road. Even liquor stores are more controlled and are not licensed so that any one community is overwhelmed with these kinds of businesses. An outbreak of commercial enterprises in a rural area where few businesses exist should not override the property rights of hundreds of other owners who own acres more land.

HEALTH & QUALIY OF LIFE:

VII. The permeating smell of marijuana has triggered lawsuits and new zoning conflicts in other states. Residents of subdivisions where marijuana is being grown have had property values reduced because of the nasty smell of large numbers of marijuana plants. http://www.spokesman.com/stories/2016/dec/11/marijuana-farm-odor-hurts-neighbors-property-value/, WA. Additionally, the quality of life has declined for the residents who are sickened by the smell, even from indoor growing facilities.

Finally, we do not wish Ms. Reich or her family ill. Our objections come out of our need to protect the safety of our family, our home, the peaceful character of our community, and our property value.

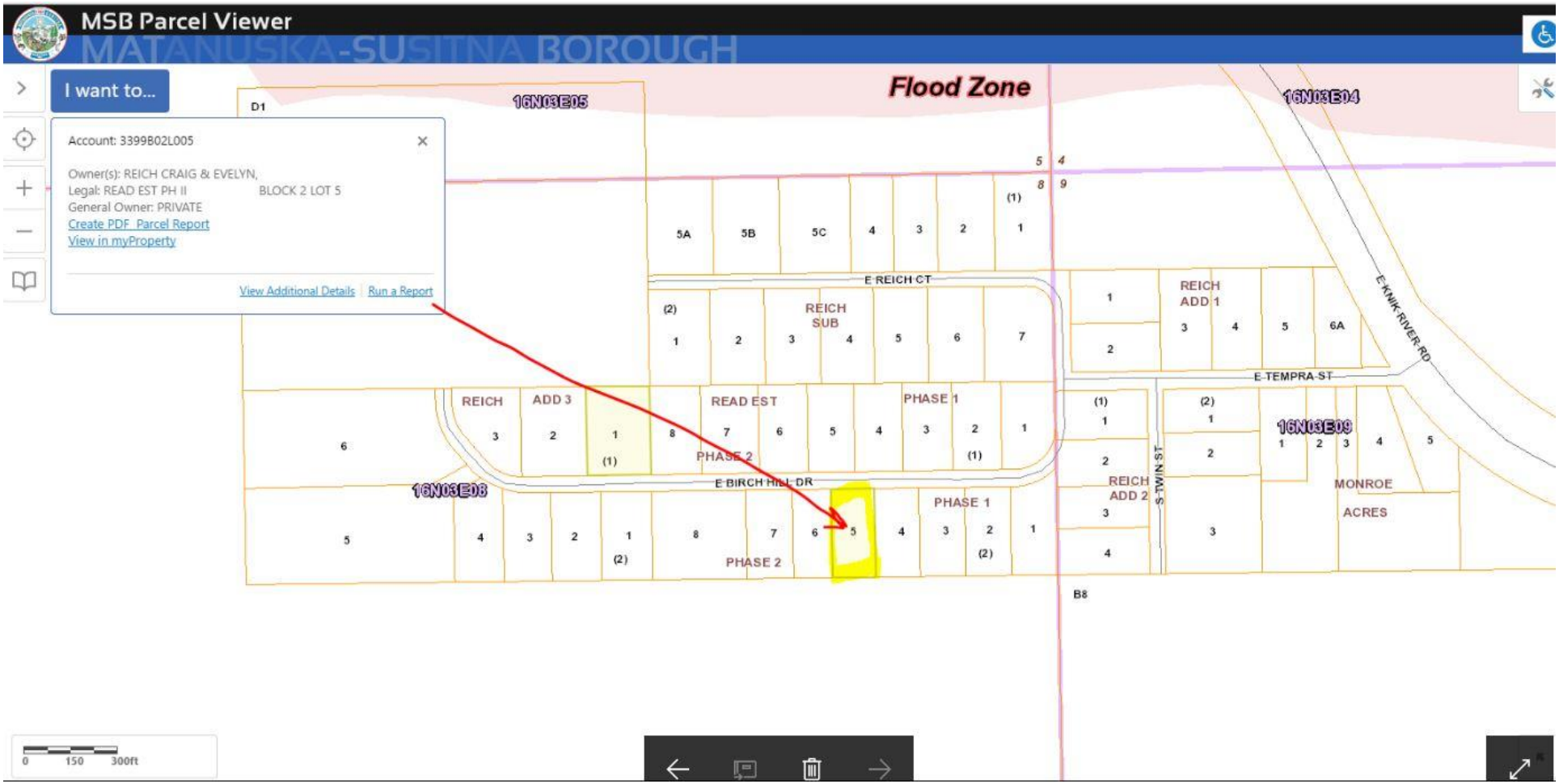
We respectfully request that AMCO deny Ms. Reich's application for a license.

Sincerely,

John and Karen Rockwell
20115 E. Birch Hill Drive
Palmer, AK 99645
e-mail: 5acrewud@mtaonline.net

ATTACHMENT: Subdivision Platt

Cc: lynnreich@hotmail.com ELECTRONIC SUBMISSION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Owner(s): REICH CRAIG & EVELYN,
Legal: READ EST PH II BLOCK 2 LOT 5
General Owner: PRIVATE
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View Additional Details
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