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:	HERITSCKO JOHN	**License Number:**	13116		
License Type:	Limited Marijuana Cultivation Facility				
Doing Business As:	GREEN ESCAPE				
Physical Address:	26189 Pepper Road				
City:	Anchor Point	**State:**	AK	**Zip Code:**	99556
Designated Licensee:	HERITSCKO JOHN				
Email Address:	johnheritscko@gmail.com				

Section 2 – Attached Items

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

Attached Items:	
1	Property Ownership/Lease.

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

RECEIVED
FEB 21 2018
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

ALASKA LEASE AGREEMENT

Maria Heritscko and John Heritscko are the owners of real property, located at, and addressed as: 26189 Pepper Road, Anchor Point; Alaska 99556. We the owners (undersigned) hereby immediately grant lease of said real property to John Joseph Heritscko (natural child of the aforementioned owners); for one dollar. The lease is without limitation, and will remain in force until said property is transferred to the legal ownership of the aforementioned John Joseph Heritscko. Maria Heritscko and John Heritscko will not remove or retain any items: within, around, or about said property; without the permission of said John Joseph Heritscko. Maria Heritscko and John Heritscko will not enter said property without the permission of said John Joseph Heritscko. Maria Heritscko and John Heritscko have no objection to the use of said property for the Green Escape project enacted by said John Joseph Heritscko. Maria Heritscko and John Heritscko attest to their awareness and knowledge of said Green Escape Project (limited marijuana cultivation facility). In the event of John Joseph Heritscko's incapacitation, Said Maria and John Heritscko will notify the Alaska Marijuana Control Board (AMCB). Said Maria and John Heritscko will follow the direction of the AMCB regarding the handling and removal of any Marijuana. I declare under penalty of unsworn falsification that this form, is true, correct, complete and said one dollar was received.

Maria Heritscko_____ Date 2/18/2018
John Heritscko_____ Date 2/18/18
John Joseph Heritscko_____ Date 2/18/2018

RECEIVED
FEB 21 2018
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Attached Items: 1	Proof of Posessin / Lease Agreem.

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x _____

x _____

x _____

Signature of licensee Notary Public in and for the State of Alaska

A. Chilton My commission expires: June 26th, 2021

Subscribed and sworn to before me this 19th day of February, 2018.

RECEIVED
FEB 21 2018
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

Notary Public
A. CHILTON
State of Alaska
My Commission Expires June 26, 2021

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Section 2 – Attached Items

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Attached Items:	
2 pages	Kachemak Heritage Land Trust Letter of Support.

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

Received by AMCO 2.7.18

Kachemak Heritage Land Trust

315 Klondike Avenue • Homer, AK 99603 • ph: 907-235-5263 • fax: 907-235-1503 • www.kachemaklandtrust.org

July 11, 2017

VIA EMAIL AND REGULAR MAIL

John Heritscko
P.O. Box 240496
Douglas, AK 99824

RE: Green Escape Marijuana Cultivation Facility

Dear John,

Upon my return from vacation the beginning of this week, Joel Cooper, our Stewardship Director, brought to my attention your July 5, 2017 letter response to an earlier letter of Kachemak Heritage Land Trust (KHLT), dated June 30, 2017, concerning your proposed Green Escape Marijuana Cultivation Facility. We appreciate the additional information you provided in this letter as to the nature and limited potential impacts of this proposed home-based business activity, as it allowed us to re-evaluate your proposed "Green Escape" project under the purpose and terms of the conservation easement and to conclude that your proposed activity *is permissible* under the reserved rights of the conservation easement provided that it is undertaken in the manner described in this letter.

When you conveyed your conservation easement to KHLT in 2005, you indicated your intent "that [your] Property will remain predominantly in its natural condition, subject to single family residential uses on the upland portion of the Property." As a result, Section 3(c) of the conservation easement prohibited commercial uses on the Property, as follows:

> 3. **PROHIBITED USES. Subject to the express development rights contained in Section 4, any use or activity on the Property inconsistent with the purpose of this Easement is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited:**
>
> **(c) Industrial or commercial use of the Property, including, but not limited to, commercial logging, feedlots, dog kennels, mining, advertising, gravel extraction, campgrounds, motels, hotels, restaurants, vendors, and any other enterprise likely to materially intensify congestion, noise and/or traffic on the Property;**

However, upon further review, KHLT does not believe that this prohibition was intended to prevent "home-based" businesses that are fully contained within ancillary residential structures located on the building envelope on the Property, provided that these limited development rights reserved under Section 4 of the conservation easement "are to be conducted in a manner that does not impair the conservation values of the Property." As expressed in the consent decree under which the conservation easement was granted, KHLT must ensure that the land within the permanent wetland conservation area of the Property remains in its natural condition in perpetuity, and that any use of the Property that will impair or interfere with its conservation and water quality values are prevented.

Received by AMCO 2.7.18

Based upon your May 16, 2017 business plan and your follow up July 5, 2017 letter, we now understand that your proposed activity will include a residence, and an ancillary residential structure in which the "Green Escape" project will occur, and that the "Green Escape" project will include the following environmentally protective measures:

- The "Green Escape" project will be an indoor self-contained operation occupying a space of less than 500 square feet;
- The "Green Escape" project will not involve on-site sales of product to the general public;
- The "Green Escape" project will store all chemical indoors;
- The "Green Escape" project will store all cleaning materials and trash in an enclosed structure;
- The "Green Escape" project will dispose of all nutrient waste water and solid waste off-site (although organic plant matter may be shredded and composted on-site);
- The "Green Escape" project will use carbon filters to scrub the air as it is circulated from the different facility rooms; and
- The "Green Escape" project will be conducted in compliance with applicable law, including the conditions of its "Limited Marijuana Cultivation Facility" license granted by the State of Alaska.

KHLT grants its approval of the construction of your residence and ancillary residential structure, and your "Green Escape" home-based business in the ancillary residential structure, on the condition that you receive all required permit(s) and licenses, that the structures are constructed and maintained within the 3.402-acre building envelope on the upland portion of the Property as shown in Exhibit A to the conservation easement, and that the "Green Escape" project is conducted at all times in conformance to the above protective measures. Under these conditions, we believe that your project is consistent with the purpose and terms of the conservation easement and will not impair the conservation values of the Property. However, KHLT's approval does not extend to any activity that is not constructed and conducted in conformance to the above requirements, and KHLT retains all of its enforcement rights under the conservation easement if your activity is not constructed and conducted in conformance to the above requirements.

Thank you again for providing us your follow up letter of July 5, 2017. We are sorry for any confusion caused by our June 30, 2017 letter (which we retract) and we look forward to working with you as you proceed with your proposed activity. Let us know if you have any questions about the content of this letter.

Sincerely,

Marie McCarty
Executive Director

Cc: Joel Cooper, Stewardship Director
Sam Means, Board President

Received by AMCO 2.7.18