OBJECTIONS

From:	Jon Bailey
To:	Marijuana Licensing (CED sponsored)
Cc:	everlifeband@gmail.com
Subject:	License #10231-DBA: 420 Grow Tech
Date:	Saturday, January 13, 2018 1:40:01 PM
Attachments:	image.png 0089E3CE (1).TIF

To Whom It May Concern,
I am a concerned citizen in a neighborhood, that has recently been informed of a grow operation application that was posted at the Sutton Post Office (attached).

First of all, this is a residential subdivision that is zoned as such. 420 Grow Tech needs to review the subdivision codes and covenants. This operation would defy the subdivision CNR's:

PART B. PROPERTY RESTRICTIONS.

B-1. SINGLE FAMILY RESIDENCES; DUPLEXES. Development is restricted to one single-family residence or duplex per lot. Other than duplexes, no multi-family structures or uses shall be allowed. "Family" means one or more persons occupying a lot and living as a single housekeeping unit, as distinguished from two or more separate living units within a single structure, a group home, club, fraternity house, day care or hotel. No commercial or retail activity shall be allowed on any lot, with the exception of a Bed and Breakfast with no more than two rentable rooms, and discrete home offices that do not have significant customer or client traffic. Significant customer or client traffic means any traffic in excess of three vehicles per day. The intent of this section is to allow professional or business uses which are incidental to the use of the dwelling for residential purposes and which do not detract from the residential character of the neighborhood.

This is very concerning to my wife and I , since we have 2 kids in their early teenage years, that have enough pier-pressure in their life from the world around them. They don't need that kind of thing in their back yard, literally. My kids are on the older end of the group of about 12 neighboring kids that range from 6 years old on up, in our small subdivision.

This type of operation, would bring unnecessary heavy traffic, into our quiet and peaceful subdivision. I can only imagine what kind of negative impact a commercial grow operation in my subdivision will have on my home value. I personally, wouldn't want to buy a house in a neighborhood with that in it, so why would anyone else?

Just because the majority of the population voted for the legalization of pot in the state, I doubt they wanted it to be grown commercially in their own back yard.

Let's not forget the strong odor/stench, the potential excessive outdoor lighting to keep trouble from bothering the operation, heavy power usage and the impact on the neighborhood (blown transformers), and again the excessive traffic.

I don't care what this individual does privately in his home as far as growing a couple plants for personal use, that is their prerogative, but please don't bring a commercial grow operation into our residential subdivision.

Respectfully your,
Concerned husband, father and neighbor.

2007-001380-0
Recording Dist: 311 - Palmer
1/18/2007 3:16 PM Pages: 1 of 9

A L A S K A

CC

RECORD IN PALMER RECORDING DISTRICT

PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS FOR CERTAIN PROPERTY LOCATED WITHIN TINA MARIE HOFFMAN SUBDIVISION

PART A. PREAMBLE

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the undersigned are the owners of the following-described real property:

> TINA MARIE HOFFMAN SUBDIVISION, according to Plat No. 2007-8, recorded in the Palmer Recording District, Third Judicial District, state of Alaska, EXCEPTING THEREFROM Tract A and Tract B,
>
> hereinafter referred to as the "Covered Property;"
>
> and,

WHEREAS, the undersigned desire to assure the continued development of the Covered Property on a high level for the benefit of current and future property owners therein;

and,

WHEREAS, the undersigned desire to place on and against the property within the Covered Property certain protective covenants, conditions and restrictions regarding the use and/or improvements of the described property.

NOW, THEREFORE, the undersigned do hereby establish and record the following protective covenants, conditions and restrictions regarding the use and/or improvements for each and every lot located in the Covered Property.

PART A. APPLICATION OF COVENANTS.

These covenants shall apply to all lots in the Covered Property. "Lot" shall mean and refer to the lots and tracts, if any, of the Covered Property as depicted by the above-referenced plat of TINA MARIE HOFFMAN SUBDIVISION, excepting Tract A and Tract B.

PART B. PROPERTY RESTRICTIONS.

B-1. SINGLE FAMILY RESIDENCES; DUPLEXES. Development is restricted to one single-family residence or duplex per lot. Other than duplexes, no multi-family structures or uses shall be allowed. "Family" means one or more persons occupying a lot and living as a single housekeeping unit, as distinguished from two or more separate living units within a single structure, a group home, club, fraternity house, day care or hotel. No commercial or retail activity shall be allowed on any lot, with the exception of a Bed and Breakfast with no more than two rentable rooms, and discrete home offices that do not have significant customer or client traffic. Significant customer or client traffic means any traffic in excess of three vehicles per day. The intent of this section is to allow professional or business uses which are incidental to the use of the dwelling for residential purposes and which do not detract from the residential character of the neighborhood.

The restrictions on group homes are subject to applicable federal, state, or municipal law.

Temporary buildings may not be placed on any lot for any purpose.

B-2. COMPLETION OF CONSTRUCTION. All residential dwellings must have a finished main floor and finished exterior within twelve (12) months from groundbreaking. Unfinished basements shall be allowed. All incidental structures unconnected to the primary dwelling shall be completed within six (6) months of groundbreaking.

B-3. MOBILE HOMES (TRAILERS). No mobile homes, trailers, or tents may be utilized within the Covered Property. Travel trailers may be kept within the Subdivision, but only for recreational purposes and may not be utilized as a residential dwelling for any period of time.

B-4. WATER SUPPLY. Each improved lot shall have a water supply system. Shared wells are allowed between no more than two lots. No individual water supply system shall be permitted on any lot unless such a system is located, constructed and equipped in accordance with the requirements, standards and recommendations of the Alaska Department of Environmental Conservation. Approval of such a system as installed shall be the responsibility of the individual owner.

B-5. SANITARY WASTE DISPOSAL. Each improved lot shall have its own sanitary waste disposal system. No individual system shall be permitted on any lot unless such a system is located, constructed and equipped in accordance with the requirements, standards and recommendations of the Alaska Department of Environmental Conservation, 18 AAC 72, or such other regulations which may be promulgated by state or local authority. Approval of such a system as installed shall be the responsibility of the individual owner.

B-6. STORAGE OF RECREATIONAL ITEMS. Travel trailers, motorhomes, boats, snow machines, trailers, and other similar recreational vehicles or accessories, shall be maintained in a neat and orderly fashion on the lots in the Covered Property and may not be parked on the streets in the Subdivision. Accumulation of such items visible from the fronting street of each lot shall be discouraged and may be subject to screening at the discretion of the Architectural Control Committee to be established hereunder.

B-7. DWELLING SIZE.

(a) Size. No dwelling structure shall be permitted on any lot with less than the minimum finished gross area, exclusive of open porches, and garages and basements:

(1) If the dwelling is a single-level, one-story building, 1,000 square feet;

(2) If the dwelling is a two-story building, 1,500 square feet, of which at least 1,000 feet must be on the ground floor;

(3) If the dwelling is a tri-level building, 2,000 square feet, of which at least 1,000 square feet must be on the ground floor;

(b) Construction Standards. Construction of all residential structures contemplated herein shall be at least equal to the present FHA minimum building standards. The minimum cost figure is based upon cost levels obtained on the date these covenants are recorded, it being the intention and purpose of the covenants to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein.

(c) Building Height. No building shall exceed 38 feet in height from ground level on the front of the building to the peak of the roof.

(d) Exterior Appearance, Colors, and Materials. To ensure high-quality development of the Covered Property, owners shall be responsible for utilizing exterior colors to promote a pleasing and compatible neighborhood appearance.

Overly vibrant colors are disallowed. Clear lacquer or varnish is discouraged as it does not withstand the harsh elements and tends to fade rapidly. Owners who elect such exterior finishes will be required to keep their properties in a high state of repair. (Note: this usually requires refinishing approximately every 2-3 years.)

All siding shall be of finish quality and shall be wood siding, OSB, real brick, real stone, cultured stone, designer block, vinyl, metal (other than metal roofing products), adobe, T-111, or any equal finish approved by the Architectural Control Committee.

B-8. BUILDING PLAN APPROVAL. An Architectural Control Committee (ACC) is hereby established to consist of the following two members:

Donald Hoffman
P. O. Box 328
Sutton, Alaska 99674

The initial ACC shall serve until replaced by the initial committee members. When both initial members have resigned or are no longer able to serve on the committee, the initial members, or the survivor thereof, shall appoint a committee of three members, all of whom shall be owners of covered property. Decisions of the ACC shall be made by a majority of its members. Any plans approved by the ACC must comply with these covenants in all respects. The ACC shall exercise oversight of outbuildings, exterior design and architectural lines, colors, roofing and siding materials, and setbacks for both original constructions and additions or modification thereof. Written plans must be submitted to the ACC prior to groundbreaking, or prior to any additions or modifications to existing structures. Plans shall include the dimensions of the proposed structure(s), setback distances from the lot line, a floor plan, exterior colors, exterior materials, and such other features as may be required by the ACC. Written plans submitted to the ACC which have not been disapproved within 20 days shall be considered approved, so long as they otherwise conform to the requirements of these covenants.

B-9. OUTBUILDINGS. Outbuildings are defined as buildings not used as dwellings, including detached garages, utility sheds, greenhouses, barns and shops. Outbuildings may not be used for commercial or rental purposes. Prepared plans and construction of outbuildings is subject to the oversight and approval of the ACC as described in Section B-8 above, including, but not limited to, siding and roofing materials.

B-10. FENCES. No fence of any kind may be installed unless built in a professional manner and properly maintained.

B-11. EASEMENTS. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat or as indicated by the public records for the recording district where the property is located. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of the flow of drainage channels in the easements, or which may obstruct or retard the flow of water through the drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible. Said maintenance shall include the ditch line and to the edge of road.

B-12. SIGNS. No sign of any kind shall be displayed to the public view on any lot except one sign of not more than three (3) square feet identifying lot owners or occupants, and one sign of not more than five (5) square feet advertising the property for sale or rent, or signs used by the builder to advertise the property during the construction and sales period.

B-13. NUISANCES. No noxious, unsightly, illegal, or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood, including, but not limited to, barking dogs.

The owner of each residential unit or lot shall maintain said residential unit and lot in a neat, clean and presentable condition, avoiding deterioration of siding, stain, and paint and keeping said lot free of accumulation of excess household items, trash and debris.

No outdoor light shall be installed or maintained on any lot which illuminates any part of a neighboring lot.

B-14. OIL AND MINING OPERATIONS. No oil drilling, oil development operations, oil refining, quarrying, gravel extracting, or mining operations of any kind shall be permitted upon or in any lot, nor shall oil well, tanks, tunnels, mineral excavations, or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained, or permitted upon any lot.

B-15. COMMUNICATION TOWERS. No communication towers shall be permitted on any lot.

B-16. ANIMALS. No animals that are normally wild in their natural state, or have been bred with animals that are normally wild, including without limitation "wolf hybrids," shall be kept on any lot. No animals, poultry, or livestock of any kind, shall be

raised, bred or kept on any lot for any purpose, including, but not limited to, use for sporting purposes such as dogsled competition. Each living unit shall be allowed a maximum of two adult dogs, two adult cats and one horse. All animals shall be restrained by leashes when off the owners' lot.

B-17. GARBAGE DISPOSAL. No trash cans, garbage cans, trash barrels, boxes or other refuse containers, shall be placed or maintained on or along the side or end of any lot fronting upon, or adjacent to, a street, with the exception that patrons of a garbage pick-up service may place such containers bearing trash or garbage for pick-up upon the end or side of the lot fronting upon the street on which the garbage is picked up on the day designated by ordinance, resolution, or contract for the pick-up of garbage at such lot. No burning of trash, garbage, refuse, or other waste, shall be permitted upon the street front and/or side of any lot at any time, and such burning on the rear of lots shall be permitted only in accordance with the appropriate health and safety laws or ordinance of the political subdivision in which the lot is located. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste, shall not be kept except in a sanitary condition.

B-18. INOPERABLE VEHICLES. No inoperable vehicle or vehicle body shall be permitted upon any lot or within any street or easement adjacent to any lot in the Covered Property. A vehicle temporarily inoperative and held for repair by the owner for a period not to exceed sixty (60) days (subject to the availability of parts) shall not be considered a violation of this provision. A vehicle which is otherwise operable but is not used or moved for more than sixty (60) days shall be considered an inoperable vehicle for purposes of this section.

No repairing, dismantling, or assembling of any vehicle, boat, snowmobile or any other power driven machines will be permitted on any lot in view of any other lot or street.

B-19. SNOWMOBILES AND ATVS. Snowmobiles and ATVs shall not be operated anywhere within the Covered Property including private property, easements, or rights of way between the hours of 9:00 p.m. and 8:00 a.m.

B-20. WINDOWS AND FACADES. No garments, rugs, sheets, foil or other objects shall be hung from windows of the structures on a lot. Only customary curtains or shades or draperies may be used.

B-21. LANDSCAPING. Each owner shall be responsible for maintaining any landscaping established on their lot so as not to become overgrown with weeds, brush, or trees, other than trees utilized for landscaping purposes. No more than two-thirds of any lot may be cleared of its natural vegetation.

B-22. EXTERNAL SATELLITE DISHES AND ANTENNAS. No television, disk or other type of television or radio antenna or electronic device which has as its purpose the sending or receiving of signals from or to any external source of any kind shall be situated on any lot; EXCEPT, HOWEVER, each lot owner may install on the exterior of the dwelling located on the lot one (1) standard television antenna, which shall not exceed a total height of ten (10) feet from base to top of mast and a satellite dish with no greater than a forty-two inch diameter. Variances may be granted by the Control Committee; however, ham towers or other external radio transmission devices shall not be allowed.

B-23. DRIVEWAYS. Each lot owner shall, at the time of driveway construction, obtain a driveway permit from the Matanuska-Susitna Borough. Driveway and culvert installation shall comply with Matanuska-Susitna Borough regulations.

B-24. RE-SUBDIVISION. No lot or lots may be re-subdivided. Lot lines may be eliminated if the minimum lot size of the new lot(s) created thereby shall be two acres or more.

PART C. HOMEOWNERS ASSOCIATION.

The owners of lots of the covered property, by an affirmative vote of a majority of the lots, may form a Homeowners Association responsible to enforce the covenants and to levy fines and assessments for the benefit of all property owners herein. The lot owners, by a similar majority, may also vote to form a corporation for the conduct of the Association's business. Every purchaser, their heirs, assigns and successors in the ownership of lots in this subdivision agrees, as a condition of such ownership, that they will automatically become a member of such Association, and that they will abide by the policies set and as later amended by the Board of Directors of the Association, including the payment of assessments as may from time to time be levied.

The composition and powers of the Board of Directors, annual and special meetings, voting rights, and method of establishing assessments shall all be determined by the By-Laws of such Association.

PART D. MISCELLANEOUS PROVISIONS.

D-1. VOTING RIGHTS. Any vote which is necessary or desirable to be taken hereunder shall be subject to one class of voting. Each lot owner, whether such owner is an entity, person or more than one person, shall be entitled to one vote for each lot owned, regardless of the number of individuals or entities jointly owning each lot. When more than one person or entity holds an interest in any lot, such person or entity shall decide among themselves how the vote for such lot shall be exercised and by whom.

D-2. TERM. These covenants are to run with the land and shall be binding on all parties and persons claiming under them for a period of thirty-five (35) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by the owners of a majority of the lots has been recorded agreeing to change said covenants in whole or part.

D-3. ENFORCEMENT. Enforcement of these covenants, conditions and restrictions shall be by proceedings at law or in equity against any person or entities violating or attempting to violate any such provisions, either to restrain a violation thereof or to recover damages for a violation thereof, or both. Suit to enforce these provisions may be brought by any homeowners association which may be established under these covenants or by any individual lot owner or owners of covered property, regardless of whether they are directly aggrieved by a violation of these provisions.

D-4. SEVERABILITY. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no wise affect any other provisions, which shall remain in full force and effect.

D-5. AMENDMENT. This Declaration may be amended by recorded instrument by an affirmative vote of at least two-thirds of the lot owners in the Covered Property, such amendment to be consummated by a written instrument recorded in the Palmer Recording District.

D-6. INTERPRETATION. The provisions of these covenants shall be liberally construed to effectuate their purpose of creating a uniform plan for the development of a residential community, for allowing and enforcing the assessments, fines, and liens, as may be established by an Association created hereunder. The article and section headings have been inserted for convenience only and shall not be considered or referred to in resolving questions of interpretation or construction of these covenants.

DATED this 16th day of January, 2007.

Donald B. Hoffman

DONALD B. HOFFMAN

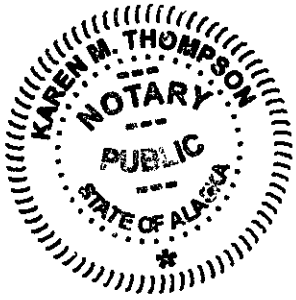
8 of 9

2007-001380-0

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the 16th day of January, 2007, before me, the undersigned, Notary Public in and for the State of Alaska, personally appeared DONALD A. HOFFMAN, known to me to be the person named in and who executed the foregoing document, and acknowledged to me the execution thereof for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year hereinabove first written.



Karen M Thompson
NOTARY PUBLIC in and for Alaska
My Commission Expires: 6-22-09

PLEASE RETURN TO:

ROBINSON LAW OFFICE, P.C.
348 East Elmwood Avenue
Palmer, Alaska 99645

9 of 9
2007-001380-0

Public Notice

Application for Marijuana Establishment License

License Number: 10231
License Status: Initiated
License Type: Limited Marijuana Cultivation Facility
Doing Business As: 420 GROW TECH
Business License Number: 1033170
Email Address: everlifeband@gmail.com
Latitude, Longitude: 61.795000, -148.804000
Physical Address: 10064 N Arnistead circle
Sutton, AK 99674
UNITED STATES

Licensee #1

Type: Individual
Name: GREGORY P HOFFMAN
Phone Number: 907-745-4123
Email Address: everlifeband@gmail.com
Mailing Address: P.o box 328
sutton, AK 99674
UNITED STATES

Note: *No entity officials entered for this license.*

Note: *No affiliates entered for this license.*

Interested persons should submit written comment or objection to their local government, the applicant, and to the Alcohol & Marijuana Control Office at 550 W 7th Ave, Suite 1600, Anchorage, AK 99501 or to marijuana.licensing@alaska.gov not later than 30 days after this notice of application.

POSTING DATE 12-28-2017

From:	anita C
To:	Marijuana Licensing (CED sponsored)
Cc:	everlifeband@gmail.com
Subject:	Marijuana Cultivation Application
Date:	Wednesday, January 10, 2018 3:33:54 PM

Dear Marijuana Licensing, State of Alaska,

My neighbor has applied for a Limited Marijuana Cultivation Facility permit with the State of Alaska. He is Greg Hoffman, 10064 N Armistead Circle, Sutton, AK 99674. His license application number is 10231.

I am writing to oppose, in writing, to the licensing of this business in the same subdivision I reside in (Tina Marie Hoffman Subdivision, Sutton, AK).

I have been informed, by the Matanuska-Susitna Borough that they were not able to pass an ordinance prohibiting these grows in neighborhoods. However, I was encouraged to let the Marijuana Licensing office of my opposition.

I understand that the growing of marijuana is legal now and I have neighbors that follow the laws and grow amounts for personal consumption. I have two (2) main concerns, however, for a commercial grow to not be allowed in this neighborhood.

First, is the concern of increased crime to the neighborhood. I have already filed two (2) theft reports with the Troopers after my own personal property was stolen at my residence. Sutton is considered a high crime area already. There have been several articles, in the news, recently describing burglaries of marijuana grows and retail shops in Alaska. Since, Mr. Hoffman has now posted a Public Notice, of his intent to begin this business, it is now public knowledge. His address, for the location of this grow, is now public knowledge. Trooper response time can be very lengthy, thus I am not sure they will be here in a timely manner, if there is a criminal incident.

My second concern is that this is a neighborhood of families, some with children. While I do not have children residing with me all year, that in no way lessens my concern for such a business in a neighborhood of families. I do not want any business in this neighborhood. I moved here to live away from town, traffic and businesses.

Thank you for your time and please take notice of my disapproval of this license being approved.

Sincerely,
Anita McPherson
PO Box 459
Sutton AK 99674

From:	Carl Wambach
To:	Marijuana Licensing (CED sponsored)
Cc:	everlifeband@gmail.com
Subject:	Growing Marijuana in a Residential Neighborhood?
Date:	Wednesday, January 10, 2018 8:03:42 PM

Sirs,

This letter is in reference to an application for a Limited Marijuana Cultivation License (#10231), as submitted by my next-door neighbor, Greg Hoffman (10064 N Arnistead Circle Sutton, AK 99674). My purpose here is to state my clear, definitive OBJECTION to the licensing for said applicant.

I live in a residential neighborhood, as does my neighbor who evidently wishes to grow pot on his property. There are several valid reasons why this cannot, and certainly should not, be allowed. Foremost among those reasons is the obvious: this is a RESIDENTIAL neighborhood, not a commercial area or suitably remote location. It is a family neighborhood with children and impressionable young adults, where a state-sanctioned (or any other) growing operation has no place. The majority of other neighbors share my disapproval of Mr. Hoffman's plan. As such, it is clear that local sentiment is against approving the permit. Further, the covenants for this neighborhood clearly prohibit commercial endeavors. Those covenants are on file in Palmer (recording district 311 #2007-001380-0), and constitute an agreement among constituent property owners, that commercial operations of any sort are strictly prohibited. The State, as permitting authority, risks legal issue to knowingly violate existing statutes and restrictions on file. Further, as of this writing, the Federal Government officially still views marijuana as an illegal drug, State approvals notwithstanding, and recent political statements from the US Attorneys General office have indicated less tolerance for State authorizations. In other words, Uncle Sam may still trump (pun intended) States rights, which could complicate permitted activities - a messy, litigious can of worms, if you will. Approving a permit that is resoundingly rejected by neighborhood residents, is against the legal covenants, and clearly in an inappropriate location for growing marijuana, would seem quite irresponsible.
Once again, this is a RESIDENTIAL neighborhood, and is NOT the place to allow a pot-growing operation.

There are other reasons to question the appropriateness of authorizing this activity in this location, albeit less easily quantified than simply being a violation of covenants and going against majority sentiment. Whether real or not, most of us in the neighborhood have worries about security and the inevitable increase in unsavory elements of society which attend growing drugs in a neighborhood. We (the other residents of the neighborhood) don't want it! Criminal activity in Alaska, particularly in rural locations, is a problem, and often relates to drugs. We don't want it in our neighborhood! The obvious, and best solution, is to prevent problems, rather than address them after issues arise. This is a quiet, family-oriented neighborhood, with most residents being responsible homeowners with wholesome, traditional values. Obviously, there are a few exceptions...

In summary, I most strenuously object to the potential permit in our location. And, I urge you to carefully consider the liability of authorizing such a permit, in a RESIDENTIAL neighborhood. It's very simply, a bad idea.

Carl F Wambach

PO Box 262
Sutton, AK 99674

From:	pat mcpherson
To:	Marijuana Licensing (CED sponsored)
Cc:	everlifeband@gmail.com
Subject:	Application for marijuana grow
Date:	Friday, January 26, 2018 8:44:13 AM

To whom it may concern,

In recent days I have learn that Greg Hoffman is applying for a permit through the state of Alaska to grow marijuana for commercial reasons. He is currently living on North Arnistead Circle and is on the same street in which my residence is located. The proposed grow operation which would be located at 10064 N. Arnistead Cir. in Sutton is in close proximity to me which in turn leads me to great concern. Whether legal or not it is of my strong opinion that this kind of business has no place in a neighborhood. I strongly encourage our assembly members, state representatives and local government in general to take a close look at this current situation at hand. I furthermore encourage all local government that this applies to, that they consider the effect of having something of this nature in close proximity to them and their place of residence.

Thank You,
Dustin Canniff
10112 N. Arnistead Cir.
Sutton, Ak. 99674
907-715-2257

From:	pat mcpherson
To:	Marijuana Licensing (CED sponsored)
Cc:	everlifeband@gmail.com
Subject:	Commercial grow application
Date:	Sunday, January 14, 2018 10:31:34 AM

To whom it may concern:

It has come to my attention that a neighbor in our subdivision is planning on starting a marijuana grow business out of his garage and has posted and public notice at our local post office.
The property is 10064 N. Armistead Circle in Sutton and the individuals name is Greg Hoffman. I have strong feelings "AGAINST" such a business being established in this area due to, children in the same area, good family oriented folks in the neighborhood and most importantly the fact that it could attract a bad element of people, especially crime. There's already been this kind of situation in Anchorage and I don't want this happening in our area. This has nothing to do with the individual himself, it the type of business itself. I also am concerned with the possibility that my resale price of my home and property may go down. Do understand that I strongly oppose this type of business and that the board looks into it strongly.

Patrick A. Mcpherson
18983 Jessica Ann St.
Sutton, Ak. 99674
907-746-5516

From:	FJ Buzby
To:	Marijuana Licensing (CED sponsored)
Cc:	everlifeband@gmail.com; accagle3@yahoo.com; suttoncommunitycouncil@gmail.com
Subject:	Permit #10231
Date:	Monday, February 05, 2018 12:25:02 PM
Attachments:	Permit #10231.pdf

Please see enclosed letter and attachments pertaining to this permit

Sutton Community Council
PO Box 344
Sutton, AK 99674
suttoncommunitycouncil@gmail.com

February 1, 2018

To Whom it May Concern,

On January 31, 2018 several members of the Sutton community came to the Sutton Community Council meeting to address a permit application for a marijuana cultivation facility. The Sutton Community Council would like to inform our residents and the public of issues that are brought to our attention for review and so decided to address this issue with an informational letter.

This permit # 10231 is located in a residential area with covenants (see attachment #1) that residents indicate will be broken if such a facility is in operation. It was also noted that the Sutton Community Comprehensive Plan (See attachment #2 and #3) has language that recommends protection of residential neighborhoods and associated values when assessing commercial development. Those community members present for this presentation were members of the subdivision in question and not in favor of the approval of this permit for the reasons identified above.

The purpose of Sutton Community Council is to provide a direct and continuing means of citizen participation in government and local affairs for Sutton residents. Meetings are held the last Wednesday of each month from 7:00 – 9:00 pm at the Sutton Community Resource Center /Public Library. If you have any questions please feel free to attend one of our meetings or contact us at the above address.

Respectfully,

Sutton Community Council

Frank Buzby, Chair

Attachment #1

PART A. APPLICATION OF COVENANTS.

These covenants shall apply to all lots in the Covered Property. "Lot" shall mean and refer to the lots and tracts, if any, of the Covered Property as depicted by the above-referenced plat of TINA MARIE HOFFMAN SUBDIVISION, excepting Tract A and Tract B.

PART B. PROPERTY RESTRICTIONS.

B-1. SINGLE FAMILY RESIDENCES; DUPLEXES. Development is restricted to one single-family residence or duplex per lot. Other than duplexes, no multi-family structures or uses shall be allowed. "Family" means one or more persons occupying a lot and living as a single housekeeping unit, as distinguished from two or more separate living units within a single structure, a group home, club, fraternity house, day care or hotel. No commercial or retail activity shall be allowed on any lot, with the exception of a Bed and Breakfast with no more than two rentable rooms, and discrete home offices that do not have significant customer or client traffic. Significant customer or client traffic means any traffic in excess of three vehicles per day. The intent of this section is to allow professional or business uses which are incidental to the use of the dwelling for residential purposes and which do not detract from the residential character of the neighborhood.

The restrictions on group homes are subject to applicable federal, state, or municipal law.

Temporary buildings may not be placed on any lot for any purpose.

B-2. COMPLETION OF CONSTRUCTION. All residential dwellings must have a finished main floor and finished exterior within twelve (12) months from groundbreaking. Unfinished basements shall be allowed. All incidental structures unconnected to the primary dwelling shall be completed within six (6) months of groundbreaking.

B-3. MOBILE HOMES (TRAILERS). No mobile homes, trailers, or tents may be utilized within the Covered Property. Travel trailers may be kept within the Subdivision, but only for recreational purposes and may not be utilized as a residential dwelling for any period of time.

B-4. WATER SUPPLY. Each improved lot shall have a water supply system. Shared wells are allowed between no more than two lots. No individual water supply system shall be permitted on any lot unless such a system is located, constructed and equipped in accordance with the requirements, standards and recommendations of the Alaska Department of Environmental Conservation. Approval of such a system as installed shall be the responsibility of the individual owner.

Attachment #2

RESIDENTIAL DEVELOPMENT

One of the qualities that residents enjoy and which supports some of the attractions of the area (scenic views, quiet atmosphere, low traffic volumes) is the variety of opportunities that exist with the current development pattern. This includes the smaller lots and higher density that generally is most prevalent in the central portion of the community, and the more rural, low density atmosphere in much of the remainder of the area.

Recommendations:

- **Encourage the continuation of the existing development pattern: higher density and concentration in the central area of the Sutton community, and larger lot size, lower density in the remainder of the area.**
- **Identify areas appropriate for development.**
- **Protect water quality, prevent soil erosion, and ensure that development can adequately provide infrastructure needs such as roads, emergency access and other related concerns.**
- **Provide for a variety of lot sizes and development patterns throughout the community utilizing conservation subdivision design, cluster development and development incentives to retain the low density rural lifestyle.**

COMMERCIAL DEVELOPMENT

Currently, there is minimal commercial development within the planning area. The majority of existing commercial development is composed of a few stores serving the local population and several small highway-oriented businesses. There is also a significant and growing number of home occupations ranging from the production of handmade crafts to auto repair. Although it is the desire of the community that the Glenn Highway does not become a series of strip malls, and that the aesthetics of this corridor be preserved, the planning team estimates that there is not sufficient community support for restricting or zoning commercial development within the Sutton area. Respondents to the 2007 community survey did not want large scale commercial and "big box" stores in the area. However, support was indicated for the following services: daycare, grocery store, restaurant, hardware, small-scale commercial, small-scale retail, small home-based businesses and tourism.

Recommendations:

- **Determine commercial development standards based on the impacts to land, wildlife, air and water quality (e.g. traffic, noise, lighting pollution, increased impervious surfaces, and compatibility).**

Attachment #3

- **Establish growth boundaries where higher concentrations of development will occur while designating other areas as more development restrictive.**
- **Protect residential neighborhoods and associated values.**
- **Develop vegetative buffers or other screening techniques to shield properties from incompatible uses.**

INDUSTRIAL DEVELOPMENT

Of the three basic land uses (residential, commercial, and industrial), the industrial land uses are often of most concern to a small community. Heavy industrial development often has significant impacts related to noise, visual qualities, dust and air-quality, and traffic safety and volume. Currently, there are Borough regulations pertaining to the establishment of incinerators, industrial processing and fuel burning equipment (MSB 8.30.125 & 8.30.130), interim materials district (gravel/natural resource extraction – MSB 17.28), conditional use permit for earth materials extraction activities (MSB 17.30), Borough wide conditional uses (MSB 17.60), conditional use permit for coal bed methane exploration and development (MSB 17.62), and conditional use permit for waste incineration (MSB 17.64). The Borough Wide Comprehensive Plan 2005 Update encourages commercial and industrial development that is compatible with residential development and local community desires. There is a strong community desire in Sutton to protect residential areas and the scenic Glenn Highway from the impacts of heavy industrial development.

Industrial uses have the ability to provide significant economic benefit to the community. A local gravel source may be beneficial to local infrastructure and economy. However, there is a need and a desire for the community to express its concerns regarding proposed industrial land uses and to require developers to mitigate any severe negative impacts. Heavy industrial uses will be evaluated on a case by case basis and be allowed only if it is possible to mitigate any severe negative impacts.

Recommendation:

- **Heavy industrial uses may be allowed only if they meet conditional permitting requirements. In order to maintain air, water, land quality, and reduce impacts from noise and lighting pollution to residential areas and the natural environment, and minimize visual impact along the Glenn Highway, heavy industrial uses may be allowed only if they meet conditional permitting requirements.**