CORRESPONDENCE

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

October 25, 2018

The Fairbanks Cut, LLC
DBA: The Fairbanks Cut, LLC
Via email: lbosshart@dankorage.com

Re: Retail Marijuana Store Facility #18187

Dear applicant,

The AMCO Office has reviewed the documents submitted for the proposed marijuana establishment license referenced above. This letter is notice under 3 ACC 306.025(e)(2) that your application is incomplete and additional items are needed to complete the application. The additional items that need correction or resubmittal are listed below—please be sure to read the entire letter. **Please note that if the corrections and/or additional documents submitted in response to this letter are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure.**

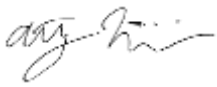
- **Online Application**
  - A suite number has been designated to the address in the lease provided that was not included in your premises address. I have rolled your application back to "New" status so that you can correct the premises address through MyAlaska.
  - Once you resubmit your online application, a new Public Notice and Advertisement Notice will be generated. Be sure to save copies of these documents for your records and other corrections.
- **MJ-00 Application Certifications**
  - Page 1, Section 1 – Establishment Information for all:
    - The Premises Address must include "Suite A", per your lease.
  - Section 3 – Other Licenses for Brittany Gitschel:
    - A license application in the queue (License #18069) has not been disclosed.
- **MJ-01 Operating Plan**
  - Page 1, Section 1 – Establishment Information:
    - The Premises Address must include "Suite A", per your lease.
  - Page 4, Section 3.5:
    - Please review 3 AAC 306.715(e) and expand upon your response to include at what point AMCO is contacted after an unauthorized breach.
  - Page 10, Section 9.2:
    - If available, please provide a sample business logo in this section.
- **MJ-02 Premises Diagram**
  - Page 1, Section 1 – Establishment Information:
    - A typo is present in the License Type field. Please correct "Retain" to "Retail".

        - Please correct "Then" to "The" in the Doing Business As field.
        - The Premises Address must include "Suite A", per your lease.
    - Is the Surveillance Room a part of the same room as the restricted access area labeled Storage? Please clearly depict any walls or partitions that divide these areas if not.
- **MJ-03 Retail Supplemental**
    - Page 1, Section 1 – Establishment Information:
        - The Premises Address must include "Suite A", per your lease.
    - Page 2, Section 3.1:
        - Your response is very difficult to read due to the small font size. Please edit your response so that the font size is larger, or use copies of Page 6 for additional space as needed.
    - Page 3, Section 5.1:
        - Your response references how marijuana and marijuana product will be displayed by Aurora Dream.
    - Page 4, Section 6.2:
        - Some of the text on your sample label (particularly the warning statements) is blurry and difficult to read. Please provide a sample with clearer text.
        - The warning statements must be verbatim. Please correct the following statements:
            - There are health risks associated with consumption of marijuana (your sample added the word "the" before "consumption".
            - For use only by adults twenty-one and older. Keep out of the reach of children (your sample added the word "years" after "twenty-one", and omitted the word "the" from "Keep out of the reach of children").
- **MJ-07 Public Notice Posting Affidavit**
    - Section 1 – Establishment Information:
        - The Premises Address must include "Suite A", per your lease.
    - It will be necessary to post a corrected Public Notice at the location of the proposed premises and one other conspicuous location for **five** days and complete a new MJ-07.
- **MJ-08 Local Government Notice Affidavit**
    - Section 1 – Establishment Information:
        - The Premises Address must include "Suite A", per your lease.
    - Please provide a copy of the corrected Public Notice to your local government and complete a new MJ-08.
- **Publisher's Affidavit**
    - Because the suite number was not included in the premises address on the advertisement, it will be necessary to run a corrected advertisement **one** time and provide a new affidavit from the publisher. Also include a copy of the advertisement.
- **MJ-09 Statement of Financial Interest**
    - Page 1, Section 1 - Establishment Information for Lilly Bosshart, Stephanie Aglietti, Brad Bosshart, and Craig Aglietti:
        - The "Doing Business As" name must be listed as The Fairbanks Cut, LLC to be consistent with your Alaska business license.
    - Section 1 for all:
        - The Premises Address must include "Suite A", per your lease.
- **Proof of Possession for Proposed Premises**

    - A lease must contain a disclaimer that the landlord/lessor will not take possession of or remove marijuana from the premises, and that AMCO will be contacted in the event that this is necessary (typically under the "Default" section of the lease).
- **Entity Documents**
    - The following required documents were not provided:
        - A copy of the LLC's Operating Agreement
        - A list of all LLC Members and Managers and their ownership interest
- **Applicant's Alaska Residency**
    - Dakota Sinclair will need to contact the Permanent Fund Dividend Division to resolve PFD eligibility for 2018.
- **Miscellaneous**
    - The initial biennial report for this entity has not yet been filed with the Division of Corporations, Business and Professional Licensing (CBPL) and no officials are listed under this entity. It will be necessary to file this report.
    - After the report has been filed, please provide a copy of the initial report that has been stamped received by CBPL as proof that it has been filed.

It is very important that you submit the above corrections and/or documents in a timely manner so that AMCO staff has adequate time to review the corrections and/or additional documents which must be found to be complete within 90 days of the date of this letter.

Respectfully,



TJ Zielinski, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov

From:	Marijuana Licensing (CED sponsored)
To:	Lily Bosshart
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application - The Fairbanks Cut, LLC License #18187
Date:	Thursday, October 25, 2018 10:39:39 AM
Attachments:	18187 Incomplete Notice.pdf image001.png

Good morning,

Your application for your marijuana establishment license has been reviewed, and at this time is considered incomplete. See the attached notice regarding corrections, additional documents, and/or resubmittals that need to be addressed in your application.

Please make sure to read the entire letter. If the submitted corrections are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure. Essentially, we will accept corrections one time within your 90-day deadline period. Feel free to call or email if you need clarification on any items from the Incomplete Notice.

Let us know if you require copies of any documents that were submitted.

If you have any questions or concerns, please address them to marijuana.licensing@alaska.gov.

Note: many of the documents and forms originally submitted with this application were in reverse order. When resubmitting documents, please make sure that they are in the correct order.

Sincerely,

TJ Zielinski
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From:	Marijuana Licensing (CED sponsored)
To:	Lily Bosshart
Cc:	Marijuana Licensing (CED sponsored); Craig Aglietti; Dakota Sinclair; Brittany Gitschel; bradbosshart@hotmail.com; Stephanie Aglietti
Subject:	RE: Incomplete Application - The Fairbanks Cut, LLC License #18187
Date:	Monday, November 26, 2018 11:00:43 AM
Attachments:	image003.png

Good morning,

I have finished reviewing your submitted corrections and see that the revisions in your Incomplete Notice have been addressed. There is one additional correction that will be required that was not noted in your Incomplete Notice. Per Form MJ-08: Local Government Notice Affidavit, you provided a copy of your Public Notice to the Fairbanks North Star Borough, but I do not see that Notice was provided to the City of Fairbanks. Under 3 AAC 306.025(b)(3), a copy of the Public Notice must be provided to each local government with jurisdiction over the proposed licensed premises.

Please provide a copy of your Public Notice to the City of Fairbanks and complete a new MJ-08, which will cover the corrections needed on your application.

Sincerely,

TJ Zielinski
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: Lily Bosshart <lbosshart@dankorage.com>
Sent: Wednesday, November 21, 2018 5:26 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Craig Aglietti <cmaglietti@dankorage.com>; Dakota Sinclair <dakotaleighsinclair@gmail.com>; Brittany Gitschel <brittanygitschel@gmail.com>; bradbosshart@hotmail.com; Stephanie Aglietti <saglietti@dankorage.com>
Subject: Retail Marijuana License Application #18187

Good Afternoon TJ,

Below are the updated sections of our application, per the Incomplete Letter received October 25th.

From:	Marijuana Licensing (CED sponsored)
To:	Lily Bosshart
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Public Notice Application for a Marijuana Establishment License
Date:	Monday, November 26, 2018 12:12:42 PM
Attachments:	image001.png

Hello,

It may meet the requirement. It wasn't associated with this email chain, is it? This correspondence is with the Fairbanks North Star Borough, and not the City of Fairbanks.

Sincerely,

TJ Zielinski
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: Lily Bosshart <lbosshart@dankorage.com>
Sent: Monday, November 26, 2018 11:57 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Fwd: Public Notice Application for a Marijuana Establishment License

Hi TJ!
I gave them notice on the 16th...is it ok if I give you the original MJ-08 from that?

Thank you!
Lily

Begin forwarded message:

> **From:** Bryan Sehmel <BSehmel@fnsb.us>
> **Date:** November 26, 2018 at 11:50:29 AM AKST
> **To:** Lily Bosshart <lbosshart@dankorage.com>
> **Subject: RE: Public Notice Application for a Marijuana Establishment License**
>
> Ms. Bosshart,
>
> The FNSB received the notice you sent on 11/16. I apologize for the delayed confirmation.

Since a zoning permit (#ZP18005) was already issued for the retail establishment, there shouldn't be anything else required in the near future. Down the road, the zoning permit will be compared against the information you submitted to the State in the context of the marijuana license application coming before the Assembly to protest or not protest.

Please contact me directly with any questions. Thank you.

Kind regards,

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

Fairbanks North Star Borough
PO Box 71267 / 907 Terminal Street
Fairbanks, AK 99707-1267

From: Lily Bosshart [mailto:lbosshart@dankorage.com]
Sent: Friday, November 16, 2018 11:11 AM
To: Bryan Sehmel
Cc: Craig Aglietti
Subject: Public Notice Application for a Marijuana Establishment License

Attached is our Public Notice Application for a Marijuana Establishment License to the FNSB.

Thank you so much and please let me know if you need anything further!
Lily Bosshart
907.444.3656