CORRESPONDENCE

From:	Lily Bosshart
To:	Marijuana Licensing (CED sponsored)
Cc:	Craig Aglietti
Subject:	Re: Follow up on 6.13.19 corrections for OCE-The Fairbanks Cut LLC license 18187
Date:	Tuesday, June 18, 2019 10:31:27 AM

Good Morning Ms. Sawyer,

Thank you for this feedback; I'm working on it now and will have the updates to you in a few hours hopefully.

As far as the freestanding requirement, I'm hoping to explain to you about why we feel our building does meet qualifications.

First, our building is not connected to any other in any direction. In fact, we feel we are ideal candidates for an outdoor consumption area as we are surrounded by empty fields and would not infringe on any other business or personal property. We absolutely contend that "The Fairbanks Cut" is a freestanding structure as we meet all the requirements of the definition set out in AS 18.35.301(i)(1).

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 (1)  "freestanding" means a building that is not supported by
another
08       structure and does not share ventilation or internal air
space with an adjoining
09       structure and smoke from the building cannot travel into the
adjoining structure;
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Second, G2 Construction (our landlords) are the only other occupants of our building. They operate an office upstairs and store construction equipment in the back yard. We have an agreement with them that our on-site consumption area will only be open when their office hours are closed. As such, on-site would be open Monday-Friday from 5:30pm-Midnight, Noon-Midnight Saturday and Sunday. We share the building in a collaborative way and are both on-board with a small on-site area to be built in the parking lot.

Third, Brittney Gitschel (one of The Fairbanks Cut licensees) is the daughter of the owners of G2 construction (Paul and Charity Gitschel). Part of the reason we choose this building was with on-site in mind, as it is a freestanding building that would not encroach on any other business. The owners of G2 have been included in this conversation from the very beginning and never considered their upstairs office use as factor that would discount the building from an on-site endorsement.

I would love to discuss this with you on the phone if you are available?

I appreciate your consideration and will get you the outstanding documents to complete our application as soon as I can.

Thank you,
Lily Bosshart
907.444.3656

DANKORAGE

On Jun 17, 2019, at 2:55 PM, Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

Hello,

I reviewed your corrections, the application still incomplete:

- I need the signature pages of the lease, you submitted a lease without the signatures of the parties.
- You also need to notify the occupants of the Bentley Mall of your proposed onsite consumption. I will need a brand new MJ-07b and its requirements for the additional people being notified.

This email does not extend the 90-day deadline to get your application complete, that deadline is 9.10.19. However, the deadline to have an application complete for the July meeting is 6.21.19.

Lily, I also wanted to let you know that this application will be recommended to the Marijuana Control Board as **not meeting**the requirement of a freestanding licensed retail marijuana store.

Respectfully,

Jane P Sawyer
Occupational Licensing Examiner|Alcohol & Marijuana Control Office
550 W 7th Avenue, Ste. 1600, Anchorage, AK 99501| 907-269-0350

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

June 12, 2019

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

Re: Application for addition of Onsite Consumption Endorsement to Retail Marijuana Store License #18187

Dear applicant,

The AMCO Office has reviewed the documents submitted for the onsite consumption endorsement application for the license referenced above. This letter is notice under 3 AAC 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.**

- **MJ-28b OCE Operating Plan Supplemental**
  - Page 2:
    - 1.2-The pictures of the building you submitted were insufficient, you only submitted picture of the front. Please provide pictures of each side of the exterior (front, sides, back).
  - Page 3:
    - First box below 2.6: add to your answer in this box and describe how tall the fence is going to be and what kind of material you will be using to construct the fence and make it sight-obscuring.
    - Second box below 2.6: your answer in this box in not sufficient. You need to describe the neighboring uses (what are the neighboring businesses/buildings etc. used for), and how your outdoor consumption area is compatible with those neighboring uses. Attach an aerial photo that labels the neighboring businesses/buildings and their usage.
  - Page 5:
    - 6.2-add to your answer in this box and explain what happens to the marijuana or marijuana product sold to a consumer but that is **not** specifically for onsite consumption. In your example "*If they want to buy a larger amount of flower and consume some onsite, our budtenders can split off a small amount of the larger package into one specifically for onsite and seal up the rest.*" What happens to 'the rest'? The 'left over' marijuana or marijuana product may not be introduced into the onsite consumption area.

- **MJ-07b OCE Mailed Notice Affidavit**
  - It appears that you only notified property owners of the outdoor marijuana consumption area. You also need to notify the residents and occupants of those properties. Please notify the residents, occupants of those properties and submit a brand new MJ-07b with the list of those residents, occupants to whom you mailed the notice.
  - Please include a copy of the notice you mailed.

- **Proof of Possession for Consumption Area**
  - Provide a properly executed amendment to your lease from Double G Investments that clearly leases to the Fairbanks Cut, LLC the outside area that is intended for the onsite consumption.

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,

Jane Sawyer, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov

From: Marijuana Licensing (CED sponsored)
To: "lbosshart@dankorage.com"
Cc: Marijuana Licensing (CED sponsored)
Subject: Incomplete Application Notice-OCE-The Fairbanks Cut, LLC 18187
Date: Wednesday, June 12, 2019 12:37:00 PM
Attachments: 18187 Incomplete Application Notice.pdf

Hello,

Your Onsite Consumption Endorsement application has been reviewed, attached is correspondence regarding corrections, additional documents, and/or resubmittals that need to be addressed.

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 Letter.

Please let me know if you need copies of the transfer paperwork I have. I want to make sure you receive this email and its attachment first. Send any documents/correspondence to marijuana.licensing@alaska.gov

Respectfully,
Jane Sawyer
Occupational Licensing Examiner
Alcohol and Marijuana Control Office
550 W 7th Avenue Ste. 1600
Anchorage, AK 99501
907-269-0350