

- A
- C. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, precludes, or impairs the use of the surrounding properties for the primary uses listed in the underlying zoning district.

Granting a conditional use permit and allowing Green Leaf to conduct marijuana cultivation related activities would likely enhance the use of the surrounding properties by bringing more commerce to the district. Holland America cruise lines announced they will be using the deep water dock across the street for 80% of landings for 2016. Green leaf's cultivation facility would undoubtedly bring more tourist to the district. The additional customers in the area would be beneficial to surrounding businesses. The owners of these businesses would welcome Green Leaf as a neighbor.

- D. The proposed use will not result in the use of land for any purpose which may create or cause to be created any public nuisance including, but not limited to, air, land, or water degradation, noise, glare, heat, vibration, or other consideration which may be injurious to the public health, safety, and welfare.

Nothing conducted at Green Leaf's marijuana cultivation facility, past, present or future would be considered injurious to the public health, safety or welfare. In fact additional state controls are in place to insure public health, safety and welfare are held in high regard in relation to Green Leaf's cultivation facility.

- E. The proposed use will be reasonably compatible with existing or planned neighboring uses based on review of the following:

The basic design of the site is complete and had previously been reviewed by Sitka's building department.

**2. Visual elements (scale, structural design and form, materials and so forth)**

Except for exterior signs, no change of scale, structural design, form or materials are planned, in addition to what has been presented in this application

**3. Noise**

There will be some ambient noise outside of the building related to marijuana cultivation, but nothing that would be unreasonable or out of the norm, and certainly within city codes for acceptable decibel levels for commercial zones.

**4. Noxious odors**

None

A-1

5. **lighting**

The parking lot has existing illumination with lights fixed to the building. Green Leaf will also be adding additional lighting to adhere to states security requirements.

6. **Signage**

After approval is granted for conditional use, an external sign will be attached to the build in compliance with state administrative code -4800 square inches.

7. **Traffic**

none

8. **Effects on parking**

The current parking is not shared so no effect is anticipated.

9. **Effects on air quality and water quality**

None

Conclusion

We respectfully request approval of the special use permit based upon the facts presented herein. Green Leaf Inc will not only enhance the properties and businesses nearby, but also serve the greater Sitka community.



Alcohol and Marijuana Control Office

550 W 7<sup>th</sup> Avenue, Suite 1600

Anchorage, AK 99501

[marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

Alaska Marijuana Control Board

Operating Plan Supplemental

Form MJ-04: Marijuana Cultivation Facility

Describe the marijuana cultivation facility's waste disposal arrangements:

Green Leaf, Inc. will implement a thorough Deposal Plan to safeguard marijuana consumers, Green Leaf, Inc.'s employees, and the community from the potential hazards presented by marijuana waste. The expected waste that Green Leaf, Inc. will be disposing of includes: (1) waste from marijuana flowers, trim, and solid plant materials; (2) marijuana that is identified as infected or fails to meet quality testing; (3) marijuana plant waste; (4) run off water from the plants during cultivation; and (5) medium used for cultivation and root matter. Green Leaf, Inc. will ensure that all marijuana waste is rendered unusable prior to leaving the facility. The manager will maintain a log on the status of all marijuana waste, tracking the type of waste, the date it was rendered unusable, and the date that it was picked up by the disposal company. To render marijuana unusable, Green Leaf, Inc. will grind and encapsulate the marijuana waste with other non-compostable or compostable solid wastes so that the resulting mixture is at least fifty percent (50%) non-marijuana waste. Non-compostable solid wastes include paper waste, plastic waste, cardboard waste, and soil. Compostable solid wastes include food waste, yard waste, and vegetable-based grease or oil. The manager will ensure that the resulting mixture is composed of no more than fifty percent (50%) marijuana by volume and will log the composition of the mixture in the disposal log, which will be made available to the AMCO upon request. The disposal log will be kept as part of Green Leaf, Inc.'s business records. Marijuana waste will be rendered unusable using this method a minimum of once per day, before the facility closes. Once rendered unusable, marijuana will be securely stored in locked containers located on the premises. All bins will comply with the highest UL standards, and only authorized personnel will have access to the bins that lock and unlock the disposal containers. The disposed marijuana will not be stored outside the facility at any time. Twice a week, a waste truck will collect the waste and dispose of it. To ensure tracking and to ensure that no diversion occurs, the manager will meet with the waste truck driver and collect a signature and the name of the waste truck driver, the date, time, and the type of marijuana waste being collected. The information will be entered into the disposal log, which will be securely stored and made available to the AMCO upon request. The manager will make arrangements with the disposal company if ever the dumpsters are full prior to pick-up.

#### Section 4 – Odor Control

Review the requirements under 3 AAC 306.430, and identify how the proposed premises will meet the listed requirement.

Describe the odor control method(s) to be used and how the marijuana cultivation facility will ensure that any marijuana at the facility does not emit an odor that is detectable by the public from outside the facility:

The facility will be constructed and outfitted to maximize odor control efforts through the strategic use of climate control, air filtration, ventilation, and exhaust. The air filtration and circulation systems will be essential to controlling heat buildup and eliminating exhaust odors. The air circulation in the facility will be designed in conjunction with the grow lights to counteract the heat emission from the lighting system. Exhaust fans will be fixed to eliminate heat and excess oxygen. Green leaf has calculated the following water removal calculations, which will play a crucial role in removing with odor from exhausted air via HVAC.

##### Green Leaf Drying Room Specifications

###### VOLUME CALCULATIONS

7 sq ft of shelf required for 20 oz wet product  
7.5 sq ft per shelf (30" x 36")

9.25 lbs dried per week  
148 oz dried yield per week  
370 oz wet yield per week (2.5 x 1)  
20 oz wet per shelf  
18.5 shelves required for drying  
9 inches between shelves  
9 shelves per rack  
2 racks per week  
15 sq ft of floor area per week for racks

Note: shelves are constructed of fine metal screen

###### WATER REMOVAL CALCULATIONS

20 oz wet product yields =>  
8 oz dried product = 2.5:1

9.25 lbs dried per week  
148 oz dried yield per week =>  
370 oz wet yield per week  
222 oz of water removed  
16 oz per pound  
14 pounds of water removed  
8.34 pounds per gallon  
1.66 gallons removed  
128 fl oz per gallon  
213 fl oz removed  
16 fl oz per pint  
13.3 pints removed per drying cycle



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- (E) waste disposal arrangements;
  - (F) odor control; and
  - (G) the testing procedure and protocols the marijuana cultivation facility will follow.

### 3 AAC 306.425. Marijuana handler permit required

A marijuana cultivation facility shall ensure that each licensee, employee, or agent who is required or permitted to be physically present on the licensed premises at any time

(1) obtains a marijuana handler permit as provided in 3 AAC 306.700 before being present or employed at the marijuana cultivation facility's licensed premises; and

(2) has the marijuana handler permit card in the person's immediate possession, or a valid copy on file on the premises, at all times while on the marijuana cultivation facility's licensed premises.

### 3 AAC 306.430. Restricted access area

(a) A marijuana cultivation facility shall conduct any operation in a restricted access area in compliance with 3 AAC 306.710 and this section.

(b) A marijuana cultivation facility shall conduct any marijuana growing operation within a fully enclosed secure indoor facility or greenhouse with rigid walls, a roof, and doors. Where not prohibited by local government, outdoor production may take place in non-rigid greenhouses, other structures, or an expanse of open or cleared ground fully enclosed by a physical barrier. To obscure public view of the premises, outdoor production must be enclosed by a sight-obscuring wall or fence at least six feet high.

(c) A marijuana cultivation facility shall ensure that any marijuana at the marijuana cultivation facility

(1) cannot be observed by the public from outside the marijuana cultivation facility; and

(2) does not emit an odor that is detectable by the public from outside the cultivation facility except as specifically allowed by a local government approval.

(d) A marijuana cultivation facility shall have full video

# Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 06/27/2018

Licensee: Aaron Bean

DBA: Green Leaf

License #/Type: Standard Marijuana Cultivation Facility

Address: 4614 Halibut Pt. Rd, C-2,3,& 4, Sitka 99835

AMCO Case #: AB18000767

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 05-24-2018 AMCO Enforcement was sent an odor complaint via email regarding Green Leaf #10066 located in Sitka, AK. I, Investigator Johnson traveled to Sitka to investigate the complaint. Upon arrival, a strong odor of marijuana was smelled beginning at the entrance to the property from the Halibut Point Road and all along the front of the building which houses both the retail and cultivation of Green Leaf. I contacted the licensee, Aaron Bean who informed me they had some work done recently and the city had signed off on everything. I informed him of what I smelled and instructed him to check his carbon filters and have this issue taken care of immediately.

This is a violation of 3 AAC 306.430(c)(2)

I CAN'T  
FIND A RECORD - OK  
OF THIS WORK  
BEING SIGNED OFF  
BY CITY

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

\*Please send your response to the address below and include your Marijuana Establishment License Number in your response.

Alcohol & Marijuana Control Office  
ATTN: Enforcement  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501  
[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: S. Johnson

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

**Subject:** Green Leaf odor  
**From:** Connor Nelson (keystone99835@yahoo.com)  
**To:** michael.scarcelli@cityofsitka.org; vnelson1102@gmail.com;  
**Date:** Tuesday, June 5, 2018 4:14 PM

Mike -

Thanks for stopping out and checking on the problem, you mentioned you had some recommendations for Aaron. While it's great we have folks in your position that are willing step up to help solve these issues, I'd caution you to be very careful. It's Aaron's responsibility to hire professional parties to design and recommend a solution. Once you make a recommendation and it doesn't resolve the issue, then you own part of the issue, trust me, it'll come back to bite you.

Connor Nelson  
PO Box 2094  
Sitka, AK 99835  
Keystone Associates, Inc.



**Analysis:** odor was perceived. Odor reduction was perceived after filtration was upgraded. Director perceives this odor level to be similar to odor level with the majority of other marijuana businesses in town. Parking availability is more than adequate and any reduction to available parking is a private issue. No signs of waste-water being dumped outside were observed.

**Recommendation:** leave the permits as-is. No corrective action is needed. Greenleaf, Inc. took corrective action upon notice of alleged violation regarding odor. In the alternative, reschedule a new hearing to modify all existing permits to add more robust odor control features and to address allegations regarding parking.

11/11