



# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-8158

Email: [permitcenter@matsugov.us](mailto:permitcenter@matsugov.us)

**PAID**  
0417

Matanuska-Susitna Borough  
Development Services

MAY 19 2020

## CONDITIONAL USE PERMIT FOR MARIJUANA RELATED FACILITIES – MSB 17.60

Received

Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Incomplete applications will not be processed.

### Application fee must be attached:

\$1,000 for Marijuana Retail Facility  
 \$1,000 for Marijuana Cultivation Facility

Prior to the public hearing, the applicant must also pay the mailing and advertising fees associated with the application. Applicants will be provided with a statement of advertising and mailing charges. Payment must be made prior to the application presentation before the Borough Planning Commission.

### Required Attachments for a Marijuana Cultivation Facility:

Wastewater and Waste Material Disposal Plan – 17.60.160 (A)  
 Odor Mitigation and Ventilation Plan – 17.60.160 (B)  
 Hazardous Chemicals Information – 17.60.160 (C)  
 Security plan – 17.60.160 (D)

### Required Attachments for Both Retail and Cultivation Facilities:

Documentation demonstrating full compliance with applicable fire code – 17.60.150 (D) (2)

Subject Property: Township: 19N, Range: 1E S.M., Section: 39, Meridian: \_\_\_\_\_

MSB Tax ID# 6381000L001

SUBDIVISION: Gold Nugget BLOCK(S): \_\_\_\_\_, LOT(S): 1

STREET ADDRESS: 9300 N. Palmer-Fishhook Rd., Palmer, Alaska 99645

FACILITY / BUSINESS NAME: Hatcher's Grass

**Ownership:** A written authorization by the owner must be attached for an agent or contact person, if the owner is using one for the application. Is authorization attached?  Yes  No  N/A

Name of Property Owner

James Sullivan

Name of Agent / Contact for application

Jana Weltzin

Mailing: PO Box 713, Palmer, Alaska 99645

Mailing: 901 Photo Ave., Anchorage, AK 99503

Phone: Hm \_\_\_\_\_ Fax \_\_\_\_\_

Phone: Hm \_\_\_\_\_ Fax \_\_\_\_\_

Wk 9070714583 Cell \_\_\_\_\_

Wk 6309131113 Cell \_\_\_\_\_

E-mail thefrostyflower@gmail.com

E-mail jana@jdwounsel.com

<b>17.60.170 Standards for Marijuana Retail Facilities:</b>	<b>Attached</b>
Describe how the subject parcel is appropriate for the proposed conditional use. Include information detailing: <ul style="list-style-type: none"> <li>• The proximity of the proposed use to existing businesses;</li> <li>• The proximity of parcels developed with residential uses;</li> <li>• Whether the roads associated with the proposed use have been, or will be, appropriate for commercial use; and</li> <li>• Proposed hours of operations.</li> </ul>	Attached
Provide information showing minimum parking standards have been met as required by MSB 17.60.170 (B) and (C).	Attached

<b>Floor Plan for Marijuana Retail Facilities – Attach a detailed, to scale, floor plan clearly showing the following information:</b>	<b>Attached</b>
Dimensions of all structures.	Yes
Interior floor plans (specific location of the use or uses to be made of the development).	Yes
Net floor area square footage calculations.	Yes

**OWNER'S STATEMENT:** I am owner of the following property:

MSB Tax account #(s) 6381000L001 and, I hereby apply for approval of a conditional use permit to operate a marijuana related facility on the property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.60 and with all other applicable borough and state.

I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorization may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety and welfare and ensure the compatibility of the use with other adjacent uses.

I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, and at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.

 James Sullivan 4/20/20  
Signature: Property Owner Printed Name Date

 JANA Weltun 5/18/2020  
Signature: Agent Printed Name Date

**RETAIL MARIJUANA FACILITY**  
**CONDITIONAL USE PERMIT**  
**NARRATIVE**

**Hatcher's Enterprises, LLC., dba**  
**Hatcher's Grass – a locally owned**  
**and operated business**

Submitted: May 18<sup>th</sup>, 2020  
Hearing Date: \_\_\_\_\_, 2020  
Prepared by:



**JDW, LLC**  
**Jana D. Weltzin, Esq.**  
**901 Photo Avenue**  
**Anchorage, AK 99503**  
**[jana@jdwcounsel.com](mailto:jana@jdwcounsel.com)**  
**630-913-1113**  
**907-231-3750**

**On behalf of:**  
**Hatcher's Grass**

**Required attachments for a marijuana retail facility conditional use permit narrative:**

*Is the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the surrounding area?*

The proposed use is compatible with adjacent properties and fits succinctly into the areas commercial/industrial vibe, previously, the parcel was vacant and undeveloped. The entire retail licensed area, including the office space, will be 768 sq. feet. The proposed use, and its co-located commercial marijuana cultivation, fits into the harmony of the surrounding uses both in size and design. The facility is located on a 4.910 acre parcel located in the Golden Nugget Subdivision of the Matanuska-Susitna Borough. Situated to the west side of the property is bounded by vacant lands, Across the road there is a restaurant called "Mad Hatcher", to the South of the proposed use is the co-owned limited marijuana cultivation facility. Therefore, the proposed use will not detract from the character, value, integrity of the surrounding area. The facility will not produce any noise pollution and has an odor control method in place.

Steps have been taken to reduce the potential negative effects of the proposed use upon adjacent properties. The facility design utilized natural landscape screening, larger than required setbacks, and incorporated a rustic architectural design to increase the appearance of the Palmer-Fishhook Hwy.

The proposed use will meet all compatible uses allowed on adjacent properties and will improve the overall neighborhood as the premises will not emit odor, will not produce excess dust, will have limited noise as compared to adjacent properties, and will have off-street parking and loading in order to cut down on traffic generation in front of the premises and on the street thus fitting in with adjacent property uses. As detailed in the attached site plan, there will off-street parking, that is at least 20 feet in length, ten feet in width and will have appropriate accessibility spaces under the Americans with Disabilities Act.

While odor control will be important for the co-located cultivation, it is not expected that the retail facility will generate smell, but regardless the retail will have odor controls. This retail facility will not detract from the value, character and integrity of the surrounding area.

The facility will be equipped with a 24-hour monitoring alarm system, exterior motion detecting lighting and video surveillance. All entrances are secured by commercial locking mechanisms and video surveillance to capture individuals within 20 feet. Inside the licensed premises, video surveillance will cover all areas of the facility (with the exception of the bathroom) 24/7 (which is stored for a minimum of 40 days) to monitor and identify all activity. Customers must have their identification checked prior to entering the marijuana store. All customers will be observed for signs of impairment to ensure that Hatcher's Grass does not sell marijuana and marijuana products to a person that is already intoxicated.

In the event a non-employee/agent of the company needs to go in a restricted access area, the company visitor policy will be adhered to. A visitor will need to show their valid photo identification, and obtain a visitor badge, to be worn and clearly displayed at all times while visiting the restricted access areas. All visitors must be pre-approved by the Licensee or

management (with the exception of AMCO agents, and law enforcement) - there should be no un-scheduled and un-expected visitors. To maintain the security of the facility and all marijuana products, access to the facility will be monitored and restricted at all times. Access will only be granted to employees and licensees, AMCO agents, law enforcement and the limited exception of scheduled pre-approved visitors. Additionally, Hatcher's Grass exterior signage will indicate that any members of the public are not allowed unescorted access and will be clearly displayed on the door. Distinct and apparent cameras will be placed throughout and around the facility to encourage people to not attempt access.

*Will the granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?*

No – Hatcher's Grass retail establishment has a security system and plan, diversion control policies, loitering check plan for the retail facility.

The facility is a commercial retail facility and will only allow access to those who are at least 21 years of age or older. No persons will be allowed access to any marijuana or marijuana products at any time.

- ✓ All marijuana and marijuana products will be displayed in locked display cabinets for customers to view. The area behind the cabinets will be a restricted access area and signage will be displayed accordingly. Employees will open the cabinet from within the restricted access area and place product into exit packaging at the cash register before handing it to the customer. Once a customer's transaction is complete, they will be instructed by an employee to exit the store as shown in the premises diagram.
- ✓ In order to ensure Hatcher's Grass will only allow access to persons over the age of 21, the retail establishment will check the ID of every person attempting to enter the retail store. Anyone under the age of 21 or who does not produce a valid form of photo ID issued by a federal or state agency authorized to issue ID cards will be asked to leave the premises. Any employee checking ID's will have a valid marijuana handler permit and be trained to recognize altered/forged photo ID's.

Additional protections to ensure the prevention of any negative impact on the public health, safety, convenience, and welfare:

✓ The facility will be equipped with a 24-hour monitoring alarm system, exterior motion detecting lighting and video surveillance. All entrances are secured by commercial locking mechanisms and video surveillance to capture individuals within 20 feet. Inside the licensed premises, video surveillance will cover all areas of the facility (with the exception of the bathroom) 24/7 (which is stored for a minimum of 40 days) to monitor and identify all activity. All visitors must be preapproved by management (with the exception of AMCO agents, and law enforcement). To maintain the security of the facility and all marijuana products, access to the facility will be monitored and restricted at all times. Access will only be granted to employees and licensees,

AMCO agents, law enforcement and the limited exception of scheduled pre-approved visitors and those customers over the age of 21. Distinct and apparent cameras will be placed throughout and around the facility to encourage people to not attempt unauthorized access.

✓ On-site video surveillance will continuously monitor all areas of the premises where marijuana is present, including areas where marijuana packaged, sold, and stored. Employees will perform mandatory inventory counts each week, check counts against METRC records, and document the reports as official business records. Hatcher's Grass will not tolerate any theft and diversion, and all employees will complete mandatory training in recognizing such activity. Hatcher's Grass Licensee and management understands that diversion can happen in two ways - inversion and diversion - and is equally profitable diverting product out of the legal system as it is diverting product from the illegal system into the legal market. In the event that an employee is caught stealing marijuana, OR infusing the facility with non-regulated black-market product, Hatcher's Grass will notify local law enforcement immediately, comply with all directives, and provide all necessary information and records for the investigation. Ownership will take the necessary steps to ensure that illegal conduct by an employee does not compromise the facility's license and legitimate business operations. Once a theft is reported, ownership will update the product records in the tracking system, as needed, to maintain an accurate and comprehensive accounting for all marijuana products and inventory. Ownership will comply with all inquiries and investigations lodged by AMCO as a result. Documentation related to marijuana theft will be maintained as a business record for five (5) years and made available to AMCO upon request. Video recordings will be stored for forty (40) days. Cameras will provide a full view of the grow areas, entryway, safes, money counting areas, and product packaging areas. Security monitors and video recording equipment will be located onsite.

✓ Qualified candidates will be hired on a probationary period during which time they will receive training and evaluation specific to their position. Training will include marijuana industry topics; customer care, food handling, safety precautions and procedures; legal issues; and state, local, and federal regulations. Training will take place throughout the year, as well as when topics arise that need further explanation. James will personally present training and education to employees. Within the probationary period, all new employees will be required to meet with James to learn the company's business approach and to adopt the standard of service. Educational packets will be provided to each retail employee to be read and review. The educational packets will discuss relevant cannabinoids in the marijuana plant, strain ratios, marijuana benefits and risks, and general Alaska marijuana law. Packets will also include safety procedures that specifically address the facility's security measures and controls for the prevention of diversion, theft, and loss of marijuana such as emergency response procedures and state and federal statutes regarding confidentiality. As proper safety and security procedures are of the utmost importance to James, the most up-to-date reading materials will be available to employees at all times. The Licensee or Management will conduct quarterly staff meetings with the purpose of updating all employees on new state and local regulations, assuring that each employee is performing within company procedure, assessing any procedural changes that are needed, and addressing any comments or

concerns from the staff. Prior to beginning work, employees will be expected to understand: (1) Alaska laws, regulations, and codes governing the marijuana industry and marijuana establishments; (2) all of the permitting requirements to act as a marijuana handler (including obtaining a Marijuana Handler card from a state approved course provider prior to commencing employment) and to work in a marijuana establishment; (3) Hatcher's Grass standards, operational protocol, and best practices with regard to retail and sale of marijuana; (4) general safety procedures and security protocol; (5) how to think defensively if threatening situations occur, and how to recognize the signs of impairment, drug abuse, and instability; (6) in-depth information about our particular strains and marijuana related products; (7) in-depth information on the requirements of each room, task, and system; (8) the general federal, state, and local employment regulations by which Hatcher's Grass, is governed; and (9) retail-specific education. To ensure full coverage for each position, all employees will be cross-trained on the requirements of each job

✓ Hatcher's Grass will have a "No Loitering" sign clearly posted on the exterior of their facility. If an employee suspects that a person is loitering outside the licensed premises, they will be given a verbal warning that law enforcement will be notified and asked to leave the premises. Trained employees will maintain regular periodic checks around the property to deter any unauthorized entrance or loitering around the facility. Motion detectors will be rigged to the exterior lighting system, in addition to the stationary lights, to allow for additional security measures during closed hours and provide extra lighting for all surveillance recordings. Both stationary and motion sensitive exterior lighting will be shielded and downward directional to mitigate any unwanted light pollution to neighboring properties. The facility's architectural design incorporates downward lighting into the canopies that will project light on to the building and downward. There will also be light poles to illuminate the parking area, again the light poles lighting units will be shielded and directed in a downward fashion. This is all congruous with the highway commercial corridor. The alarm system will monitor for intrusions with motion detectors on all access points to the licensed facility, office, and secured storage structure during closed hours. Live security footage will also be accessible to James or the manager via their cellular phones, so they may keep an eye on the facility even when they are away. Any unauthorized or attempted intrusion will prompt an automatic, electronic alert to the security company who will then contact local law enforcement and ownership. All alarm systems and devices will be tested every six (6) months.

*Are there sufficient setbacks, lot area, buffers and other safeguards being provided?*

As described above, Hatcher's Grass is located within a 4.910 acre parcel. This application and the layout of Hatcher's Grass meets the required setbacks, buffers, and lot area. The entire retail operation is enclosed in a commercial grade building.

There will be plenty of onsite parking developed on the site for this use.

The facility has incorporated all measures to reduce the negative effects of the surrounding properties including but not limited to natural landscaping screening, large setbacks, and a modern architectural design to increase the appearance of the N. Palmer-Fishhook Hwy.

The facility will not produce any noise pollution and has an odor control method in place. A robust security plan and no loitering policy will be implemented and thoroughly communicated to all employees. Additional safeguards include the following:

✓ The lighting fixtures will be positioned at an inaccessible height with sturdy housings to deter vandalism and common obstructions. The bulbs will be extremely bright to maximize visibility and deter crime. The exterior lighting will be checked daily by the manager on duty to ensure that each light in the system is operational, and that each mount is positioned for optimum recording clarity and to deter unauthorized presence on the premises. The buildings architectural design incorporates downward lighting into the canopies that will project light on to the building and downward direction to prevent light from encroaching to neighboring property. There will also be light poles to illuminate the parking area.

✓ A third-party security company will install the alarm system and to monitor the electronic notifications in the event the alarm is triggered 24/7. The installation company will periodically come and check and maintain the equipment.

Does the conditional use fulfill all other requirements of MSB Chapter 17.60 pertaining to the conditional use of this section?

Yes.

Describe measures being taken to prevent potential negative effect upon other properties in the area due to such factors as noise and odor.

The proposed use will have limited noise compared to adjacent properties. Hatcher's Grass does not anticipate any noise to come from the retail facility, and if any noise is to be produced it will be comparable to surrounding land uses. The roads that serve the facility and surrounding uses do not appear to be used currently to their maximum capacity, therefore, any increase in traffic flow on the roads serving the area will be sufficient to serve the area with this new proposed retail use.

James will abide by a strict no odor policy per MSB 17.60.150(A)(1) that will ensure no odor is detectible by the public from outside the facilities as required by 3 AAC 306.420(a)(2)(F) and 3 AAC 306.430(c)(2). This use is a retail establishment and should not have any issues with odor seeping out from the retail to the outside air. However, in abundance of caution, odor control methods will be utilized and will consist of a number of methods meant to eliminate odors by utilizing methods including sealed containers and air sanitizers throughout the building and when transporting marijuana to/from the premises. All marijuana at the retail facility will be either pre-packaged in smell proof packaging for sale, deli style enclosed jars that are only opened to take product out for sale to a customer and is repackaged prior to exiting the facility, or in enclosed jars in small amounts for customers to smell. Hatcher's Grass does not anticipate any odor from its retail facility.

Describe how use is compatible with the character of the surrounding area.

The facility is compatible with the character of the surrounding area as it borders on a largely commercial corridor, with other existing businesses, and not much residential nearby. There are also some vacant land parcels nearby that have yet to be developed. The business/industry character of the surrounding parcels and uses are a good fit for a co-located cultivation and retail facility.

Current status of State License Application Process.

The Application has been deemed complete by the Alcohol and Marijuana Control Office and was approved by the Marijuana Control Board at its April 2020 Marijuana Control Board quarterly meeting.

Misc. Items and Information.

Please see attached parking layout diagram, which complies with MSB 17.60.170(B) and (C).

Proposed hours of operation for the retail store shall be 8am to 12am Monday-Sunday.

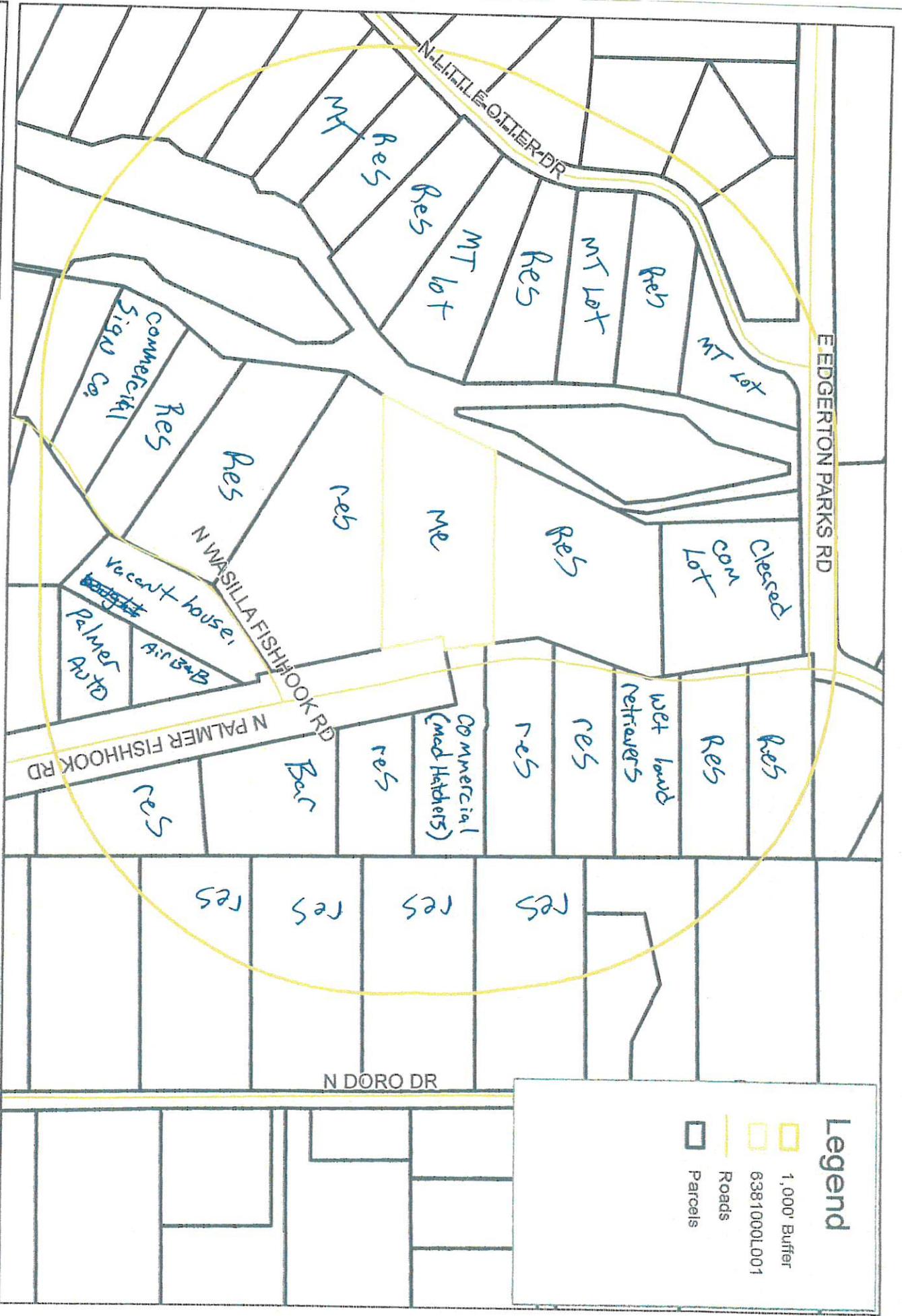
Number of employees on site for the retail will be between 3-5, depending on the customer flow and shifts.

The applicant is actively putting together all the information and required drawings for Fire Marshal Review application and shall supplement this submission with Fire Marshal Compliance once he receives approval from the Fire Marshal.

Thank you for your consideration of this conditional land use application.

This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function or capabilities of the map or the suitability of the map for any particular purpose. It is for those originally intended by the Borough. For information on the map, please contact the Planning and Zoning Station Borough GIS Division at 607-431-1801.

Date: 3/19/2020



E EDGERTON PARKS RD

N LITTLE OAK DR

N WASILLA FISHHOOK RD

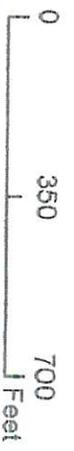
N PALMER FISHHOOK RD

N DORO DR

**Legend**

- 1,000' Buffer
- 6381000L001
- Roads
- Parcels

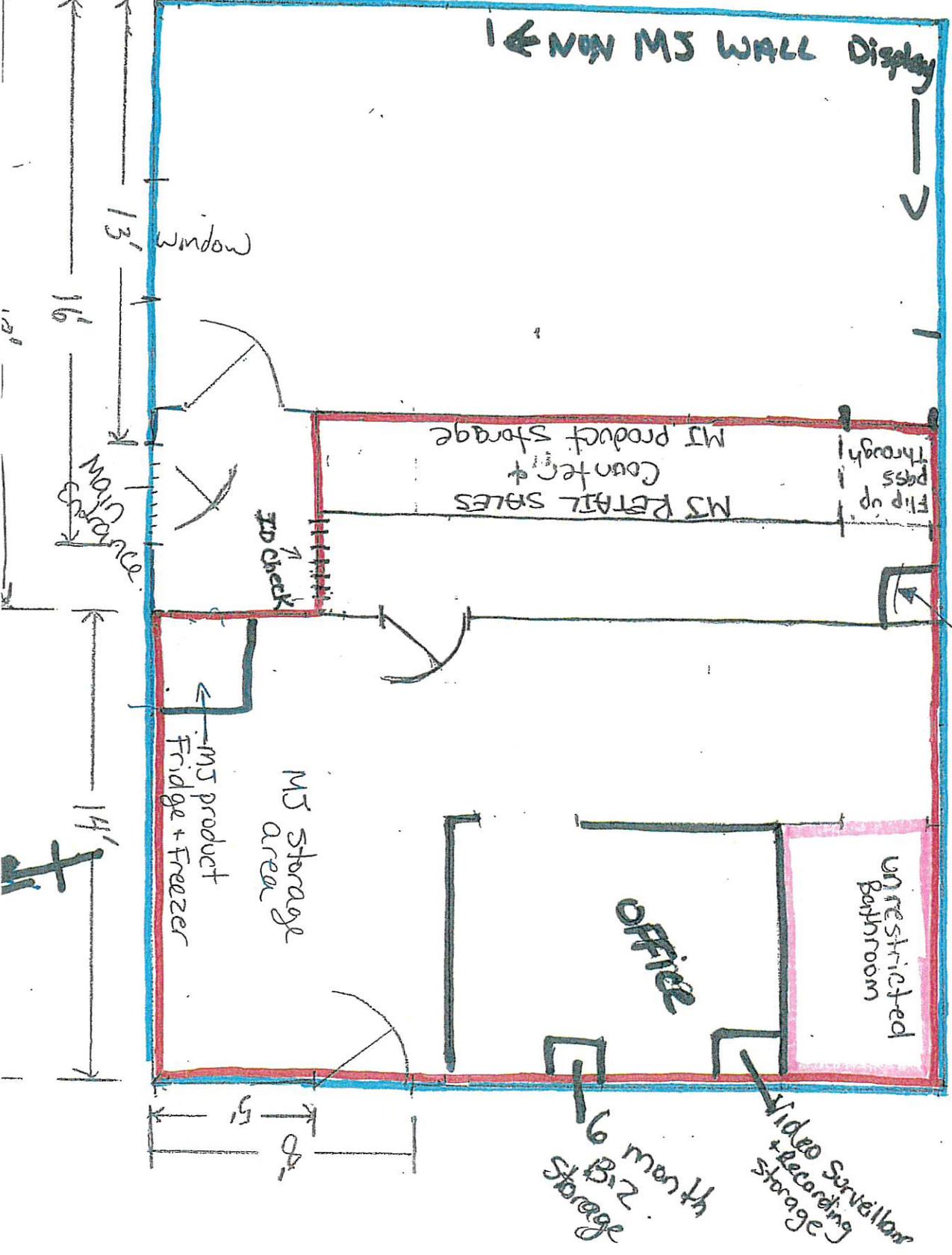
1 inch = 350 feet



# Hatcher's Enterprises, LLC License # 23455

## Diagrams 1 & 2

- - Proposed Licensed Premises
- - Restricted Access AREA
- - UN restricted Bathroom
- ||||| - ID check





## MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-8158

[www.matsugov.us](http://www.matsugov.us)

June 10, 2020

Jana Weltzin  
On behalf of, Hatcher's Grass  
901 Photo Ave  
Anchorage AK 99503

SUBJECT: Conditional Use Permit Application – Request for Required Information  
LOCATION: 9300 N. Palmer-Fishhook Road (Tax ID: 6381000L001)

Dear Ms. Weltzin,

Borough staff has reviewed the application material and the site plan(s) submitted on May 19, 2020 for a Conditional Use Permit to operate a marijuana retail facility under MSB 17.60 on the above referenced property. It has been determined that the following information needs to be provided and/or clarified in order to process this request:

1. The application material indicates there will be ample parking provided for the use, but does not include the number of parking spaces, or ADA compliant spaces that will be provided. MSB 17.60.170(B) requires: *"The minimum number of parking spaces for retail facilities shall be one space per 350 square feet of net floor area. Each parking space shall be at least: 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet."* MSB 17.60.170(C) requires: *"Parking spaces shall be provided to comply with current Americans with Disabilities Act guidelines."* Indicate the location and number of parking spaces (including ADA spaces) on the site plan.
2. The application material indicates the entire retail licensed area will be 768 square feet, what is the square footage on the entire structure?
3. Will there be any marijuana related waste derived from the use? If so, please detail the disposal method.
4. What is the current status of your State application with AMCO? Has the license been delegated?
5. Once acquired, provide documentation that the use is in compliance with the applicable fire code as per MSB 17.60.150(D)(2).

6. Do you have a State of Alaska Driveway Permit for access to N. Palmer-Fishhook Road? If so, please provide a copy to staff, if not, you should obtain a driveway permit for the use.

Once an application has been determined to be complete, staff will begin the public notice process. Should you have any questions or require additional information, please feel free to contact me at the above mailing address, phone: 861-7862, or email: [joseph.metzger@matsugov.us](mailto:joseph.metzger@matsugov.us). Thank you for your time and consideration on this matter.

Respectfully,



Joe Metzger  
MSB Planner II  
907-861-7862



RECEIVED  
JUN 25 2020  
MATANUSKA-SUSITNA BOROUGH  
DEVELOPMENT SERVICES

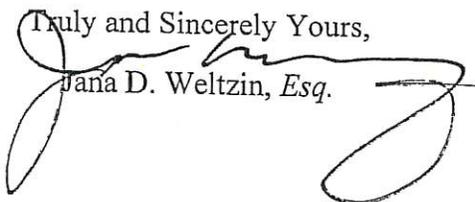
Jana D. Weltzin  
Licensed in Alaska & Arizona  
901 Photo Ave  
Anchorage, Alaska 99503  
Phone 630-913-1113  
Main Office 907-231-3750  
JDW, LLC  
jana@jdwcounsel.com

June 25, 2020

**Re: Hatcher's Grass CUP Application**

Dear: Mr. Joe Metzger, MSB Planner II

1. The location and number of parking spaces (including ADA spaces) have been added to the site plan (See Attached)
2. The entire structure is 768 square feet. The structure is 24'x32'.
3. Hatcher's Grass does not anticipate a lot of marijuana waste however, Hatcher's Grass has a disposal plan for marijuana waste and all products that do not meet state testing requirements or the company's internal quality standards for any reason. Hatcher's Grass will be disposing of: (1) marijuana that is identified as contaminated, infected, or fails to meet quality testing, (2) all packaging, labeling, containers, or other related materials which arrive at the facility with marijuana products that have been disqualified for quality, (3) expired marijuana products, and (4) any other materials or containers in contact with marijuana products that risk contamination. Marijuana waste will be stored away from all other products in a locked container inside the facility and will be rendered unusable prior to leaving the facility for disposal. Marijuana waste will be rendered unusable by grinding or mixing the materials with compostable and non-compostable material such as, food waste, cardboard, paper, and yard waste; until the resulting mixture is no more than fifty percent (50%) marijuana waste. Management will maintain a log on the status of all marijuana waste, tracking the type, date of disposal, date it was rendered unusable, and date that it was picked up by the disposal company. The final mixture will be securely stored in locked containers located inside the premises.
4. The State application was approved at the April MCB meeting.
5. Fire Marshal application is in process, once acquired documentation will be submitted to MSB.
6. We are working on resolving the DOT issue regarding the existing driveway permit and will submit any and all information obtained as soon as possible.

Truly and Sincerely Yours,  
  
Jana D. Weltzin, Esq.

RECEIVED  
AUG 19 2020

Permit No. 30279

MATANUSKA-SUSITNA BOROUGH  
DEVELOPMENT SERVICES



**State of Alaska**  
**Department of Transportation and Public Facilities**

**Driveway Permit #30279**

This permit allows the owner to construct and maintain a driveway within a State owned highway Right of Way.

**Owner:** James P. Sullivan

**Phone Number:** (907) 715-4583

**Mailing Address:** PO Box 713, Palmer AK 99645

**Driveway Location:** Palmer DW – 9300 N. Palmer-Fishhook Road - Lot 1, Gold Nugget SD, Plat 72-84, - Tax Id #6381000L001

**Design Criteria**

A.	Driveway width	24	Feet
B.	Left edge clearance	120	Feet
C.	Right edge clearance	160	Feet
D.	Left return radius	20	Feet
E.	Right return radius	20	Feet
F.	Shoulder width	2	Feet
G.	Approach angle	90	Degrees
H.	Curb type	None	
I.	Curb to sidewalk distance	Does Not Apply	
J.	Left driveway foreslope	4:1	Or match existing
K.	Right driveway foreslope	4:1	Or match existing
L.	Culvert length	N/A	Feet (field fit)
M.	Landing grade	2	Percent
N.	Landing length	20	Feet
O.	Culvert size	N/A	Inches
P.	Culvert type	Does Not Apply	
Q.	Ditch depth	N/A	Feet
R.	Shoulder type	Gravel	
S.	Road surface type	Paved	
T.	Driveway surface type	Asphalt	

This permit applies only to the Department of Transportation & Public Facilities (DOT&PF) State right of way.

Any survey monument or monument accessory that will be disturbed or destroyed during construction of the driveway must be referenced prior to the disturbance and restored or replaced by a Land Surveyor licensed in the State of Alaska. The Land Surveyor must file a Monument Record in accordance with AS 34.65.040. All monument records must be reviewed by DOT&PF prior to filing with the District Recorder.

Placement of fill material in waters of the U.S., including wetlands and streams, requires prior authorization from the U.S. Army Corps of Engineers. It is the responsibility of the owner to contact the Corps before filling activities take place. [www.poa.usace.army.mil/reg](http://www.poa.usace.army.mil/reg)

A driveway constructed under permit within a highway right of way is the property of the State, constructed under permit within a highway right-of-way is the property of the State, but all cost and liability arising from the construction, operation, or maintenance of a driveway is at the sole expense of those lands served.

DOT&PF is not obligated to change its maintenance practices to accommodate a driveway constructed under a permit, or to incur any additional expense removing snow berms or other obstructions from a driveway within a right of way resulting from DOT&PF's activities, or activities under a permit issued under 17 AAC 15.

Permittee is responsible for adjusting or relocating the driveway without cost or liability to DOT&PF if the use or safety of the highway requires that the driveway be adjusted or relocated.

This permit is not a property right but a temporary authorization, revocable by the State upon violation of any permit terms or conditions, or for other reasons. All reasonable attorney's fees and costs associated with legal or enforcement actions related to the terms and conditions of this permit will be borne by the Permittee.

A Permittee shall construct and maintain a driveway in such a manner that the highway, and all of the highway's appurtenances or facilities, including drainage facilities, pipes, culverts, ditches, traffic control devices, street lights, pathways, and sidewalks are not impaired or endangered in any way by the construction or maintenance. (17 AAC 10.20(b)) If the Permittee damages any improvements within the State right of way, the Permittee will be responsible for returning them to their previous condition. DOT&PF inspection and approval of the restored improvements is required. (17 AAC 10.065)

Permittee shall indemnify, defend, and hold harmless the State, and its officers, employees, and contractors, from any and all claims or actions resulting from injury, death, loss, or damage sustained by any person or personal property resulting directly or indirectly from Permittee's use of or activities in the permitted area.

If driveway construction or maintenance interferes with the public's safety and/or use of facilities within State owned right of way, you will be directed to stop work until adjustments are made.

If a culvert is required by this driveway permit, culvert ends must be installed at the time of construction and maintained continuously by the Permittee. Please contact DOT&PF for information about acceptable driveway markers (i.e., size, materials, distance, etc.) for placement within the right of way.

Permittee may not push or otherwise deposit upon any street, avenue, alley, sidewalk, or other public right of way any snow or ice which has been removed from a private driveway, private parking area, or the adjacent property. (13 AAC 02.530)

Permittee is responsible for sight distance clearing of brush and obstructions within the right of way adjacent to their property.

While doing construction or maintenance activities do not park equipment or stockpile material on the shoulder during non-working hours.

The Permittee will be responsible for all necessary Federal, State, and Municipal permits and licenses required by law, pay all taxes and special assessments lawfully imposed upon the permitted area, and pay other fees and charges assessed under applicable law.

This permit grants permission for construction only, allowing access to and from Permittee's property onto a State maintained highway. It does not permit the following within the right of way or within that portion of a driveway that is within the right of way: (1) Parking of vehicles "for sale"; (2) Obstructions of any kind (i.e. logs, cables, fencing, etc.); (3) Advertising signs or banners/flags; (4) Parking vehicles with signs/advertising on the side.

Attachments included as part of this permit are:

- Site Plan

I, **James Sullivan**, acknowledge and accept that (I or Corp. – Company LLC, etc.) will comply with all the provisions and conditions that the Department of Transportation and Public Facilities has included as a condition of issuing this permit.

  
\_\_\_\_\_  
Owner Signature

8/12/20  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
DOT&PF Signature  
DS

08/18/2020  
\_\_\_\_\_  
Date

**From:** [Joseph Metzger](#)  
**To:** "[Brenda Butler](#)"  
**Cc:** [Jana Weltzin](#); [Legal Counsel](#); [James Sullivan](#)  
**Subject:** RE: Hatcher's Grass RFAI 6-10-2020  
**Date:** Wednesday, August 19, 2020 10:27:00 AM

---

Received, thank you for the additional information submittal.

Have you received any documentation from the Fire Marshall that the proposed use is in compliance with the applicable fire code as per 17.60.150(D)(2)? Once we receive that documentation, we can get you scheduled for a public hearing and begin the public notice process. Thank you.

Respectfully,

Joe Metzger  
MSB Planner  
907-861-7862

---

**From:** Brenda Butler <[brenda@jdwcounsel.com](mailto:brenda@jdwcounsel.com)>  
**Sent:** Wednesday, August 19, 2020 10:00 AM  
**To:** Joseph Metzger <[Joseph.Metzger@matsugov.us](mailto:Joseph.Metzger@matsugov.us)>; Mark Whisenhunt <[Mark.Whisenhunt@matsugov.us](mailto:Mark.Whisenhunt@matsugov.us)>  
**Cc:** Jana Weltzin <[jana@jdwcounsel.com](mailto:jana@jdwcounsel.com)>; Legal Counsel <[legal@jdwcounsel.com](mailto:legal@jdwcounsel.com)>; James Sullivan <[thefrostyflower@gmail.com](mailto:thefrostyflower@gmail.com)>  
**Subject:** Hatcher's Grass RFAI 6-10-2020

[**EXTERNAL EMAIL** - CAUTION: Do not open unexpected attachments or links.]  
Good Morning Joseph,

On behalf of Hatcher's Grass, please find the attached incomplete response letter, Site Plan with Parking plan and the Fully Executed driveway permit #30279.

Please let us know if there is anything else required to deem this Conditional Use Permit as complete and when our client can put on the next agenda.

Thank you and have a wonderful day!

--

*\*\* Please REPLY ALL when responding to this Email\*\**

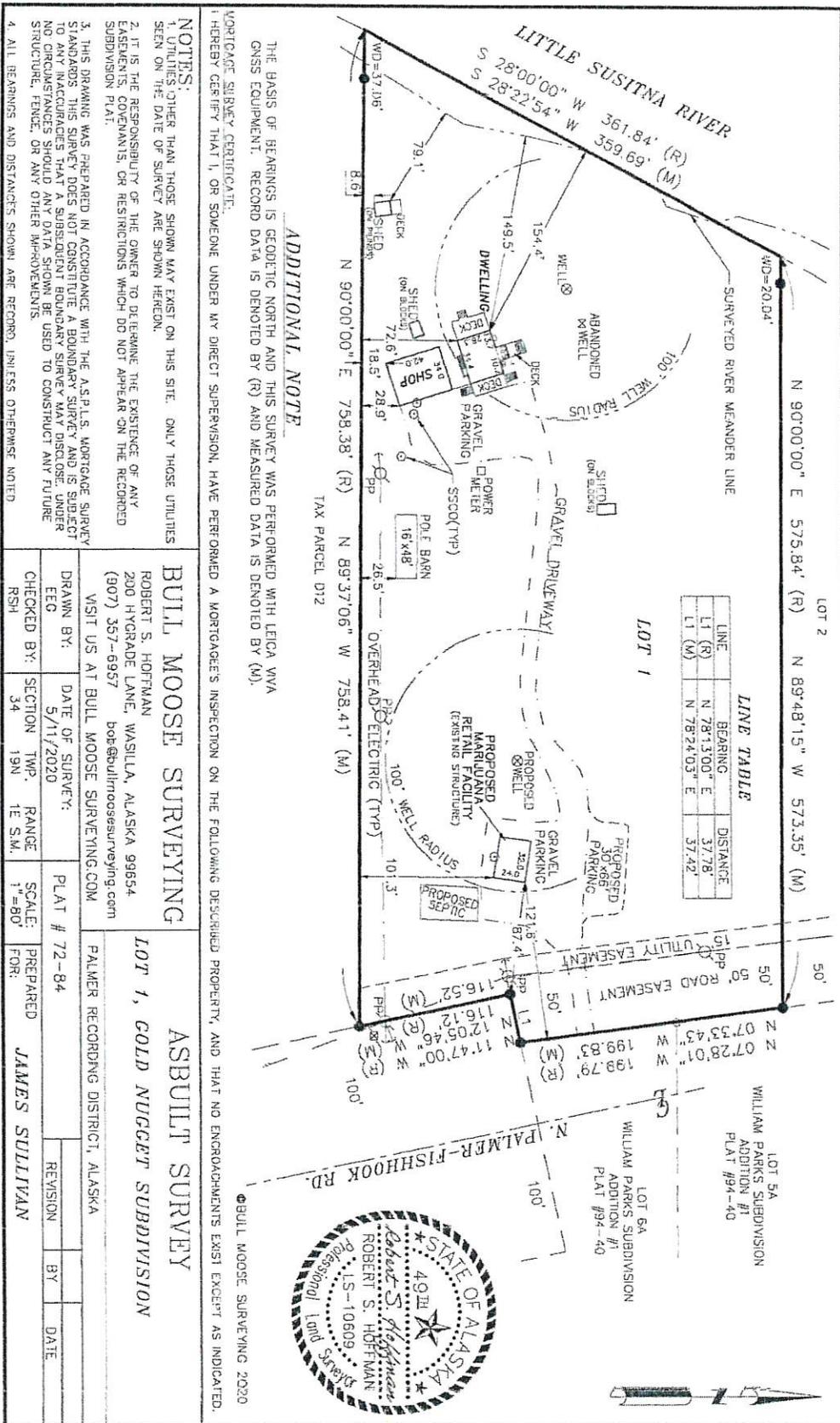
*Brenda Butler*  
JDW, LLC  
Paralegal  
& Accounts Payable/Receivable  
901 Photo Ave  
Anchorage, Alaska 99503  
907-231-3750

[brenda@jdwcounsel.com](mailto:brenda@jdwcounsel.com)  
[info@jdwcounsel.com](mailto:info@jdwcounsel.com)

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Think green, please don't print unnecessarily

SITE PLAN



State of Alaska  
Office of the State Fire Marshal  
Plan Review

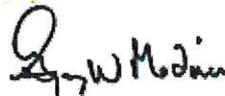
This is to certify that the plans for this building were reviewed by the *State Fire Marshal* on September 21, 2020 for conformance with AS 18.70.010 -- 100; 13 AAC 50.027.

This certificate shall be posted in a conspicuous place on the premises named Hatcher's Grass (9300 N. Palmer Fishhook Rd.) and shall remain posted until construction is completed.

**NOTICE:** Any changes or modifications to the approved plans must be resubmitted for review by the *State Fire Marshal*.

Plan Review #: 2020Anch1406

By: \_\_\_\_\_

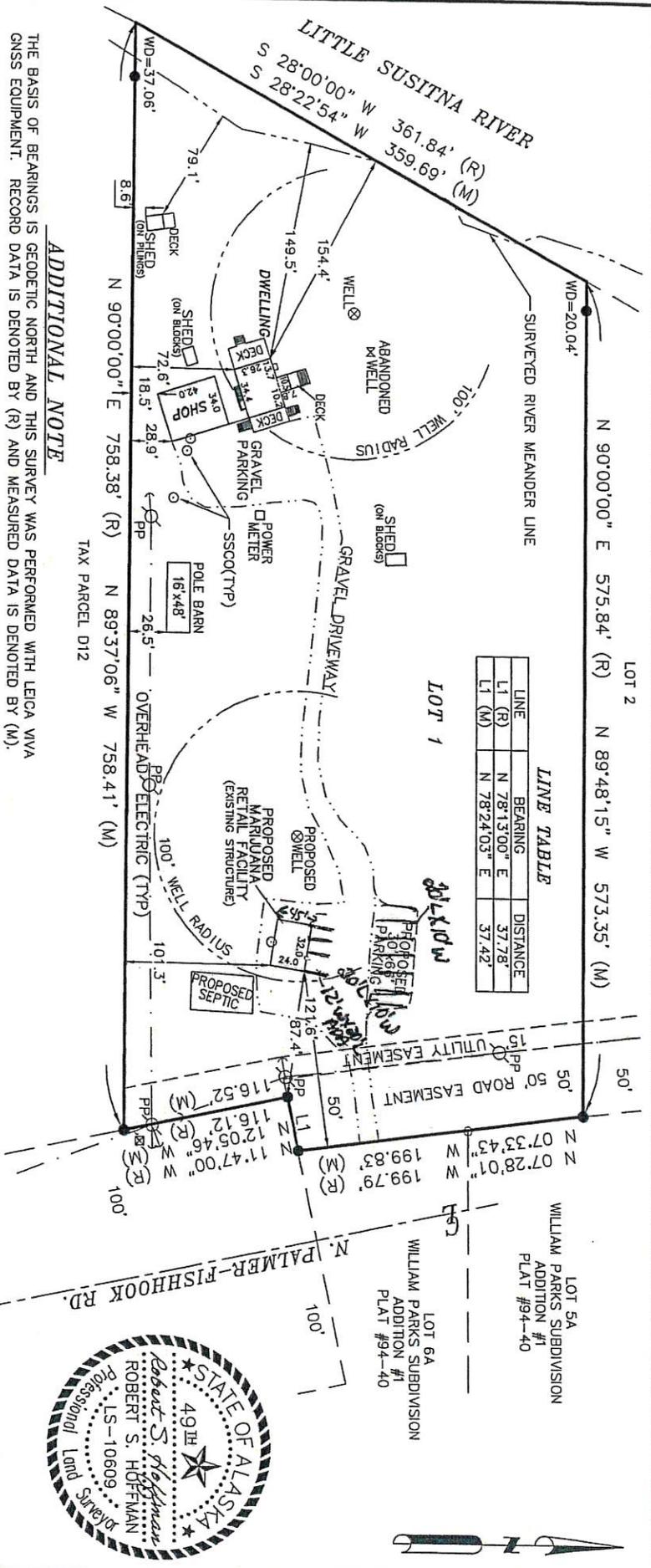


Authority: AS 18.70.080

Form: 12-741  
(6/01)

**Full Plan Review**

Greg Medina  
Plans Examiner



**LINE TABLE**

LINE	BEARING	DISTANCE
L1 (R)	N 78°13'00" E	37.78'
L1 (M)	N 78°24'03" E	37.42'

**ADDITIONAL NOTE**

THE BASIS OF BEARINGS IS GEODETIC NORTH AND THIS SURVEY WAS PERFORMED WITH LEICA VIVA GNSS EQUIPMENT. RECORD DATA IS DENOTED BY (R) AND MEASURED DATA IS DENOTED BY (M).

MORTGAGE SURVEY CERTIFICATE:  
 I HEREBY CERTIFY THAT I, OR SOMEONE UNDER MY DIRECT SUPERVISION, HAVE PERFORMED A MORTGAGEE'S INSPECTION ON THE FOLLOWING DESCRIBED PROPERTY, AND THAT NO ENCROACHMENTS EXIST EXCEPT AS INDICATED.

**NOTES:**

1. UTILITIES OTHER THAN THOSE SHOWN MAY EXIST ON THIS SITE. ONLY THOSE UTILITIES SEEN ON THE DATE OF SURVEY ARE SHOWN HEREON.
2. IT IS THE RESPONSIBILITY OF THE OWNER TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS, OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT.
3. THIS DRAWING WAS PREPARED IN ACCORDANCE WITH THE A.S.P.L.S. MORTGAGE SURVEY STANDARDS. THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY AND IS SUBJECT TO ANY INCIRCUMSTANCES THAT A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE UNDER STRUCTURE, FENCE, OR ANY OTHER IMPROVEMENTS.
4. ALL BEARINGS AND DISTANCES SHOWN ARE RECORD, UNLESS OTHERWISE NOTED.

<b>BULL MOOSE SURVEYING</b>		<b>ASBULLT SURVEY</b>	
ROBERT S. HOFFMAN 200 HYGRADE LANE, WASILLA, ALASKA 99654 (907) 357-6957    bob@bullmoosesurveying.com VISIT US AT BULL MOOSE SURVEYING.COM		<b>LOT 1, GOLD NUGGET SUBDIVISION</b> PALMER RECORDING DISTRICT, ALASKA	
DRAWN BY:	DATE OF SURVEY:	PLAT #	PREPARED FOR:
EEG	5/11/2020	72-84	JAMES SULLIVAN
CHECKED BY:	SECTION	TWP.	RANGE
RSH	34	19N	1E S.M.
		SCALE:	FOR:
		1"=80'	



©BULL MOOSE SURVEYING 2020

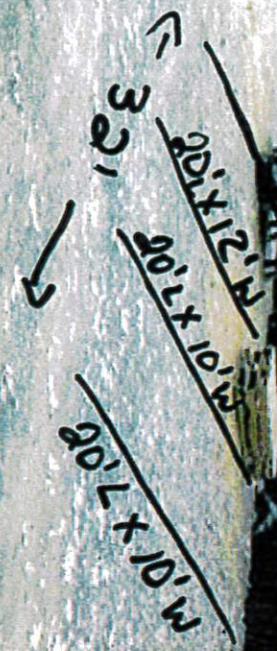
Hot One's Cross  
License # 22455

Retail Store  
Entrance

Parking Plan

Employee  
Entrance

Emergency  
Exit





# MATANUSKA-SUSITNA BOROUGH

## Real Property Detail for Account: 6381000L001

**Site Information**

Account Number	6381000L001	Subdivision	GOLD NUGGET
Parcel ID	70101	City	None
TRS	S19N01E34	Map IN14	Tax Map
Abbreviated Description (Not for Conveyance)	GOLD NUGGET LOT 1		

Site Address 9300 N PALMER FISHHOOK RD

**Ownership**

Owners	SULLIVAN JAMES P	Buyers	
Primary Owner's Address	PO BOX 713 PALMER AK 99645-0713	Primary Buyer's Address	

**Appraisal Information**

Appraisal				Assessment			
Year	Land Appraised	Bldg. Appraised	Total Appraised	Year	Land Assessed	Bldg. Assessed	Total Assessed <sup>1</sup>
2020	\$65,300.00	\$199,400.00	\$264,700.00	2020	\$65,300.00	\$199,400.00	\$264,700.00
2019	\$65,300.00	\$188,100.00	\$253,400.00	2019	\$65,300.00	\$188,100.00	\$253,400.00
2018	\$65,300.00	\$180,800.00	\$246,100.00	2018	\$65,300.00	\$180,800.00	\$246,100.00

**Building Information**

**Structure 1 of 2**

Residential Units	1	Use	Residential Building
Condition	Standard	Design	1.5 Story
Basement	Full	Construction Type	Log
Year Built		1975 Grade	04.6
Foundation	Concrete Block	Building Appraisal	\$163000
Well	Well 1 - Drilled Well	Septic	Septic - 1 - Septic Tank

**Structure 2 of 2**

Residential Units	0	Use	Residential Garage
Condition	Standard	Design	Other
Basement	None	Construction Type	Frame
Year Built		1991 Grade	None
Foundation	Slab on Grade	Building Appraisal	\$36400
Well		Septic	

**Building Item Details**

Building Number	Description	Area	Percent Complete
1	Unfinished Basement - 2A		884 Sq. Ft. 100%
1	Fin. Basement Living - 2C		884 Sq. Ft. 100%
1	Oil Heat		1 Sq. Ft. 100%
1	Fireplace Heatilator - 8N		1 Sq. Ft. 100%
1	Wood Stove - 8Y		1 Sq. Ft. 100%
1	First Story		964 Sq. Ft. 100%
1	Second Story		352 Sq. Ft. 100%
2	Garage (10.3) Area - 11M		1428 Sq. Ft. 90 %

**Tax/Billing Information**

Year	Certified	Zone	Mill	Tax Billed
2020	No	0003	::	::
2019	Yes	0003	13.419	\$3400.37
2018	Yes	0003	13.339	\$3282.73

**Recorded Documents**

Date	Type	Recording Info (offsite link to DNR)
4/7/2011	WARRANTY DEED (ALL TYPES)	<a href="#">Palmer 2011-006487-0</a>

**Tax Account Status <sup>2</sup>**

Status	Tax Balance	Farm	Disabled Veteran	Senior	Total	LID Exists
Current	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00 No

**Land and Miscellaneous**

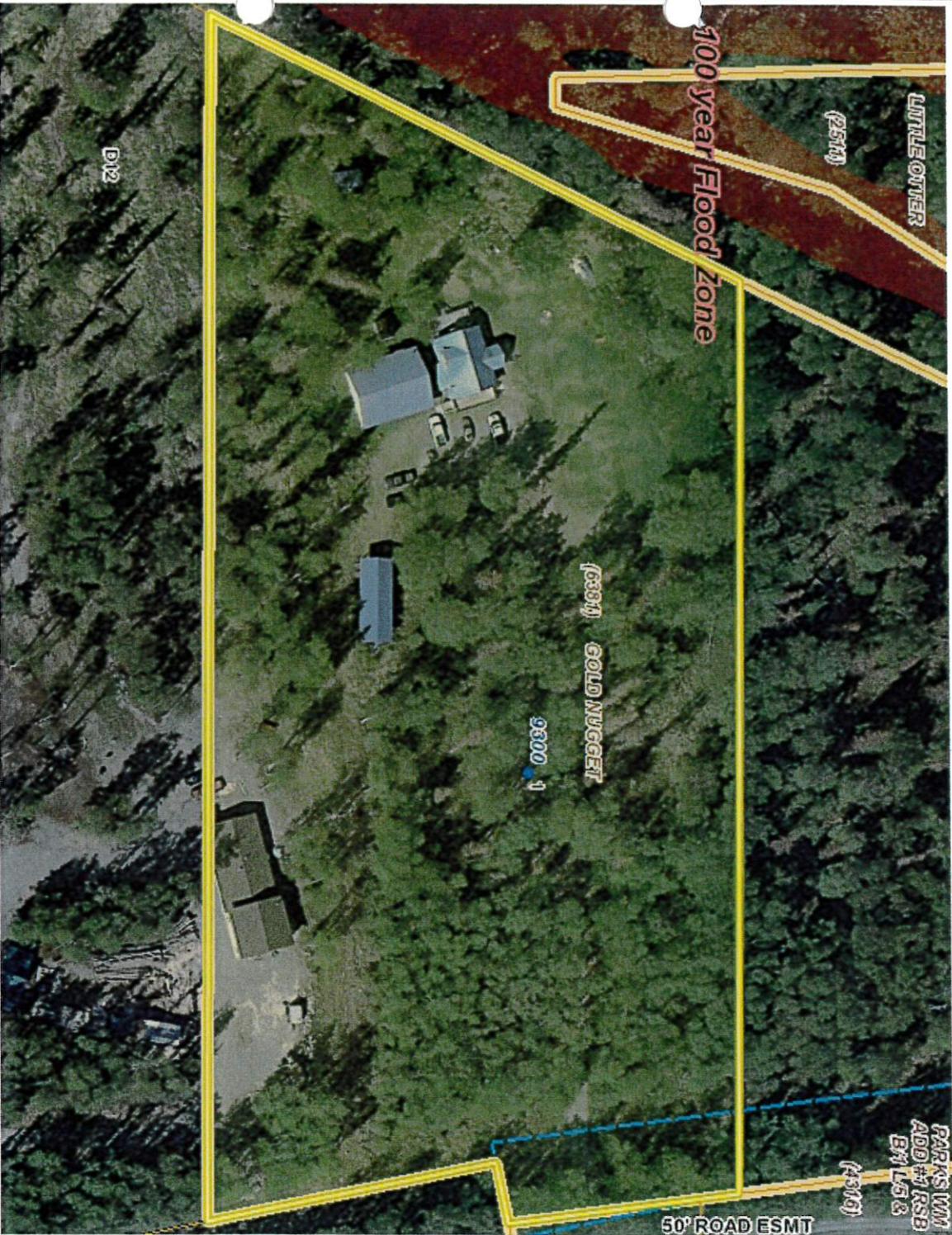
Gross Acreage	Taxable Acreage	Assembly District	Precinct	Fire Service Area	Road Service Area
4.91	4.91	Assembly District 006	09-628	132 Greater Palmer Consol	016 South Colony RSA

<sup>1</sup> Total Assessed is net of exemptions and deferrals, rest, penalties, and other charges posted after Last Update Date are not reflected in balances.

<sup>2</sup> If account is in foreclosure, payment must be in certified funds.

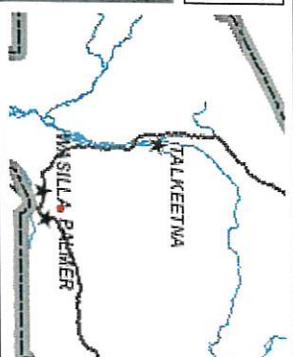


# Matanuska-Susitna Borough



0.1  
0  
0.04  
0.07 Miles  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Matanuska-Susitna Borough  
Reported on 05/28/2020 11:03 AM

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- Legend**
- Road Mileposts
  - Roads
    - Highway
    - Major Road
    - Medium Road
    - Minor Road
    - Primitive Road
    - Private Road
  - + Alaska Railroad
  - Mat-Su Borough Boundary
  - Incorporated Cities
  - Address Numbers
  - Parcels
  - Government Lot Lines
  - ROW and Easements
    - ROW Road
    - ROW RR
    - ROW RR
    - ROW RR
    - ROW RR
  - Section line easement
  - Subdivisions
  - Lakes and Rivers
  - Streams
  - 100 year Flood Zone
  - Section Lines

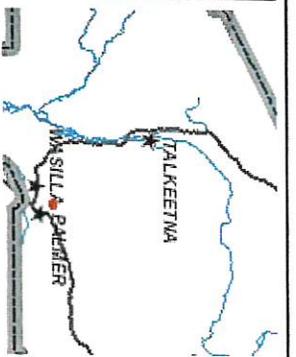
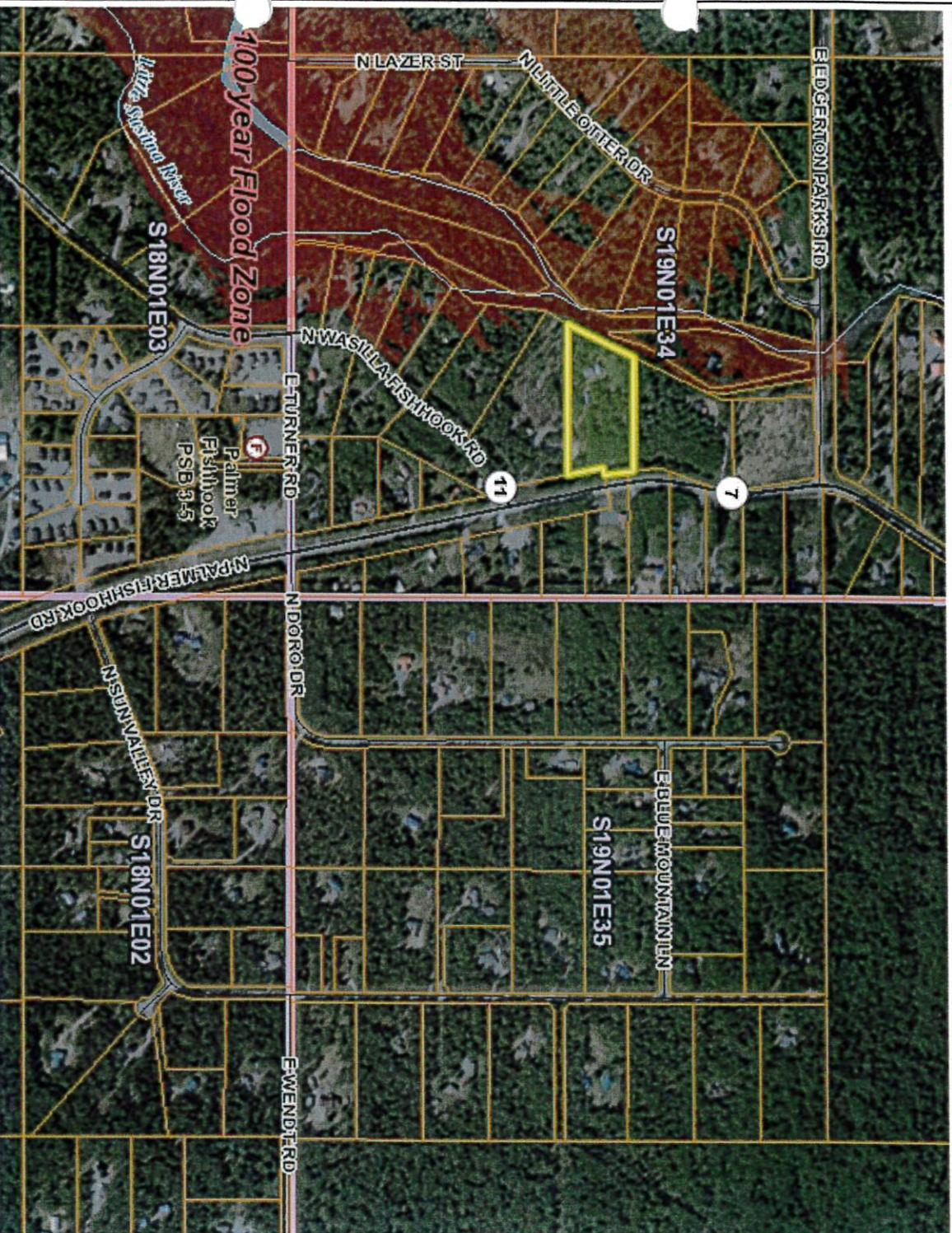
1:2,257



**Notes**  
This map was automatically generated using Geocortex Essentials.



# Matanuska-Susitna Borough



- Legend**
- Road Mileposts
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    - Highway
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  - ▬ Mat-Su Borough Boundary
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1: 18,056



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