

Police make record \$1.5 million pot bust

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Staff writer

A lucky break and a nose to the wind lead Homer Police to make a record \$1.5 million cannabis bust last Friday. With help from the Soldotna Drug Enforcement Unit, police served a warrant on a 4,400-square-foot warehouse on Collie Street off East End Road and found about 1,000 marijuana plants, many with buds.

In a press release, Homer Police Chief Mark Robl estimated the street value to be between \$1 million and \$1.5 million. Robl said the plants filled up two big bays in the industrial building near Redden Marine-Kachemak Gear Shed.

While investigating the pot grow, police also contacted the tenant of the building, Joseph V. Gabryszak, 32, after he arrived. Gabryszak had been staying in an apartment in the building.

In a criminal complaint by Sgt. Ryan Browning, Gabryszak admitted the growing operation was his and his alone. Police charged him with three counts of fourth-degree misconduct involving a controlled substance, with one count for intentionally manufacturing a controlled substance, one for possessing more than 25 marijuana plants and one for maintaining a building used for keeping controlled substances. MICS 4 is a class C felon.

Robl credited Browning with finding the grow operation. According to Browning's complaint, on Feb. 6, Browning had been assisting Alaska State Troopers in searching for a wanted felon in the area. Browning parked on Collie Drive near the two-story steel building.

"While he was in the area, he saw that the building was suspicious, with windows blacked out," Robl said. "He got out of his car and was hit by a very, very strong smell of marijuana."

Browning applied for and got a search warrant. SDEU and Homer Police officers served the warrant and broke into the building. Along with the plants, they found 59 light ballasts worth \$25,000 and other equipment for a hydroponic growing system. The building also had air scrubbers. Police did not find any processed cannabis.

"He had a pretty sophisticated system," Robl said, estimating an investment of about \$50,000 overall.

In the criminal complaint, Browning said Gabryszak told him he'd worked road construction for several years to finance his cannabis grow operation.

"He (Gabryszak) stated it was about to be legal to grow marijuana and he wanted to know if he could do it," Browning wrote in his complaint.

Under Alaska marijuana regulations to go into effect on Feb. 21, the Alaska Alcohol and Marijuana Control Board will start accepting license applications for cannabis cultivation, manufacturing, testing and sale. However, the city of Homer has not yet passed any ordinances regulating commercial cannabis operations. An ordinance to regulate such operations by zoning district is up for second reading at the Feb. 22 Homer City Council meeting. If passed, the East End Mixed Use District that includes Collie Drive would be zoned for all commercial cannabis use.

Another ordinance is up for a second reading that would ban commercial cannabis in Homer. Mayor Beth Wythe also will introduce an ordinance asking for a city vote in October on whether or not to ban commercial cannabis. Wythe will introduce an amendment to the zoning ordinance postponing its implementation until and if voters reject a ban.

Gabryszak is at Wildwood Pretrial Facility in Kenai. According to state online court records, he has no prior criminal history in Alaska.

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