

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on January 4, 2016, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:00 p.m. by Chair John Klapperich.

**I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM**

Planning Commission members present and establishing a quorum:

- Mr. Thomas Healy, Assembly District #2
- Mr. John Klapperich, Assembly District #3 *Chair*
- Mr. Bruce Walden, Assembly District #4
- Mr. William Kendig, Assembly District #5
- Mr. Tomas Adams, Assembly District #6
- Mr. Vern Rauchenstein, Assembly District #7

Planning Commission members absent and excused were:

- Vacant, Assembly District #1

Staff in attendance:

- Ms. Eileen Probasco, Planning & Land Use Director
- Ms. Laura Newton, Assistant Borough Attorney
- Ms. Peggy Horton, Platting Technician
- Mr. Emerson Krueger, Land Management Specialist
- Ms. Mary Brodigan, Planning Commission Clerk

**II. APPROVAL OF AGENDA**

Chair Klapperich inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

**III. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Mr. Eugene Carl Haberman, a member of the audience.

**IV. CONSENT AGENDA**

A. Minutes

*(There were no minutes available.)*

A. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

1. **Resolution 16-02**, A resolution approving a variance to allow an existing single-family residence, to remain set back 14.6 feet from a section line easement on the west side of the lot, on Block 2, lot 9, End of the Rainbow Subdivision; 420 S. Robin Circle, within Township 17 North, Range 2 West, Section 9, Seward Meridian. Public Hearing: January 18, 2016. *(Staff: Susan Lee, Applicant: Neal and Brenda Bullock)*

**B. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS**

1. **Resolution 16-01**, A resolution recommending the Assembly approval of Ordinance Serial Number 16-003 Amending MSB 17.60 to include Permit Requirements and Standards for Marijuana Related Facilities, and Repealing Inapplicable Definitions. Referred to the Planning Commission on December 15, 2015, for 45 days. Public Hearing: January 18, 2016. (*Staff: Alex Strawn*)

Chair Klapperich read the consent agenda into the record.

Chair Klapperich inquired if there were any changes to the consent agenda.

GENERAL CONSENT: The consent agenda was approved without objection.

**V. COMMITTEE REPORTS**

*(There were no committee reports.)*

**VI. AGENCY/STAFF REPORTS**

*(There were no agency/staff reports.)*

**VII. LAND USE CLASSIFICATIONS**

- A. **Resolution 16-04**, A resolution recommending the Assembly classify a Borough-owned Parcel, Tax ID 16N04W36D005, located in the Point MacKenzie community, containing 17.7 acres, as Reserved Use Lands for a future park, library, and community center. (MSB007127) (*Staff: Emerson Krueger*)

Mr. Emerson Krueger provided a staff report:

- staff recommended approval of the resolution.

Commissioners questioned staff regarding:

- clarification of the location of the proposed site for the park, library, and community center;
- were other sites considered and why was the proposed site selected;
- where will funds for building the playground come from;
- will this classification prevent expansion of Fire Station 64 in the future;
- clarification of the definition of reserved use lands; and
- what resources and amount of excavation will be needed on the front half of the property due to muskeg.

MOTION: Commissioner Kendig moved to approve Resolution 16-04. The motion was seconded.

Commissioner Kendig:

- stated that he is with the Knik-Fairview Community Council and they work very closely with the Point MacKenzie Community Council;
- the Point MacKenzie Community Council has been working on this project for years;
- like most community councils, the Point MacKenzie Community Council has difficulty getting people involved and getting a quorum for meetings;
- opined that this will encourage community members to participate in their community council in a park-like setting; and
- states that he is very much in favor of this resolution.

VOTE: The main motion passed without objection.

**VIII. AUDIENCE PARTICIPATION (Three minutes per person.)**

The following person spoke regarding concerns with public process and participation: Mr. Eugene Carl Haberman.

**IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS** (*Public Hearing not to begin before 6:15 P.M.*)

*Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.*

*(There were no quasi-judicial public hearings.)*

**X. PUBLIC HEARING LEGISLATIVE MATTERS**

- A. **Resolution 16-03**, A resolution recommending Assembly approval of proposed amendments to Title 43, Subdivisions, to address inconsistencies outlined in the Planning Department staff memorandum dated March 1, 2013.

Chair Klapperich read the resolution title into the record.

Ms. Eileen Probasco and Ms. Peggy Horton provided a staff report:

- staff recommended approval of the resolution.

Commissioners questioned staff regarding:

- examples of when the Platting Board may grant a vacation of public interest under MSB 43.10.010(A);
- why covenants, conditions, and restrictions are being removed from 43.10010(D);
- why is will no longer be necessary to provide an “affidavit of ownership” under 43.15.022(B)(4) when providing documentation of property ownership;
- clarification of the definition of a non-open space lot; and
- confirmation that all nine inconsistencies addressed in the March 2013, memo have been addressed.

Chair Klapperich opened the public hearing.

The following person spoke regarding concerns with public process and the Open Meetings Act:  
Mr. Eugene Carl Haberman.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

**MOTION:** Commissioner Kendig moved to approve Resolution 16-03. The motion was seconded.

**VOTE:** The main motion passed as amended without objection.

**XI. CORRESPONDENCE AND INFORMATION**

A. Planning Division Newsletter

*(Correspondence and information was presented and no comments were noted.)*

**XII. UNFINISHED BUSINESS**

*(There was no unfinished business.)*

**XIII. NEW BUSINESS**

*(There was no new business.)*

**XIV. COMMISSION BUSINESS**

A. Planning Commission Election of Chair and Vice Chair

**MOTION:** Commissioner Kendig nominated Commissioner Klapperich for Chair and Commissioner Adams for Vice Chair. The motion was seconded.

Commissioner Adams stated that he does not want to be the Vice Chair, but will reluctantly accept if needed.

**MOTION:** Commissioner Healy moved to divide the question to address the nominations for Chair and Vice Chair separately. The motion was seconded.

**MOTION:** First Segment. Commissioner Healy nominated Commissioner Klapperich for Chair. The motion was seconded.

**VOTE:** The first segment passed without objection.

Discussion ensued regarding the nomination for Vice Chair:

- Commissioner Adams stated that he would prefer not to be the Vice Chair, but would reluctantly agree if no one else volunteers; and

- Commissioner Kendig stated that he volunteers to be the Vice Chair.

**MOTION:** Second Segment. Commissioner Healy moved to substitute Commissioner Kendig for Commissioner Adams as Vice Chair.

**GENERAL CONSENT:** The motion to substitute passed without objection.

**VOTE:** The second segment passed without objection.

**A. Upcoming Planning Commission Agenda Items**

Ms. Probasco provided a brief update on projects that will be coming before the Planning Commission.

**XV. DIRECTOR AND COMMISSIONER COMMENTS**

Director Eileen Probasco:

- stated that borough staff is working on the FY17 Budget;
- Paul Hulbert and Marilyn McGuire have recently retired;
- the Platting Chief's position has been advertised;
- the Platting Assistant position has not been advertised because the borough is going through a job evaluation update;
- the Platting Board will start meeting at 1:00 p.m. on January 7, 2016;
- marijuana regulations that are being introduced tonight for a public hearing on January 18<sup>th</sup> are on a very tight turn around due to dates established by the state; and
- we are trying to get them back to the Assembly as quickly as possible to give them time to make constructive amendments as necessary prior to the mid February adoption of state regulations.

Ms. Laura Newton, Assistant Borough Attorney:

- responded to concerns voiced by Mr. Haberman during the last public hearing that the Planning Commission is not following the Open Meetings Act; and
- stated that the commission is properly following procedures.

Commissioner Walden:

- stated that he will attend the next meeting if his position has not been filled; and
- is aware of two people who have submitted applications for the position.

Commissioner Rauchenstein congratulated Chair Klapperich and Vice Chair Kendig.

Commissioner Kendig:

- stated that this has been another interesting year, and opined that he has learned a lot; and
- he is happy to be here and is having a lot of fun.

Chair Klapperich:

- stated that he was looking forward to passing the gavel on, but is looking forward to being better prepared and doing his job better, and providing the best service to the borough and residents; and
- thanked the commission for their faith in him.

**XVI. ADJOURNMENT**

The regular meeting adjourned at 7:58 p.m.



JOHN KLAPPERICH, Planning Commission  
Chair

ATTEST:



MARY BRODIGAN, Planning Commission  
Clerk

*Minutes approved: March 21, 2016*