

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on October 9, 2017, 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 Colleen Vague.

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

Planning Commission members present and establishing a quorum:

Ms. Mary Anderson, Assembly District #1
Mr. Thomas Healy, Assembly District #2
Ms. Colleen Vague, Assembly District #4, Chair
Mr. Chris Elder, Assembly District #5
Mr. Stafford Glashan, Assembly District #6

Planning Commission members absent and excused were:

Ms. Patricia Chesbro, Assembly District #3
Mr. Vern Rauchenstein, Assembly District #7

Staff in attendance:

Mr. Alex Strawn, Development Services Manager
Ms. Shannon Bodolay, Assistant Borough Attorney
Mr. Christopher Cole, Planner II
Ms. Sandra Swanger-Jensen, Planner II
Ms. Mary Brodigan, Planning Commission Clerk

II. APPROVAL OF AGENDA

Chair Vague 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. Christopher Cole, a member of staff.

IV. CONSENT AGENDA

A. Minutes

1. September 18, 2017, regular meeting minutes

A. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

1. **Resolution 17-49**, a request for a variance under MSB 17.65, Variance; for an exception to the 75-foot shoreline setback requirement to allow an existing cabin to remain 37.1 feet from the ordinary high water mark of Willow Creek and an exception to the 25-foot right-of-way setback requirement to allow the cabin to remain 2.1 feet from W. Willow Fishhook Road; (Tax ID 19N04W01B006); Lot B6, within Township 19 North, Range 4 West,

Section 1, Seward Meridian, located at 19805 W. Willow Fishhook Road. Public Hearing: October 23, 2017. (*Applicant: Randy Friday, Staff: Sandra Swanger-Jensen*)

B. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

1. **Resolution 17-51**, recommending Assembly approval of changes to Title 43, Subdivisions, concerning flag lots. Public Hearing: October 23, 2017. (*Staff: Eileen Probasco*)
2. **Resolution 17-53**, recommending Assembly adoption of the Chase Comprehensive Plan. Public Hearing: October 23, 2017. (*Staff: Taunnie Boothby*)

Chair Vague read the consent agenda into the record.

Chair Vague 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

(There were no land use classifications.)

VIII. AUDIENCE PARTICIPATION (Three minutes per person.)

(There were no persons to be heard.)

(The meeting recessed at 6:04 p.m., and reconvened at 6:15 p.m.)

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS (*Public Hearings 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.

- A. Resolution 17-43**, a Conditional Use Permit (CUP) in accordance with MSB 17.67 Tall Structures Including Telecommunication Facilities, Wind Energy Conversion Systems, and Other Tall Structures; for a 250-foot lattice cell tower, located at 36832 S. Parks Highway, between Mile Post 103 & 104, (Tax ID# 25N05W15D002); within Township 24 North, Range 5 West, Section 15, Seward Meridian. (*Applicant: Sherrie Greenshields of New Horizons Telecom, Inc., Staff: Sandra Swanger-Jensen*)

Chair Vague read the resolution title into the record.

Chair Vague:

- read the memorandum regarding quasi-judicial actions into the record;
- queried commissioners to determine if any of them have a financial interest in the proposed Conditional Use Permit (CUP);
- have had any ex parte contact with the applicant, members of the public, or interested parties in the proposed CUP; and
- if all commissioners are able to be impartial in a decision.

Ms. Sandra Swanger-Jensen provided a staff report:

- staff recommended approval of the resolution with conditions.

Chair Vague invited the applicant or their representative to provide an overview of their application.

Ms. Sherrie Greenshields, New Horizon Telecom, and Ms. Tierney Rowe, Director of Tower Development, Western Region, provided an overview of their application.

Commissioners questioned the applicants regarding:

- whether other locations were considered;
- clarification of the process for visual concerns;
- the size of the balloon used for the visual test;
- the height of the trees on the site;
- whether the borough will be paid a lease fee for renting the property;
- does the borough pay taxes to itself;
- could the tower be moved a short distance away to preserve the homeowners view; and
- clarification of whether the balloon was flown much closer to the home owner's property than where the tower will be located.

Ms. Rowe responded to questions from staff.

Chair Vague opened the public hearing.

There were no persons to be heard.

There being no persons to be heard, Chair Vague closed the public hearing and discussion moved to the Planning Commission.

MOTION: Commissioner Healy moved to approve Resolution 17-43. The motion was seconded.

Commissioner Healy spoke in favor of the resolution.

VOTE: The main motion passed without objection.

X. PUBLIC HEARING LEGISLATIVE MATTERS

- A. Resolution 17-41**, a resolution recommending Assembly adoption of the Regional Aviation System Plan. Postponed from September 18, 2017. (*Staff: Christopher Cole*)

Chair Vague read the resolution title into the record.

Mr. Christopher Cole provided a staff report:

- staff recommended approval of the resolution.

Chair Vague opened the public hearing.

There being no persons to be heard, Chair Vague closed the public hearing and discussion moved to the Planning Commission.

MOTION: Commissioner Glashan moved to approve Resolution 17-41. The motion was seconded.

Commissioner Glashan spoke in favor of the resolution.

Commissioner Healy:

- questioned where this plan will go once approved;
- noted that some of the preferred locations for a floatplane base are two miles from any roads;
- stated the amount of money for this development is staggering;
- opined that it is unrealistic to think that the borough will be able build this project;
- noted that most of the public comments indicated that people would like to have their floatplanes located near storage;
- the state will not be able to provide funding; and
- opined that this plan is unrealistic, seriously flawed, and dead on arrival.

Commissioner Anderson:

- seconded the concerns of Commissioner Healy;
- stated that this reminds her of the Port; and
- questioned where the borough will get the money.

Commissioner Glashan:

- acknowledged the challenges and noted that the project was begun under different economic conditions;
- this is a long range planning document much like the Long Range Transportation Plan (LRTP);
- stated that he views this as a planning document to let people know that someday, if these predictions hold, an airport may be built in that location;
- suggested that the borough should have the land set aside before it gets sold or used for something else;
- noted that approving this document would not encumber the borough to put out any money at this time; and

- opined that the Assembly is smart enough to know that throwing money at this project at this time would probably not sit well with the public.

Chair Vague:

- questioned what approving the RASP will do;
- stated that this reminds her of the ferry;
- will it be used as a planning document or will it be used to move ahead;
- noted that airplane owners do not want these locations;
- stated that for these reasons she does not support this plan;
- suggested that other options should be considered; and
- opined that in this current economic climate, the public will see this as another ferry.

MOTION: Commissioner Healy moved a primary amendment to the NOW, THEREFORE, BE IT RESOLVED statement to read: “the Planning Commission has concerns regarding the feasibility of the preferred option and recommends that the borough not pursue that option until it is economically feasible.” The motion was seconded.

MOTION: Commissioner Glashan moved a secondary amendment to the NOW, THEREFORE, BE IT RESOLVED statement by replacing “feasibility of the preferred option” with “implementation of the plan” and replace “pursue that option” with “pursue implementation.” The motion was seconded.

VOTE: The secondary amendment passed without objection.

VOTE: The primary amendment passed without objection

VOTE: The main motion failed as amended with Commissioners Stafford, Elder, and Healy in favor.

Discussion ensued regarding whether to ask staff to draft a resolution for the next meeting communicating why they recommend that the Assembly not adopt the RASP or for the Commission to draft a resolution on the floor.

Mr. Strawn stated that the could quickly create a draft resolution for the Planning Commission to consider.

There was no objection noted.

(The meeting recessed at 7:12 p.m., and reconvened at 7:20 p.m.)

Resolution 17-54, a resolution recommending the Assembly not adopt the Regional Aviation System Plan into MSB 15.24.30.

MOTION: Commissioner Anderson moved to approved Resolution 17-54. The motion was seconded.

MOTION: Commissioner Glashan moved a primary amendment to the NOW, THEREFORE, BE IT RESOLVED statement by substituting “delay the adoption of” for “not adopt” and inserting “until such time that it is economically feasible” at the end of the last sentence. The motion was seconded.

VOTE: The main motion passed as amended without objection.

B. Resolution 17-42, a resolution recommending Assembly approval of Ordinance Serial No. 17-103 amending MSB Chapter 1.45.100 Schedule of Fines for Infractions and Changing Reference from Misdemeanors to Minor Infractions. (*Staff: Alex Strawn*)

Chair Vague read the resolution title into the record.

Mr. Alex Strawn provided a staff report:

- staff recommended approval of the resolution.

Commissioners questioned staff regarding:

- whether a fine can be increased to \$1,000 when the highest fine is only \$500;
- clarification of whether the \$1,000 fine is a one-time fine or will the violator be charged \$1,000 per day;
- whether there is a description in MSB Code of how long a person has to pay and what other penalties or interest can be incurred;
- questioned if fines should be larger for serial violators that are running a business;
- the average cost to have a Code Compliance Officer investigate a potential violation; and
- whether it’s worth it to send an officer out on all claims.

Chair Vague opened the public hearing.

There being no persons to be heard, Chair Vague closed the public hearing and discussion moved to the Planning Commission.

MOTION: Commissioner Glashan moved to approve Resolution 17-42. The motion was seconded.

VOTE: The main motion passed without objection.

XI. CORRESPONDENCE AND INFORMATION

(There was no correspondence and information.)

XII. UNFINISHED BUSINESS

(There was no unfinished business.)

XIII. NEW BUSINESS

(There was no new business.)

XIV. COMMISSION BUSINESS

A. Approval of the 2018 Planning Commission Meeting Schedule

MOTION: Commissioner Anderson moved to approve the 2018 Planning Commission Meeting Schedule. The motion was seconded.

VOTE: The motion to approve the 2018 Planning Commission Meeting Schedule passed without objection.

B. Upcoming Planning Commission Agenda Items

Mr. Strawn provided a brief update on projects that will be coming before the Planning Commission.

XV. DIRECTOR AND COMMISSIONER COMMENTS

Ms. Brodigan reminded the commission of the joint Assembly/Planning Commission meeting scheduled for Tuesday, October 24, 2017, at 6:00 p.m.

Commissioner Glashan stated that he may not be able to attend the regular PC meeting on the 23rd or the Joint Assembly/PC meeting on the 24th.

XVI. ADJOURNMENT

The regular meeting adjourned at 7:55 p.m.



COLLEEN VAGUE, Planning Commission
Chair

ATTEST:



MARY BRODIGAN, Planning Commission
Clerk

Minutes approved: October 23, 2017