

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on June 15, 2020, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:00 pm 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, Vice-Chair
- Mr. Jason Ortiz, Assembly District #2
- Ms. Patricia Chesbro, Assembly District #3
- Ms. Colleen Vague, Assembly District #4, Chair
- Mr. Stafford Glashan, Assembly District #6 – Telephonically joined 6:12 pm
- Mr. Sassan Mossanen, Assembly District #7

Planning Commission members absent and excused were:

- Mr. Chris Elder, Assembly District #5

Staff in attendance:

- Ms. Eileen Probasco, Planning Department Director
- Mr. Alex Strawn, Development Services Manager
- Ms. Kim Sollien, Planning Services Manager
- Ms. Susie Lemon, Assistant Borough Attorney
- Ms. Denise Michalske, Assistant Borough Attorney
- Mr. Mark Whisenhunt, Planner II
- Mr. Theodore Eischeid, Planner II
- Ms. Karol Riese, Acting Planning Commission Clerk

**II. APPROVAL OF AGENDA**

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

The minutes of June 8, 2020, were not complete, therefore, not included in the packet for approval.

GENERAL CONSENT: The agenda was approved as amended without objection.

**III. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Assemblywoman Tam Boeve.

**IV. CONSENT AGENDA**

**A. Minutes**

The minutes of June 8, 2020, were not complete, therefore, not included in the packet for approval.

**B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS**

1. **Resolution PC 20-18**, a request under MSB 17.65 Variances, for a variance from the 75-foot shoreline setback requirement under MSB 17.55, located at 5782 S. Big Lake Road (Tax ID # 6142000L006), within 17 North, Range 3 West, Section 29, Seward Meridian; Public Hearing: July 6, 2020 (*Applicant: Dennelle Seetomona on behalf of Janice Ellsworth, Staff: Joe Metzger*).
2. **Resolution PC 20-19**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana cultivation facility, located at 2439 S. Ridgecrest Road (Tax ID# 17N02W20B005); within Township 17 North, Range 2 East, Section 20, Seward Meridian. Public Hearing: July 6, 2020 (*Applicant: Heather Allen, on behalf of Bristol Bay Bud Company, Staff: Mark Whisenhunt*).
3. **Resolution PC 20-20**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana cultivation facility, located at 47265 S. Brookestar’s Circle (Tax ID # 22N04W01A004), within Township 22 North, Range 4 West, Section 01, Seward Meridian. Public Hearing: July 6, 2020 (*Applicant: Kenneth Champ, of Arctic Hydroponics, LLC, Staff: Mark Whisenhunt*).
4. **Resolution PC 20-21**, a Conditional Use Permit in accordance with MSB 17.30— Conditional Use Permit (CUP) for Earth Materials Extraction Activities, for the extraction of approximately 407,300 cubic yards of earth material from a 19-acre site within two parcels totaling 160 acres, located within Township 17 North, Range 1 East, Sections 1&2, Tax Parcels D21 & D5 (Tax ID # 17N01E02D021 & 17N01E01D005), Seward Meridian. Public Hearing: July 6, 2020 (*Applicant: MSB Land Management Division, Staff: Mark Whisenhunt*).

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

*(There were no introductions for legislative matters.)*

GENERAL CONSENT: The consent agenda was approved as amended without objection.

**V. COMMITTEE REPORTS**

*(There were no committee reports.)*

**VI. AGENCY/STAFF REPORTS**

- A. Lake Management Plan Amendments Presentation. (*Staff: Eileen Probasco*)  
This will be introduced to the Planning Commission on July 6, 2020, and public hearing on July 20, 2020. Provided more information regarding the ordinance amendments.

Ms. Eileen Probasco provided a presentation of the Lake Management Plan Amendments.

Commissioners questioned staff regarding:

- public meeting process – three meetings
- will MSB staff be at meetings to assist
- public notice/public engagement
- public process if there is a lake outside a Community Council
- staff availability for communities
- open house
- fee associated with costs

**B. Wetlands Management Presentation. (Staff: Ted Eischeid)**

Mr. Ted Eischeid provided a presentation of the Wetlands Management Plan process.

Commissioners questioned staff regarding:

- definition of waters
- costs (monetary compensation or wetlands)
- State and Federal land

**VII. LAND USE CLASSIFICATIONS**

*(There were no land use classifications.)*

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

The following person spoke regarding concerns with public process, continued public hearing when referring something to another board, and copies of Introduction documents in the back of the room: Mr. Eugene Carl Haberman.

**IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS (Public Hearings not to begin before 6:15 PM)**

*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 Resolution PC 20-17**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana retail facility, located at 2323 S. Trunk Road, Suite #3 (Tax ID# 7432000L011A); within Township 17 North, Range 1 East, Section 16, Seward Meridian (*Applicant: Jane Weltzin & Country Cannabis, LLC, Staff: Mark Whisenhunt*).

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.

Mr. Whisenhunt provided a staff report:

- staff recommended approval of the resolution with conditions.
- Stated that condition #4 concerning ADA parking could be removed as the applicant had already provided the required parking.

Commissioners questioned staff regarding:

- clarify the square footage
- signage

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

Ms. Sarah Lorimer and Ms. Jennifer Johnston, applicants, provided an overview of their application and introduced themselves.

Chair Vague opened the public hearing.

The following person spoke in favor of Resolution PC 20-17 was here to answer any regulatory questions from the Commission: Jana Weltzin, attorney for the applicant.

The following person spoke regarding concerns with the public process and the number of marijuana retail facilities in the MSB and Anchorage.: Mr. Eugene Carl Haberman.

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

**MOTION:** Commissioner Ortiz moved to approve Resolution PC 20-17. The motion was seconded.

**MOTION:** Commissioner Jason Ortiz moved a primary amendment to remove Item #4; Page 9 "The ADA parking access aisle shall be painted, and shall be compliant with the current ADA guidelines , within one year of the date of decision." This has been completed.

**VOTE:** The primary amendment passed without objection.

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

## **X. PUBLIC HEARING LEGISLATIVE MATTERS**

*(There were no legislative public hearings.)*

**XI. CORRESPONDENCE AND INFORMATION**

North Lakes Community Council Resolution

**XII. UNFINISHED BUSINESS**

*(There was no unfinished business.)*

**XIII. NEW BUSINESS**

*(There was no new business.)*

**XIV. COMMISSION BUSINESS**

- A. Adjudicatory
- B. Upcoming Planning Commission Agenda Items

Mr. Strawn provided a brief update on projects that will be coming before the Planning Commission. We have a jam packed July and August with complex and controversial items.

**XV. DIRECTOR AND COMMISSIONER COMMENTS**

Ms. Susanne Lemons:

- Introduced Ms. Denise Michalske, Assistant Borough Attorney

Mr. Alex Straw:

- We do produce alot of maps, we can make a map available upon request for marijuana facilities.

Commissioner: Anderson:

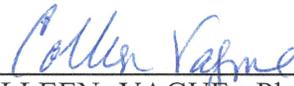
- I thought it was really great to see a community council actually respond and be very proactive in something that was happening in their community. This is the first one we have seen in a long time. I hope this is the first of many that will give us some ideas, at least of what is happening or what they think about it. That is their purpose for being there.

Commissioner: Vague:

- We have pot shops going in like coffee stands. I don't know if ABC board has something to check like the liquor stores. When the market floods itself, we are going to be flooded with pot shops. I know that is one of the concerns that people are having. There is nothing we can do as long as they meet the conditional use permits requirements.

**XVI. ADJOURNMENT**

The regular meeting adjourned at 7:19 pm



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COLLEEN VAGUE, Planning Commission  
Chair

ATTEST:



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KAROL RIESE, Acting Planning Commission  
Clerk

Minutes approved:   1