

MATANUSKA-SUSITNA BOROUGH

350 E. Dahlia Ave., Palmer, Alaska 99645

Chairperson
Terry Nicodemus

Vice Chair
Claudia Roberts



Board Members
Tina Crawford
David Boulier

Alternate Board Member
Larry Schmidt

BOARD OF ADJUSTMENT AND APPEALS AGENDA ASSEMBLY CHAMBERS 350 E. DAHLIA AVENUE, PALMER

APPEAL HEARING

10 A.M.

JUNE 11, 2020

I. CALL TO ORDER; ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

A. January 27, 2020

IV. ITEMS OF BUSINESS

A. BOAA Case No. 20-01 - Appeal Hearing Regarding Denial of Acceptance of a Public Use Easement for Floyd's Place, Platting Board Case No. 2019-139

1. Borough Staff (*10 Minutes To Present The Decision Below And To Set Forth The Evidence And Rationale Of The Decision Maker.*)
 - a. Peggy Horton, Platting Technician
2. Appellant (*15 minutes*)
 - a. Sean Frazier, Appellant
3. Borough Attorney (*15 Minutes*)
 - a. John Aschenbrenner, Deputy Borough Attorney
4. Interested Parties (*5 Minutes Each*)
 - a. Ellery Gibbs
 - b. Bob Hoffman
5. Appellant For Rebuttal (*5 minutes*)
6. Sean Frazier, Appellant

V. ADJUDICATORY SESSION

VI. BOARD COMMENTS

VII. ADJOURNMENT

I. CALL TO ORDER; ROLL CALL

A meeting of the Matanuska-Susitna Borough Board of Adjustment and Appeals was called to order at 10 a.m. by Chair Terry Nicodemus for the purpose of conducting motion hearing regarding the Borough's motion to dismiss for lack of jurisdiction.

Board members present and establishing a quorum were:

Mr. Terry Nicodemus
Ms. Claudia Roberts
Ms. Tina Crawford
Mr. Larry Schmidt

Staff in attendance were:

Ms. Brenda J. Henry, Assistant Borough Clerk
Mr. John Aschenbrenner, Deputy Borough Attorney

II. APPROVAL OF AGENDA

Chair Nicodemus queried if there were any changes to the agenda.

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

III. APPROVAL OF MINUTES

There were no minutes to approve.

IV. ITEMS OF BUSINESS

A. Election of Officers

1. Elect Chair

MOTION: Ms. Roberts nominated Mr. Nicodemus as Chair.

VOTE: The motion passed without objection.

2. Elect Vice Chair

MOTION: Ms. Crawford nominated Ms. Roberts as Vice Chair.

VOTE: The motion passed without objection.

B. Motion Hearing Regarding the Borough's Motion to Dismiss BOAA 20-01, Denial of a Public Use Easement for Floyd's Place, Platting Board Case No. 2019-139

1. John Aschenbrenner, Deputy Borough Attorney (5 Minutes)

Mr. Aschenbrenner presented his case in support of dismissal.

Mr. Nicodemus asked questions of Mr. Aschenbrenner.

2. Sean Frazier, Appellant (7 Minutes)

Mr. Frazier presented his case in opposition to dismissal.

3. John Aschenbrenner, Deputy Borough Attorney for Rebuttal (2 minutes)

Mr. Aschenbrenner provided his rebuttal.

Ms. Crawford asked questions of Mr. Aschenbrenner

C. Motion Hearing Regarding the Borough's Motion to Extend the Date for the Record

1. John Aschenbrenner, Deputy Borough Attorney (3 minutes)

There was no testimony provided.

2. Sean Frazier, Appellant (5 Minutes)

There was no testimony provided.

3. John Aschenbrenner, Deputy Borough Attorney for Rebuttal (2 minutes)

There was no testimony provided.

V. ADJUDICATORY SESSION

MOTION: Ms. Crawford moved to enter into adjudicatory session.

VOTE: There was no objection noted and the BOAA entered into adjudicatory session at 10:26 a.m.

MOTION: Mr. Schmidt moved to exit adjudicatory session.

VOTE: There was no objection noted and the BOAA exited adjudicatory session at 10:57 a.m.

Mr. Nicodemus requested Ms. Henry read the draft order into the record.

Ms. Henry read the draft into the record.

MOTION: Ms. Roberts moved to approve the order as read into the record by the Clerk.

VOTE: The motion passed without objection.

VI. BOARD COMMENTS

VII. ADJOURNMENT

The hearing adjourned at 10:59 a.m.

MATANUSKA-SUSITNA BOROUGH
BOARD OF ADJUSTMENT AND APPEALS

TERRY NICODEMUS, BOAA Chairperson

ATTEST:

BRENDA J. HENRY, CMC, Assistant Borough Clerk

Minutes Approved: 06/11/20