

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

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on August 17, 2020, 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.

Members present and establishing a quorum: 7

- 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. Chris Elder, Assembly District #5
- Mr. Stafford Glashan, Assembly District #6* arrive @ 6:13 pm
- Mr. Sassan Mossanen, Assembly District #7

Staff in attendance:

- Mr. Alex Strawn, Acting Planning and Land Use Director
- Ms. Kim Sollien, Planning Services Manager
- Ms. Shannon Bodolay, Assistant Borough Attorney
- Mr. Mark Whisenhunt, Acting Development Services Manager
- Mr. Joseph Metzger, Planner II
- Ms. Karol Riese, Planning Commission Clerk*

*Indicates that the individual attended telephonically due to COVID safety protocols.

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 Ms. Sanchez.

IV. CONSENT AGENDA

A. Minutes

- 1. August 17, 2020, regular meeting minutes

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

- 1. **Resolution PC 20-35**, A Conditional Use Permit in accordance with MSB 17.30 – Earth Materials Extraction has been submitted for the extraction of approximately 2 million cubic yards of earth material, on 19 acres of the 19.34 acre subject parcel. The request has no street address and is located adjacent to the Kashwitna Interim Materials District, near Mil3

78 Parks Highway; Tax ID #20N04W06B007; within Township 20 North, Range 4 West, Section 6, Seward Meridian. Public Hearing: October 5, 2020 (*Applicant: Emily McDonald, on behalf of COLASKA dba QAP; Staff: Joe Metzger*).

2. **Resolution PC 20-36**, A Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses; has been submitted for the operation of a marijuana retail facility, located at 3807 West Machen Road, Unit A; Tax ID #1111B01L011; within Township 17 North, Range 2 West, Section 1, Seward Meridian. Public Hearing: October 5, 2020 (*Applicant: Greg Miller, on behalf of TRICHS, LLC; Staff: Joe Metzger*).

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

1. **Resolution PC 20-33**, a Resolution of the Matanuska-Susitna Borough Planning Commission recommending approval of an Ordinance adopting MSB 17.68 Outdoor Shooting Facilities in Order to Establish Standards for Commercial, Educational, and Nonprofit Outdoor Shooting Facilities. Public Hearing: October 5, 2020 (*Sponsored by: Planning Commissioner Patricia Chesbro*).
2. **Resolution PC 20-37**, a Resolution of the Matanuska-Susitna Borough Planning Commission recommending approval of an ordinance amending MSB 17.60 to change the applicability and standards for Cultivation Facilities and Address on-site Consumption of Marijuana (*Staff: Mark Whisenhunt*).

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.)

The following persons spoke against the Outdoor Shooting Facilities:
Ester Huddleston, Amber Sanchez, and L.D. Howard.

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

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS

1. **Resolution PC 20-30**, a Conditional Use Permit (CUP) in accordance with MSB 17.60 – Conditional Uses; allowing the operation of a junkyard/refuse area, located at 743 West Sunrise Drive (Tax ID# 640500L006); within Township 18 North, Range 2 West, Section 33, Seward Meridian. Alaska Superior Court has issued an order remanding this item back to the Planning Commission (*Applicant: Dewayne Creech for Creech’s Junkyard, 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 denial of the resolution.

Commissioners questioned staff regarding:

- fence on the front lot line; 25 foot setback that would come into existence – structure in this area; lot line distance; connex on lot lines;
- updated information received from applicant;
- the way we are handling this – reconsidering the 2018 application
- the site plan customer parking area is marked out and then looks like that area is full of cars;
- following the application and what is put in before us and follow everything along that line – what to consider on this particular issue;
- mailings

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

Mr. Paul Engle, on behalf of the applicant, provided an overview of their application.

Commissioners questioned the applicant regarding:

- There were no questions.

Chair Vague opened the public hearing.

The following persons spoke in opposition of Resolution PC 20-30: Mark Plumb

The following person spoke regarding concerns with the public process and wants more time on this resolution: Mr. Eugene Carl Haberman.

Chair Vague invited staff to respond to questions and statements from the audience.

Mr. Whisenhunt stated that they had nothing further to add.

Chair Vague invited the applicant to respond to questions and statements from the audience.

Mr. Creech responded to questions and statements from the audience.

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

MOTION: Commissioner Mary Anderson moved to approve Resolution PC 20-30. The motion was seconded.

Discussion ensued.

VOTE: The main motion passed 6-0 (Commissioner Glashan abstained).

2. **Resolution PC 20-32**, a variance request in accordance with MSB 17.65-Variations for a variance to the shoreline setback requirements of MSB 17.55-Setbacks. The variance would allow for the construction of a 38' x 24' single-family residence with deck to be situated approximately 21' from the shorelands of Middle Caswell Lake. The location of the request is 49572 S. Jumpin Circle (Tax ID# 607000L1067); within Township 22 North, Range 4 West, Section 14, Seward Meridian (*Applicant: Jason Nixa, Staff: Joe Metzger*).

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 variance;
- have had any ex parte contact with the applicant, members of the public, or interested parties in the proposed variance; and
- if all commissioners are able to be impartial in a decision.

Mr. Metzger provided a staff report:

- staff recommended approval of the resolution.

Commissioners questioned staff regarding:

- setbacks established by MSB;
- square footage of building;
- garage;
- septic system;
- position of building.

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

Mr. Nixa, applicant, provided an overview of their application.

Commissioners questioned the applicant regarding:

- location of building, well, and septic

Chair Vague opened the public hearing.

The following person spoke regarding concerns with the public process: 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 Elder moved to approve Resolution PC 20-32. The motion was seconded.

Discussion ensued

VOTE: The main motion passed. (Yes: Commissioners Ortiz, Chesbro, Vague, and Elder;
No: Commissioners Anderson, Glashan, and Mossanen)

X. PUBLIC HEARING LEGISLATIVE MATTERS
(There were no legislative public hearings.)

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. Adjudicatory
- B. Reminder October 13, 2020 is a joint Assembly/Planning Commission
- C. Upcoming Planning Commission Agenda Items *(Staff: Mark Whisenhunt)*

Mr. Strawn reminded the Planning Commission about the joint meeting on October 13th and that there will be an update on Wetlands and other Planning Department projects.

(Commission Business was presented, and no comments were noted.)

XV. DIRECTOR AND COMMISSIONER COMMENTS

Commissioner Glashan: Congratulations Mr. Strawn

Commissioner Ortiz Congratulations Mr. Strawn

Commissioner Mossanen Congratulations Mr. Strawn

Commissioner Anderson Congratulations Mr. Strawn and we should look at variances closer. Maybe we need to look at the ordinance again.

Commissioner Vague Congratulations to Mr. Strawn. There are some updates we haven't heard about: Wetlands, Public Shooting Ranges in the Borough, and Marijuana Facilities.

XVI. ADJOURNMENT

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



COLLEEN VAGUE, Planning Commission
Chair

ATTEST:



KAROL RIESE, Planning Commission Clerk

Minutes Approved: October 5, 2020