

MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION AGENDA

Edna DeVries, Mayor

PLANNING COMMISSION

Doug Glenn, District 1
Richard Allen, District 2
Patricia Chesbro, District 3, Vice-Chair
Mike Rubeo, District 4
Bill Kendig, District 5
Stafford Glashan, District 6, Chair
Curt Scoggin, District 7



Michael Brown, Borough Manager

PLANNING & LAND USE DEPARTMENT

Alex Strawn, Planning & Land Use Director
Kim Sollien, Planning Services Manager
Jason Ortiz, Development Services
Manager
Fred Wagner, Platting Officer
Karol Riese, Planning Clerk

*Assembly Chambers of the
Dorothy Swanda Jones Building
350 E. Dahlia Avenue, Palmer*

June 20, 2022
REGULAR MEETING
6:00 p.m.

Ways to participate in the meeting:

IN PERSON: Should you wish to testify in person, please adhere to a 6-foot distance between yourself and others.

IN WRITING: You can submit written comments to the Planning Commission Clerk at msb.planning.commission@matsugov.us.

TELEPHONIC TESTIMONY:

(We are having intermittent technical difficulties with our software; if you would like to submit comments, please submit comments to the email address above by the Friday before the meeting.)

- Dial 1-855-290-3803; you will hear “joining conference” when you are admitted to the meeting.
- You will be automatically muted and able to listen to the meeting.
- When the Chair announces audience participation or a public hearing you would like to speak to, press *3; you will hear, “Your hand has been raised.” (There may be a delay, please be patient with the system.)
- When it is your turn to testify, you will hear, “Your line has been unmuted.”
- State your name for the record, spell your last name and provide your testimony.

Ways to observe the meeting:

FACEBOOK LIVE at www.facebook.com/MatSuBorough

- Questions or comments will **not** be answered; please call the number above if you have a comment or concern.

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

II. APPROVAL OF AGENDA

III. PLEDGE OF ALLEGIANCE

IV. CONSENT AGENDA

A. MINUTES

Regular Meeting Minutes: 06/06/2022

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

Resolution 22-19 A resolution of the Matanuska-Susitna Borough Planning Commission recommending the Matanuska-Susitna Borough Assembly move to repeal MSB 17.10, Public Hearing: July 18, 2022 (Staff: Kelsey Anderson, Planner II)

V. COMMITTEE REPORTS

VI. AGENCY/STAFF REPORTS

VIII. AUDIENCE PARTICIPATION (*three minutes per person, for items not scheduled for public hearing*)

VII. LAND USE CLASSIFICATIONS

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS (*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*).

X. PUBLIC HEARING: LEGISLATIVE MATTERS

Resolution 22-20 A resolution of the Matanuska-Susitna Borough Planning Commission recommending the Matanuska-Susitna Borough Assembly adopt the Beverly Lake Lake Management Plan and an Ordinance amending MSB 17.59 for lake management plan implementation (Staff: Kelsey Anderson).

XI. CORRESPONDENCE & INFORMATION

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS:

A. Upcoming Planning Commission Agenda Items

XV. DIRECTOR AND COMMISSIONER COMMENTS

XVI. ADJOURNMENT (*Mandatory Midnight*)

Disabled persons needing reasonable accommodation in order to participate at a Planning Commission Meeting should contact the Borough ADA Coordinator at 861-8432 at least one week in advance of the meeting.

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MINUTES

June 6, 2022

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MINUTES

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
June 6, 2022**

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on June 6, 2022, 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 Stafford Glashan.

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

Planning Commission members present and establishing a quorum:

Mr. Doug Glenn, Assembly District #1
Mr. Richard Allen, Assembly District #2
Mr. Bill Kendig, Assembly District #5 * entered meeting at 6:09 p.m.
Mr. Stafford Glashan, Assembly District #6, Chair
Mr. Curt Scoggin, Assembly District #7

Planning Commission members absent and excused were:

Ms. Patricia Chesbro, Assembly District #3, Vice-Chair
Mr. Michael Rubeo, Assembly District #4

Staff in attendance:

Mr. Adam Bradway, Planner II
Mr. Alex Strawn, Planning and Land Use Director
Mr. Jason Ortiz, Development Services Manager
Ms. Shannon Bodalay, Assistant Attorney
Ms. Kim Sollien, Planning Service Manager
Mr. Caleb Buist, Help Desk Specialist
Ms. Jamie Taylor, Civil Engineer
Ms. Karol Riese, Planning Depart. Administrative Specialist/Planning Commission Clerk

*Indicates that the individual attended telephonically.

II. APPROVAL OF AGENDA

Chair Glashan 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. Bradway.

IV. CONSENT AGENDA

- A. Minutes Regular Meeting Minutes: May 16, 2022
- B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS
- C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
June 6, 2022**

Resolution 22-20 A resolution of the Matanuska-Susitna Borough Planning Commission recommending the Assembly adopt the Beverly Lake Lake Management Plan and an Ordinance amending MSB 17.59 for lake management plan implementation; Public Hearing: June 20, 2022 (Staff: Kelsey Anderson, Planner II).

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.)

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS

X. PUBLIC HEARING LEGISLATIVE MATTERS

Resolution PC 22-13 A resolution of the Matanuska-Susitna Borough Planning Commission recommending Assembly adoption of the Matanuska-Susitna Borough 2022 Official Streets and Highways Plan Update (Staff: Adam Bradway, Planner II).

Chair Glashan read the resolution title into the record.

Mr. Bradway provided a staff report/presentation.

Commissioners questioned staff regarding:

- Commissioner Scoggin: building at 100%; Big Lake Bypass
- Commissioner Allen: what was looked at when creating

Chair Glashan opened the public hearing.

The following persons spoke in favor of Planning Commission Resolution 22-13: Mr. Bill Tucker, Bill Klebesadel

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

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
June 6, 2022**

MOTION: Commissioner Scoggin moved to approve Planning Commission Resolution 22-13.
The motion was seconded.

Discussion ensued

VOTE: The main motion passed without objection.

Resolution 22-18 A resolution of the Matanuska-Susitna Borough Planning Commission recommending adoption of an ordinance amending MSB 43.05.015 Purpose and Scope to reference the 2022 Subdivision Construction Manual (Staff: Alex Strawn, Planning and Land Use Director).

Chair Glashan read the resolution title into the record.

Mr. Strawn provided a staff report.

Chair Glashan opened the public hearing.

The following persons spoke in favor of the Planning Commission loosening the process, so there may be a question/answer to Resolution 22-18: Mr. Gary Larosso, Mr. Bill Klebesadel, Mr. Kurt Holler

The following persons spoke in favor of Planning Commission Resolution 22-18: Mr. Bill Klebesadel, Mr. Kurt Holler

Commissioner Scoggin: 0-10% buildout

Commissioner Allen: Would you adopt this?

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

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

Mr. Strawn responded to questions and statements from members of the audience.

Ms. Taylor provided a statement.

MOTION: Commissioner Allen moved to approve Planning Commission Resolution 22-18.
The motion was seconded.

Discussion ensued

VOTE: The main motion passed without objection.

XI. CORRESPONDENCE AND INFORMATION
(There was no correspondence and information.)

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
June 6, 2022**

XII. UNFINISHED BUSINESS

(There was no unfinished business.)

XIII. NEW BUSINESS

A. Mr. Ortiz brought up scheduling a time for Planning Commission training.

XIV. COMMISSION BUSINESS

A. Upcoming Planning Commission Agenda Items (*Staff: Jason Ortiz*)
(Commission Business was presented, and no comments were noted.)

XV. DIRECTOR AND COMMISSIONER COMMENTS

Commissioner Scoggin: Loosen the rules for Public Participation – Discussion ensued regarding this subject.

Commissioner Glashan: I did not feel it would be appropriate to extend the time regarding this matter.

XVI. ADJOURNMENT

The regular meeting adjourned at 7:17 p.m.

STAFFORD GLASHAN, Planning
Commission Chair

ATTEST:

KAROL RIESE, Planning Commission Clerk

Minutes approved: _____

**INTRODUCTION FOR
PUBLIC HEARING LEGISLATIVE**

Resolution No. PC 22-19

**A Resolution of the Matanuska-Susitna Planning
Commission recommending the Matanuska-Susitna
Borough Assembly move to repeal MSB 17.10,
Overlay**

(Pages 11-16)

INTRODUCTION FOR PUBLIC HEARING



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833

www.matsugov.us

PLANNING DIVISION STAFF REPORT

DATE: June 20, 2022

SUBJECT: Repealing MSB 17.10, Overlay Districts

RESOLUTION NO.: Planning Commission Resolution 22-19

REVIEWED BY: Alex Strawn, Planning & Land Use Director
Kim Sollien, Planning Services Division Manager

STAFF: Kelsey Anderson, Planner II

SUMMARY STATEMENT

Legislation Background

In 2017, the Wolf Lake Aviation Advisory Committee submitted a request to the Borough to develop an Aviation Activity Notification Area overlay district at Wolf Lake Airport. The district did not implement any new land use regulations, rather it acted as a notification tool for nearby property owners and potential buyers of homes within close proximity to the airport. Planning staff worked closely with residents of Wolf Lake Aviation Advisory Committee to develop MSB 17.10 Overlay Districts code that would also be available for other airstrips in the borough to use if the operator of the airstrip wanted to notify residents near them.

Information Memorandum 18-097, which accompanied the legislation to adopt MSB 17.10 cited the Borough's 2017 Long Range Transportation Plan where there was a recommendation that Airport Compatibility is an important issue for the Borough. One strategy listed in the plan to ensure compatibility is to notify property owners of airport locations in the borough.

Since the adoption of MSB 17.10, the only airport to have an aviation activity notice area is Wolf Lake Airport, which was created along with the adoption of the chapter of code. In 2019, there was an unsuccessful attempt to develop another aviation activity notice area for a privately owned, restricted use airport. The process currently defined in MSB 17.10.110 requires Planning staff to develop a unique notice area for privately owned, restricted use airports as they are requested. Because of this requirement, the request for an Aviation Activity Notice Area in 2019 required a considerable amount of staff time to develop a distance for the notification area. Ultimately, the

notification distance that was carefully calculated was changed by the Planning Commission and not adopted by the Assembly.

In 2021, the Aviation Advisory Board signed Resolution 21-01 in support of repealing MSB 17.10. Members of the Wolf Lake community joined for the meeting and showed support for the repeal as long as it was replaced with another form of “notification” for residents looking to purchase homes or see their current proximity to registered airstrips within the borough.

Planning and Land Use Viewer

In March of 2022, the Assembly directed Planning staff to develop a map that showed current land use regulations. Based on the feedback staff received from the Aviation Advisory Board and the Wolf Lake community, staff included the Federal Aviation Administration’s Registered Airports GIS layer in the MSB Planning and Land Use Viewer. The Viewer allows residents to search for a parcel by address or Tax ID number. The map also shows registered airports within a 5 mile radius of any parcel within the Matanuska-Susitna Borough. It should be noted that there are unregistered airstrips in the borough that will not show up on the map and it will be the individual’s responsibility to do their due diligence when looking to purchase a property.

The Viewer can be accessed here:

<https://msb.maps.arcgis.com/apps/webappviewer/index.html?id=4cd76b7861f348e68afd5cc934524a5f>

The Planning and Land Use Viewer is an adequate replacement of MSB 17.10, and provides easier access for residents seeking the location of all registered airstrips within the borough. The Viewer is live on matsugov.us and managed internally by Planning and GIS staff. As the FAA layer updates with more registered airports, it will be reflected in the Viewer.

Legislation

The attached draft code ordinance, OR 22-076, will be submitted to the Assembly as part of the adoption process. This legislation is included for your information. The ordinance repeals MSB 17.10, Overlay Districts, in its entirety from Borough Code.

Staff Recommendations

Staff respectfully recommends the adoption of the Planning Commission Resolution 22-19, recommending the repeal of MSB 17.10 Overlay Districts.

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM

IM No. 18-097

SUBJECT: AN ORDINANCE ADOPTING MSB 17.10 OVERLAY DISTRICTS

AGENDA OF: JUNE 5, 2018

ASSEMBLY ACTION:

*Adopted without objection &
Doty Recused 8-21-18 (357)*

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator	EP	
	Planning and Land Use Director	EP	
	Borough Attorney	NS	Legal description is prelude to a map
	Borough Clerk	PSA for LRM	

ATTACHMENT(S): Fiscal Note: YES ☐ NO ☒
Ordinance Serial No. 18-061 (5 pp)
Planning Commission Resolution No. 18-06 (2 pp)
Planning Commission handouts (17 pp)

SUMMARY STATEMENT:

The Borough has received a request for an Aviation Activity Notification Area overlay district at Wolf Lake Airport. This district would not implement any new land use regulations, but would simply "notify" nearby property owners and potential buyers of homes within close proximity to an airport that aviation activity is nearby, and they could be impacted by noise associated with that activity. If adopted, this overlay district would be available for other airstrips in the borough.

The planning commission held a public hearing on March 19 and postponed action until May 7, 2018 and requested the following additional information from staff concerning the request:

1. A list of members of the Wolf Lake aviation advisory committee
2. Notification to the property owners within the potentially affected area
3. Any other support or notification efforts of the proposed ordinance

Included with this legislation is the requested member list of the Wolf Lake Advisory Committee. In addition, on April 6, 2018 the planning department mailed 1015 notices to property owners notifying them of the draft ordinance. And finally, staff presented the draft ordinance at the Palmer Airport Advisory Commission on April 26, at the Wasilla Airport Commission on April 19, 2018, and the MSB Aviation Advisory Board meeting on February 28, 2018. The City of Wasilla administration has submitted a letter supporting the ordinance.

The 2017 MSB Long Range Transportation Plan contains a recommendation that Airport Compatibility is an important issue, and one strategy listed in the plan to ensure compatibility is to notify property owners of airport locations on MSB or DOT&PF maps, and note proximity to an airport on plats. In addition, the Mat-Su Borough Regional Aviation Systems Plan-Land Use Guide suggests that a variety of tools can be used to achieve greater levels of airport compatibility, including land use zoning, which may include aviation overlay districts.

The planning commission again considered the draft ordinance and additional public testimony at their May 7, 2018 meeting, made some minor amendments, and adopted Resolution 18-06 recommending assembly approval of the ordinance.

RECOMMENDATION OF ADMINISTRATION:

Approval of an ordinance adopting MSB 17.10 Overlay Districts

INTRODUCTION FOR PUBLIC HEARING LEGISLATIVE

Resolution No. PC 22-20

**A Resolution of the Matanuska-Susitna Borough
Planning Commission recommending the Matanuska-
Susitna Borough Assembly adopt the Beverly Lake
Lake Management Plan and an Ordinance amending
MSB 17.59 for lake management plan implementation**

(Pages 17-92)

PUBLIC HEARING



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833

www.matsugov.us

PLANNING DIVISION STAFF REPORT

DATE: June 6, 2022

SUBJECT: Beverly Lake, Lake Management Plan

RESOLUTION NO.: Planning Commission Resolution 22-20

REVIEWED BY: Alex Strawn, Planning & Land Use Director
Kim Sollien, Planning Services Division Manager

STAFF: Kelsey Anderson, Planner II

SUMMARY STATEMENT

Lake Management Planning History

The Matanuska-Susitna Borough (MSB) adopted the first Lake Management Plan (LMP) in 1995. Since then, there have been forty-one LMPs adopted by the Borough Assembly. The Beverly Lake LMP was initiated in the summer of 2021 for the same reasons as the 41 lakeside communities before them: as populations grow, there is an increase in conflicting uses of the land and water being developed. When this happens, the residents have an option of initiating an LMP to resolve conflict among current neighbors while setting a standard for incoming residents. The LMP process is a grassroots planning option, meaning that LMPs must be initiated by a lake community. Once initiated, the residents work together to develop the regulations they think are appropriate for the lake. The Borough's Planning Department staff act as researchers, writers, and neutral meeting facilitators throughout the process.

Lake Management Plans provide guidance for how the surface of the lake is used and makes recommendations concerning public access and education of lake users to meet the goals of the plan. Certain aspects of the plan can be implemented as enforceable regulations through MSB 17.59. In 1999, the Borough Assembly adopted Ordinance NO. 99-103 which established guidelines for appropriate regulations based on the lake size. Residents also have the power to develop their own regulations to be included in a Lake Management Plan. According to the Alaska Department of Fish & Game, Beverly Lake measures 42 surface acres with an average depth of 9 feet. The adopted guidelines for a lake of this size are as follows: No Wake Zone of 100 feet from shoreline; Quiet Hours 10pm to 8am; Personal Watercraft Restriction; 10 Horsepower Limit.

Beverly Lake, Lake Management Plan Process

Residents of Beverly Lake, located within the Meadow Lakes Community Council, began the petition process for a Lake Management Plan (LMP) in 2018. After 2 years and several attempts, residents submitted a valid petition to the Matanuska-Susitna Borough (MSB) Planning Department. For an LMP petition to be considered valid, it must show that over fifty percent of all property owners within 600 feet of the shoreline agree to initiate a plan. Fifty-three percent of lake residents signed the petition.

The next step in the LMP process as defined in MSB 15.24.031 required planning staff to mail a ballot to every parcel within 600 feet of the shoreline asking residents to indicate whether they support or oppose initiating an LMP. Eighty-four ballots were mailed. Of those, fifty-nine ballots were returned to the MSB. Thirty-seven properties voted in favor of a LMP, which made the final count show sixty-two percent in support.

Planning staff scheduled two public meetings for Beverly Lake residents to discuss their concerns, ideas, and to work towards a consensus for regulations to be included in the Lake Management Plan. The first meeting was held on March 22, 2022 in person at the Wasilla Public Library and had a Microsoft Teams component so residents could join virtually. Planning staff gave an overview of what to expect from the LMP process and then provided an opportunity for residents to voice their concerns regarding usage conflicts on Beverly Lake. Residents were divided into small groups where they developed some ideas for regulation packages including quiet hours, a no-wake zone, and options for motorized watercraft and personal watercraft use. At the end of the meeting, residents voted to have another meeting to further discuss regulations. The second meeting was held on March 24, 2022, and was entirely virtual using Microsoft Teams. The meeting followed the same format as the first, with the exception of the small groups. In the virtual meeting, residents worked through their ideas and concerns together and also agreed to a follow-up meeting.

While it was very clear that the primary issue was jet ski use, there were several notable themes that residents agreed on. These issues are discussed at length in the LMP. Below is a brief summary of the top three issues:

Safety: Community members spoke on what safety for their children and their property looks like on the lake. Several mentioned “close calls” with kids riding jet skis while their children were swimming. There was also videos, photos, and many comments on damaged docks and shorelines from wakes made by jet skis and fast moving boats.

Wildlife & Environmental Protection: Loon nesting habitat, swans, and ducks were mentioned as important species to protect on Beverly Lake. There was an Alaska Department of Fish & Game representative at both meetings to help answer questions that residents had about loon nesting habitat. All residents agreed that habitat protection was of great importance to the overall quality of life on the lake.

Motorized Watercraft/Personal Watercraft Use: Residents spoke both for and against motorized use on Beverly Lake. The residents who would like to see a ban on jet ski use and boats over 15 horsepower brought up points such as the size and depth of the lake being incompatible with high speed use, and how the noise was disturbing the quiet, rural character of the neighborhood. The residents who were in favor of maintaining motorized use on Beverly Lake

spoke to the family-oriented nature of lakeside living, and wanting to be able to enjoy their property by jet skiing, water skiing, tubing, and boating.

The third and final public meeting was held on April 26, 2022. The meeting was held at the Wasilla Public Library and on Microsoft Teams. Planning staff provided a draft Lake Management Plan several days before the meeting so residents would have time to review the document and proposed regulations prior to the meeting. The goal of the final meeting was to come to an agreement on the regulations that would be included in an LMP so that residents could cast a final vote that would show if residents supported bringing the Beverly Lake, Lake Management Plan forward to the Planning Commission and Assembly for adoption into MSB Code. However, residents were unable to come to an agreement on the regulations they wanted to be included in the LMP. Because residents were not able to come to a consensus regarding the regulations that would be included in the Plan, Planning staff had to ask residents to vote on which regulation package they wanted to see included in a plan.

The final regulation options for the Beverly Lake LMP were developed by the residents of Beverly Lake, and were presented as “Option A” and “Option B” on the ballot (defined below). There was also an “Option C,” which was the option to not have an LMP. Residents agreed to a ranked choice voting option for the final ballot. Planning staff mailed ballot packets to residents within 600 feet of the shoreline on Friday, May 6, 2022 and gave residents until May 20, 2022 to send back their ballot.

Option A: Quiet Hours 10 p.m. to 8 a.m., Sunday through Saturday; 150 feet No-Wake Zone; No personal watercraft; Motorized Watercraft allowed up to 15 horsepower.

- Option A is within the parameters laid out by Ordinance No. 99-103 which established guidelines for lake regulations based on size.

Option B: Quiet Hours 10 p.m. to 7 a.m., Sunday through Thursday, 11 p.m. to 7 a.m., Friday through Saturday; Motorized Watercraft and Personal Watercraft Use allowed on odd days of the month and all federal three-day holidays (Memorial Day, Fourth of July, and Labor Day).

Option C: No Lake Management Plan

The Final Ballot Count:

Ballots mailed: 84

Ballots Returned: 70

Option A as first choice: 38

Option B as first choice: 0

Option C as first choice: 32

Clear majority in first round of counting: Yes, 54 % majority in favor of Option A

Legislation

The attached draft code ordinance, Ordinance No. 22-078, will be submitted to the Assembly as part of the adoption process. This legislation is included for your information. The ordinance

adopts the Beverly Lake, Lake Management Plan under MSB 15.24.030(C), and amends MSB 17.59 to implement the regulations that the community voted on as they are defined in the Lake Management Plan.

Staff Recommendations

The Beverly Lake, Lake Management Plan was developed with intensive public feedback through public meetings, written and verbal comment, and ballot process for both the initiation and implementation of the Lake Management Plan. This LMP is the will of the majority of property owners within 600 feet of the shoreline of Beverly Lake.

Staff respectfully recommends the adoption of the Planning Commission Resolution 22-20, recommending the adoption of the Beverly Lake, Lake Management Plan.

Beverly Lake

Lake Management Plan

PREPARED BY:

MSB Planning Department

**DRAFT for Planning Commission
Public Hearing: June 20, 2022
SUBJECT TO CHANGE**

Table of Contents

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8	Goals
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Introduction

The Matanuska-Susitna Borough (MSB) adopted the first Lake Management Plan (LMP) in 1995. Since then, there have been forty-one LMPs adopted by the Borough Assembly. The Beverly Lake LMP was initiated in the summer of 2021 for the same reasons as the 41 lakeside communities before them: as populations grow, there is an increase in conflicting uses of the land and water being developed. When this happens, the residents have an option of initiating an LMP to resolve conflict among current neighbors while setting a standard for incoming residents. The LMP process is a grassroots planning option, meaning that LMPs must be initiated by a lake community. Once initiated, the residents work together to develop the regulations they think are appropriate for the lake. The Borough's Planning Department staff act as researchers, writers, and neutral meeting facilitators throughout the process.

The Beverly Lake LMP will provide general lake information, as well as the legal framework the MSB uses to regulate waterbodies within its boundary. The Issues Summary provides the intent behind the regulations that are included in the Beverly Lake LMP by describing the public comments received throughout the planning process, and the Goals represent the public comments as they pertain to the regulations included in this LMP.

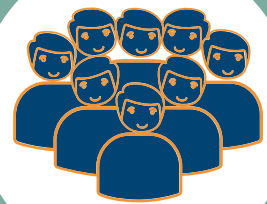


41

Number of Lake
Management
Plans Adopted
by the MSB
Assembly



Borough Code
for LMP's:
MSB 15.24
MSB 17.59



Developed by
residents, for
residents, and voted
on by the MSB
Assembly

General Lake Information

Beverly Lake is located in the Meadow Lakes Community Council administrative area. According to the Alaska Department of Fish and Game (ADF&G), the lake is approximately 42 surface acres and has a mean depth of 9.5 feet and a maximum depth of 20 feet. ADF&G has stocked Beverly Lake with rainbow trout since 1992 and continues to do so. The Bathymetric Map can be found using this link: <https://www.adfg.alaska.gov/index.cfm?adfg=fishingSportLakeData.lakeDetail&LakeID=18>

Public access is currently found by way of Seldon Rd/Beverly Lake Rd and N Windy Bottom Rd. There is a small gravel parking lot, and the trail is somewhat maintained by a combination of local users and ADF&G. Overnight camping is not allowed at the public access point. Public access is located within a section-line easement on private property. If accessing the lake via the public access trail, be courteous of private property. A map of land ownership and public access can be found as Appendix A.

The migratory birds are a source of pride and joy for the residents of Beverly Lake. Every summer, swans use the lake on their way north, and there have been nesting loons for many years. Lake residents have noted that in recent years there has been a decline in swan and loon sightings, but would like to work towards creating a healthy environment that supports migratory birds and their nesting habitats.

Lake residents enjoy many recreational activities in the warmer months such as fishing and kayaking. In the winter, residents and the general public use Beverly Lake for snowmachining and ice fishing.



Size: 42 Acres
Avg. Depth: 9 feet
Max Depth: 20 feet



Alaska
Department of
Fish & Game has
stocked Beverly
Lake with Rainbow
Trout since 1992



Public Access is on a
section line
easement off N
Windy Bottom Rd.
**BE COURTEOUS OF
PRIVATE PROPERTY.**

Borough Code

The MSB has two titles in Borough Code that it uses to manage and implement LMP's. The first is Title 15, specifically, section 15.24.031 *Initiating and Amending Lake Management Plans*. This section of code defines the process that can be initiated by any property owner living within 600 feet of a lake's shoreline.

The second is Title 17, specifically chapter 17.59, *Lake Management Plan Implementation*. This chapter takes the regulations defined in an LMP and turns them into regulations that MSB code-compliance officers can enforce. All borough plans must go through a public process that includes review by the Planning Commission and review and vote by the Borough Assembly.

MSB
15.24.031

Initiates & Amends
Lake Management
Plans

MSB
15.24.030

Adopts Lake
Management Plans

MSB
17.59

Implements
Lake Management Plans

Beverly Lake LMP Process Timeline



Petition



November 2021

Ballot



February 2022

Public Meetings &
Draft Plan



March - May 2022

Final Ballot



May 2022

Planning Commission
and Assembly Public
Hearing



June - August 2022

Issues Summary: Motorized Use

Throughout the spring of 2022, Planning staff facilitated three public meetings. There were two in person meetings with a Microsoft Teams component for remote participation, and one meeting that was solely virtual. Residents of Beverly Lake had an opportunity at each meeting to discuss their concerns, and to connect over all the reasons each person chose to live on the lake. Staff presented on how the LMP process was initiated and how an LMP can help support and protect the quality of life of lakeside residents. In addition to the public meetings, many residents also called and emailed written comments to Planning staff throughout the process. Overall, the community was extremely involved in the public participation process! This section of the LMP provides a summary of the issues that were brought up through the public process.

Motorized Watercraft Use:

Lake residents who were in favor of banning all motorized watercraft use above 15 horsepower noted that the size and depth of the lake cannot accommodate large wakes. Residents talked through the incompatibility of high speed motorized use with non-motorized recreation and swimming, noting that when jet skis are on the water, they do not let their children recreate because they do not feel safe doing so. Residents in favor of banning jet skis noted that there was never a need for an LMP before, because jet skis and speed boats were not as prevalent in the past as they are now. This group of residents showed an interest in maintaining the ability to use kayaks, canoes, and stand-up paddle boards (SUPs), as well as motorized watercraft of 15 horsepower and below.

Lake residents who were in favor of jet skis and speed boats on the lake frequently mentioned that they specifically moved to Beverly Lake because of its lack of restrictions. They noted that it is the burden of the homebuyer to do their research before purchasing a home, and that adopting an LMP would be unfair due to the fact that they might not have purchased their property had they known there was going to be restrictions. Some had just recently purchased jet skis while others mentioned learning how to waterski as they grew up on Beverly Lake. Residents in favor of jet ski use on the lake said they wished to work together with their neighbors to resolve any conflict without the help of the MSB or a Lake Management Plan.

Winter vehicle use was mentioned briefly. Residents were primarily in support of maintaining snowmachine use on the lake, but noted that there was some irresponsible use that should be taken care of as neighbors.

The motorized watercraft issue was the primary topic of concern and the reason behind initiating the lake management plan process. In the first in-person meeting, residents worked together to develop a regulation package that showed some compromise between motorized and non-motorized users. Both groups greatly value the opportunity that living on a lake gives them to create lasting memories with friends and family, and to enjoy the brief Alaskan summers.

Issues Summary: Safety and Fish & Wildlife

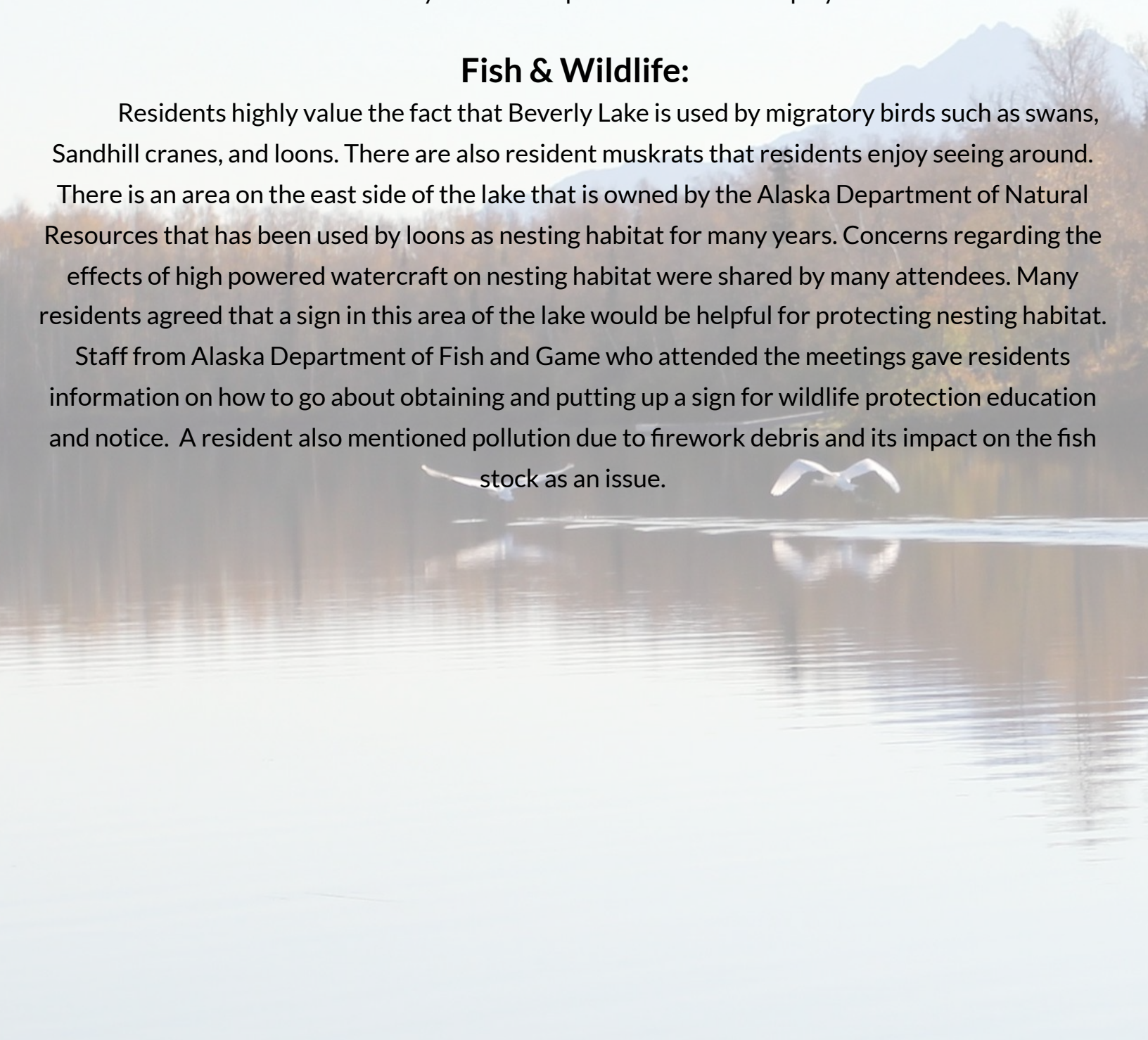
Safety:

Beverly Lake has a diverse group of residents who enjoy recreating in many different ways. There was a shared concern that when high-speed motorized watercraft are on the lake, it makes it unsafe for non-motorized users to recreate at the same time. There were several accounts of “close calls” between children on jet skis and children in the water that were met with a deep community concern to make Beverly Lake a safe place for children to play and recreate.

Fish & Wildlife:

Residents highly value the fact that Beverly Lake is used by migratory birds such as swans, Sandhill cranes, and loons. There are also resident muskrats that residents enjoy seeing around. There is an area on the east side of the lake that is owned by the Alaska Department of Natural Resources that has been used by loons as nesting habitat for many years. Concerns regarding the effects of high powered watercraft on nesting habitat were shared by many attendees. Many residents agreed that a sign in this area of the lake would be helpful for protecting nesting habitat.

Staff from Alaska Department of Fish and Game who attended the meetings gave residents information on how to go about obtaining and putting up a sign for wildlife protection education and notice. A resident also mentioned pollution due to firework debris and its impact on the fish stock as an issue.



Issues Summary: Property Damage and Quality of Life

Property Damage:

Several residents mentioned damage to their docks as a reason for initiating an LMP. Property owners emailed videos and photos of shoreline degradation due to large wakes on their property. The shape, size, and depth of the lake were noted as reasons that wakes are difficult to manage. There have been many issues with the placement of the public access point, including overnight camping and other illegal activities carried out by the general public in the area.

Quality of Life:

Residents would like to protect the quiet, residential character of the lake. They would also like to reduce the number of conflicts between users as the community continues to grow and change. Residents agreed that quiet hours would be a good addition to an LMP. Those who are in favor of motorized use, including jet skis, shared that recreating on their jet skis and boats was part of the reason they moved to Beverly Lake, and consider it a great way to enjoy the summer and time with family. Those who were not in favor of motorized use shared that the quiet, peaceful, safe atmosphere of Beverly Lake was what pleased them most about their community. There was a lot of support for working towards respectful use of the lake as neighbors and using something like a Facebook group to increase communication between all residents.

GOALS

Residents of Beverly Lake want to maintain the safety and welfare of all Beverly Lake residents while protecting the environmental quality and quiet nature of the lake.

Environment

- Protect migratory bird nesting area and wildlife habitat.
- Be environmental stewards of the lake for future generations.

Safety

- Respectfully operate motorized watercraft with non-motorized users in mind.
- Work together to increase communication and resolve conflict using a neighbor-to-neighbor approach.

Property Damage

- Operate motorized watercraft in a manner that protects the shoreline, docks, and personal property of all Beverly Lake residents.

Quality of Life

- Maintain the quiet, recreational, residential quality of the Beverly Lake neighborhood.

Regulations on Beverly Lake

The regulations for the Beverly Lake LMP were decided by mail-in ballot. Two resident groups developed the regulation options that were included in the ballot (Appendix F). There was also an option of "No Plan." Planning staff mailed 84 ballots and there were 70 returned ballots. 54% of the ballots returned chose the regulations found below as their first preference.



Quiet Hours
10pm to 8 am,
Sunday
through
Saturday



Motorized
Use:
15
Horsepower
Limit



No Personal
Watercraft Use
Allowed



Winter Vehicle
Use Allowed



No Wake
Zone:
150 feet
from
shoreline

Appendices

A

Land Ownership Map

B

MSB Setback Requirements

C

Community Planning Resources

D

**MSB Best Management Practices for
Development around Waterbodies**

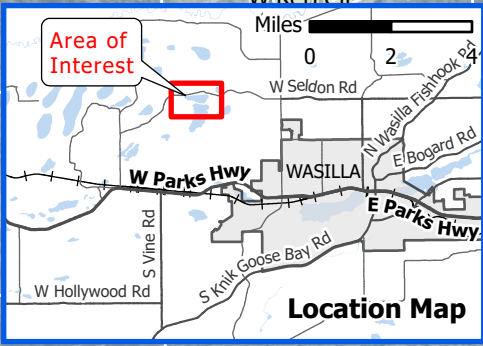
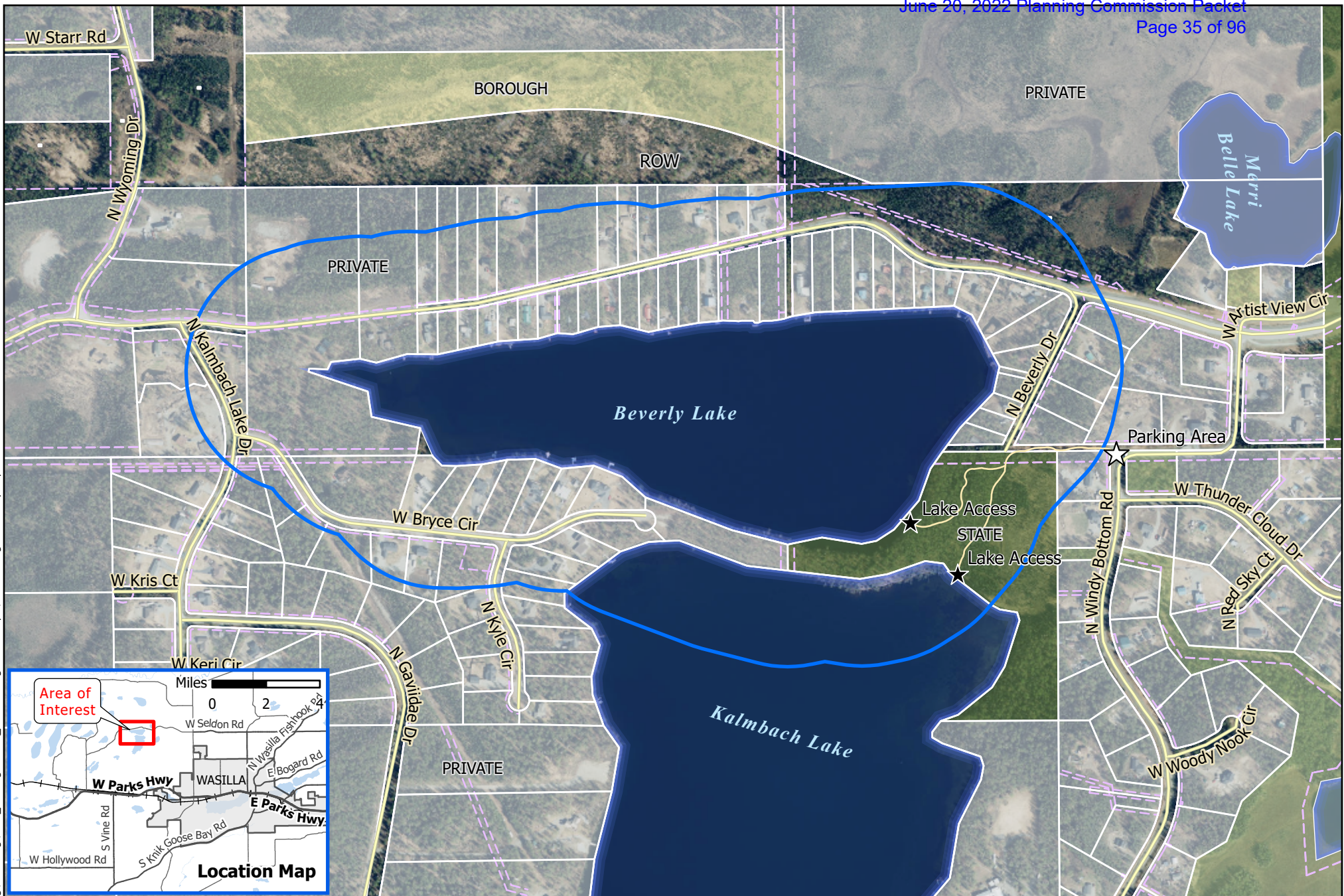
E

Ballot to Initiate a Lake Management Plan

F

Final Ballot Packet

Path: M:\Product\Planning\Lake_Management\LakeManagementMaps\LakeManagementMaps.aprx



This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7858

Map Produced by MSB GIS Division: Tuesday, April 19, 2022

Beverly Lake Lake Management Plan Draft -- *Land Use & Ownership Map* **Appendix A**

Land Ownership

- BOROUGH
- PRIVATE
- STATE
- NO DATA - LIKELY STATE

- 600' Lake Buffer
- Lakes
- Parcel boundaries
- R.O.W. or Easement

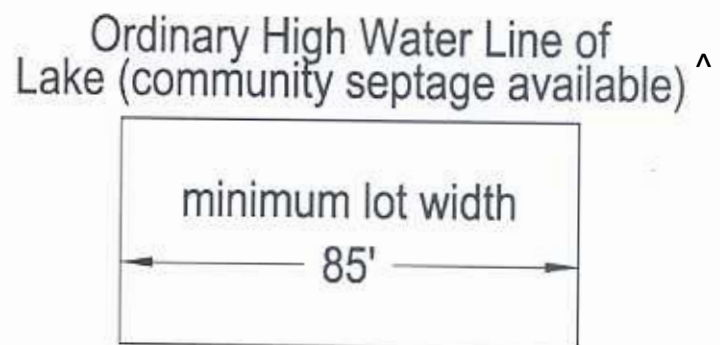
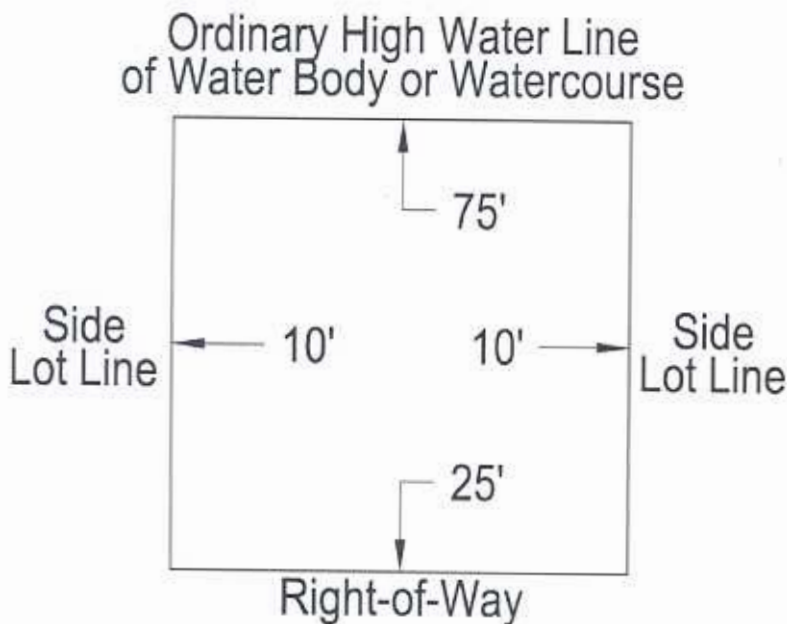
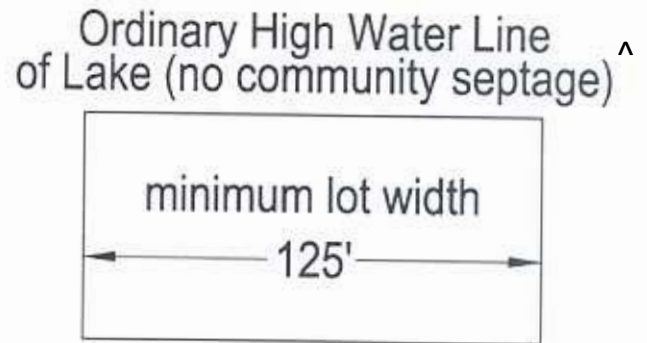
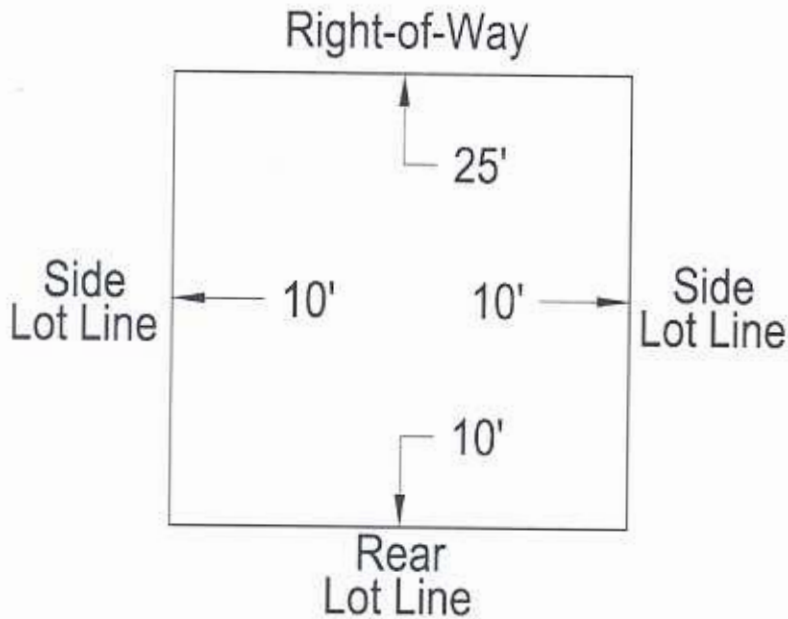
- Lake Access
- Parking Area



0 1,000 Feet

2021 Aerial Imagery

General Setback Requirements and Lot Size* Requirements



*All lots must be a minimum of 40,000 sq. ft.

^These are the current requirements for creating new lots around Beverly Lake. Most subdivisions around Beverly Lake were created prior to the minimum lot size and waterline requirements.

Community Planning Resources and Information

Federal:

Regarding Migratory Birds: Migratory birds, which include loons and grebes, are protected by the Migratory Bird Treaty Act. The Act, among other things, prohibits the “take” of migratory birds.

Destruction of nest sites, eggs, or the birds themselves are a violation of the Act.

State of Alaska:

Susitna Southeast Area Plan (2008), Palmer-Wasilla Region

Document can be found on the Mining, Land & Water website under “Land Use Planning”

Regarding Public Waterbodies: Land that is currently owned by the State of Alaska, and is adjacent to a navigable or public waterbody has special access requirements. Alaska Statute (AS 38.05.127) requires access to the surface waters of navigable and public waterways, typically through a “to” easement.

Additionally, land adjacent to navigable or public waters may be subject to an “along” easement, which provides a 50-foot public use easement along the waterway adjacent to the ordinary high-water mark.

These easements are created when the State or Borough obtains patents to their lands and stay with the property when the land is disposed of. State and Borough lands transferred prior to the adoption of AS 38.05.127 are not usually subject to the “to” and “along” easements. Also, lands patented by the federal government are not usually subject to the “to” and “along” easements.

Matanuska-Susitna Borough:

Borough-wide Comprehensive Plan: <https://matsugov.us/plans/borough-wide-comprehensive-plan>

Meadow Lakes Community Comprehensive Plan: <https://matsugov.us/plans/meadow-lakes-comprehensive-plan>



HOW CAN YOU HELP PROTECT WATER QUALITY?

Voluntary Best Management Practices For Development around Waterbodies

Best Management Practice	Rationale
Maintain the natural shoreline or riparian habitat. <ul style="list-style-type: none"> Preserve a minimum 75 foot wide buffer of continuous, undisturbed native vegetation along at least 50% of the parcel's shoreline or stream bank. Along remaining 50% of shoreline, limit vegetation removal to what is necessary to accommodate paths, docks, or other limited development. 	<p>Protects water quality by reducing nutrient loading in lakes and minimizing temperature changes to stream environments.</p> <p>Provides flood control and reduces erosion and sedimentation.</p> <p>Protects fish and wildlife habitat by providing cover, nest sites and spawning areas.</p>
Minimize impervious surfaces on shoreline lots. <ul style="list-style-type: none"> Limit to maximum of 25% of lot area. Minimize as much as possible within 75 feet of the water's edge. 	<p>Impervious surfaces such as pavement, roof tops, and compacted soil allow runoff to enter waterbodies more readily.</p> <p>Runoff in residential or commercial areas may contain phosphorus and other nutrients that lead to oxygen deficits and algal blooms.</p>
Avoid adding sand beaches or adding fill material to lakeshore, stream banks or wetland areas.	<p>Sand or fill reduces water clarity, is harmful to aquatic life and may contain phosphorus that enriches waterbodies.</p>
Adhere to the state of Alaska's 100 foot waterbody separation for septic systems and outhouses, and keep septic systems in good working order.	<p>Bacterial contamination from poorly maintained or leaking septic systems or outhouses is a human health concern.</p> <p>Nutrients from poorly functioning septic systems or outhouses are waterbody pollutants.</p>
Use landscaping practices that will reduce degradation of waterbodies, including: <ul style="list-style-type: none"> Test soils to see if fertilizers are needed and use sparingly. Design a smaller lawn to reduce fertilizer use. Use native species that grow well without fertilizer. Avoid fertilizer use completely within 50 feet of the water's edge. 	<p>Lawns are often over-fertilized, which leads to harmful levels of nutrients in the water.</p> <p>Lawns are not as effective as natural vegetation for pollution filtration.</p> <p>Lawns do not provide protective cover for fish and wildlife populations that are part of the waterbody system.</p>
Maintain at least a 75' distance from the water's edge for: <ul style="list-style-type: none"> Additional permanent or accessory buildings. Driveways, roads and other impervious surfaces. Livestock or dog quarters or yards. Manure or compost piles. Long-term vehicle or equipment storage. <p>Exceptions may include boathouses, floatplane hangers, marinas, piers and docks that need to be closer than 75 feet to serve their purposes.</p>	<p>Protects human health and water quality by reducing contamination from animal waste, compost, fuels, sediment and other substances that pollute waterbodies.</p>

Mat-Su Borough Ordinance 05-023 established voluntary measures that property owners can use to protect the quality of our lakes, streams and wetlands. For more information, contact the Matanuska-Susitna Borough, Department of Planning and Land Use at 861-8556.



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Services Division

350 East Dahlia Avenue, Palmer, Alaska 99645-6488

Phone 861-8525 • Fax 745-9876

kelsey.anderson@matsugov.us

December 3, 2021

RE: Initiation of Beverly Lake, Lake Management Plan

Dear Beverly Lake Property Owner,

The Matanuska-Susitna Borough Planning Services Division has received a valid petition per MSB 15.24 requesting the initiation of a lake management plan for Beverly Lake. The next step is to ask you, the owners of property within 600 feet of the lakeshore, if you are, or are not, in favor of starting this process.

A lake management plan would include:

- an overview of the public participation and petition process;
- a brief description of the character and goals of the Beverly Lake community; and
- a list of community-chosen restricted uses to be adopted into MSB Code 17.59, *Lake Management Plan Implementation*.

Please return this sheet, using the enclosed prepaid envelope, indicating your preference (YES or NO) regarding starting a lake management plan, no later than Wednesday, February 9, 2022.

If a majority of ballots returned to the borough are in favor of starting a lake management plan, we will notify all property owners and schedule public meetings to draft the Beverly Lake, Lake Management Plan. Once drafted, the plan will be circulated for a 30 day public review period. Then, two public hearings will be held before the plan is voted upon by the borough assembly. If the assembly votes to adopt the lake management plan, the list of restricted uses from the plan will become enforceable through borough code (MSB 17.59).

If you would like to participate in the development of the lake management plan, please provide your email and/or phone number. Thank you for being involved in this process!

Respectfully,

Kelsey Anderson
Planner II

☐ YES - I am in favor of starting a lake management plan for Beverly Lake.

☐ NO - I am not in favor of starting a lake management plan for Beverly Lake.

Email: _____ Phone: _____



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-8525

kelsey.anderson@matsugov.us

May 6, 2022

RE: **Letter to the Property Owner** - Approval of Draft Lake Management Plan and Regulations for Beverly Lake

Dear Beverly Lake Property Owner,

This is your official ballot packet for the Beverly Lake, Lake Management Plan (LMP). Items included in this packet are: letter to the property owner; educational materials on Ranked Choice Voting; one numbered ballot per parcel that you own; and stamped envelopes to return your ballot(s) to the MSB. **Please review all material carefully before sending in your ballot(s).**

The Matanuska-Susitna Borough (MSB) Planning Department has facilitated three public meetings so residents of Beverly Lake could come together and discuss how they would like to manage activity on the lake. The next step in the Beverly Lake, Lake Management Plan (LMP) process is to ask you, the owners of property within 600 feet of the lakeshore, if you are, or are not, in favor of moving the Draft Plan forward to the Planning Commission and Assembly. Because residents were not able to come to a consensus regarding the regulations that would be included in the plan, Planning staff must now ask all residents to vote on which regulation package they would like to see included in a plan. The final regulation options for the Beverly Lake LMP were developed by the residents of Beverly Lake, and are presented as "Option A" and "Option B" on the ballot. There is also an "Option C," which is the option to not have an LMP. Residents agreed to a ranked choice voting option for this ballot. Planning staff has included educational materials on ranked choice voting in this packet.

If Option A or Option B get the majority vote (50% + 1 vote), the Beverly Lake LMP will go forward first to the Planning Commission and then to the Assembly. The LMP will also be shared with the Meadow Lakes Community Council. There will be an opportunity for public hearing with both the Planning Commission and Assembly. If the Assembly votes to adopt the LMP, the list of restricted uses in the LMP will become enforceable through borough code (MSB 17.59) by MSB Code Compliance Officers. To read the updated draft plan with the regulation packages, visit the Beverly Lake project website at: <https://beverlylakelmp.matsugov.us/>

Included in Mailer: Letter to the Property Owner; Education Materials for Ranked Choice Voting; Numbered Ballot(s); Stamped Return Envelope

MSB Contact: Kelsey Anderson, 907-861-8525, kelsey.anderson@matsugov.us

Included in Mailer: Letter to the Property Owner; Education Materials for Ranked Choice Voting; Numbered Ballot(s); Stamped Return Envelope

MSB Contact: Kelsey Anderson, 907-861-8525, kelsey.anderson@matsugov.us

RANKED CHOICE VOTING

On the ballot:

In a ranked choice voting system, voters rank their options in order of preference, rather than selecting a single option.

For Beverly Lake:

There are 3 options to rank - Option A, a non-motorized regulation package; Option B, a mixed-use regulation package; and Option C, no lake management plan

First Vote Count:

The first step is to count the voters' first choices.

For Beverly Lake:

Planning Staff will count the first choice on every ballot. If there is a clear majority of more than half of the votes, then that Option will be included in the draft plan and moved forward to the Planning Commission and Assembly.

Getting to a Majority:

If no regulation option wins a majority from the first vote, then ranked choices come into play.

For Beverly Lake:

The option with the least votes is taken out. Voters who chose the option with the *least amount of votes* for their 1st choice will have their vote redistributed to the option listed as their second choice.



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Planning Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-8525

kelsey.anderson@matsugov.us

May 6, 2022

RE: Ranked Choice Voting Educational Material - Approval of Draft Lake Management Plan and Regulations for Beverly Lake

Dear Beverly Lake Property Owner,

In order to have a Lake Management Plan, a community must show a majority support for the draft plan, including the regulations that would be included in the plan. Because more than one regulation option was presented by your community, each must be represented on the ballot to move the plan forward. Residents agreed to move forward with Ranked Choice Voting (RCV) for the final Beverly Lake, Lake Management Plan ballot. RCV offers a fair approach to a ballot with 3 or more options by allowing voters to indicate their 1st, 2nd, and 3rd preferences. Every voter should provide three preferences. Please remember that you may only vote one time per option- in other words, if you feel strongly that you like one option over all the others, it is not valid to mark that one option as your 1st, 2nd and 3rd preference. There can only be one "X" marked for each regulation option.

Here is a YouTube video that does a great job of explaining how RCV works:

<https://www.youtube.com/watch?v=oHRPMJmzBBw>

Here is a YouTube video from the State of Alaska Division of Elections explaining RCV:

<https://www.youtube.com/watch?v=ILU3lbrxMBI>

Planning staff also provided a step-by-step description of RCV as it pertains directly to the Beverly Lake LMP process that is included in this mailer packet.

Please direct any questions regarding RCV to Kelsey Anderson at 907-861-8525.

Included in Mailer: Letter to the Property Owner; Education Materials for Ranked Choice Voting; Numbered Ballot(s); Stamped Return Envelope

MSB Contact: Kelsey Anderson, 907-861-8525, kelsey.anderson@matsugov.us



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-8525

kelsey.anderson@matsugov.us

May 6, 2022

RE: **Numbered Ballot** - Approval of Draft Lake Management Plan and Regulations for Beverly Lake

Dear Beverly Lake Property Owner,

This is your ballot for the Beverly Lake, Lake Management Plan. Only one ballot will be counted per parcel within 600 feet of the shoreline. Each ballot is numbered to ensure that any attempt to vote more than one time per parcel will not be counted. To rank your choices, please mark an "X" in the box that represents your 1st, 2nd, and 3rd choice. For more information on ranked choice voting, please reference the educational sheet in this packet.

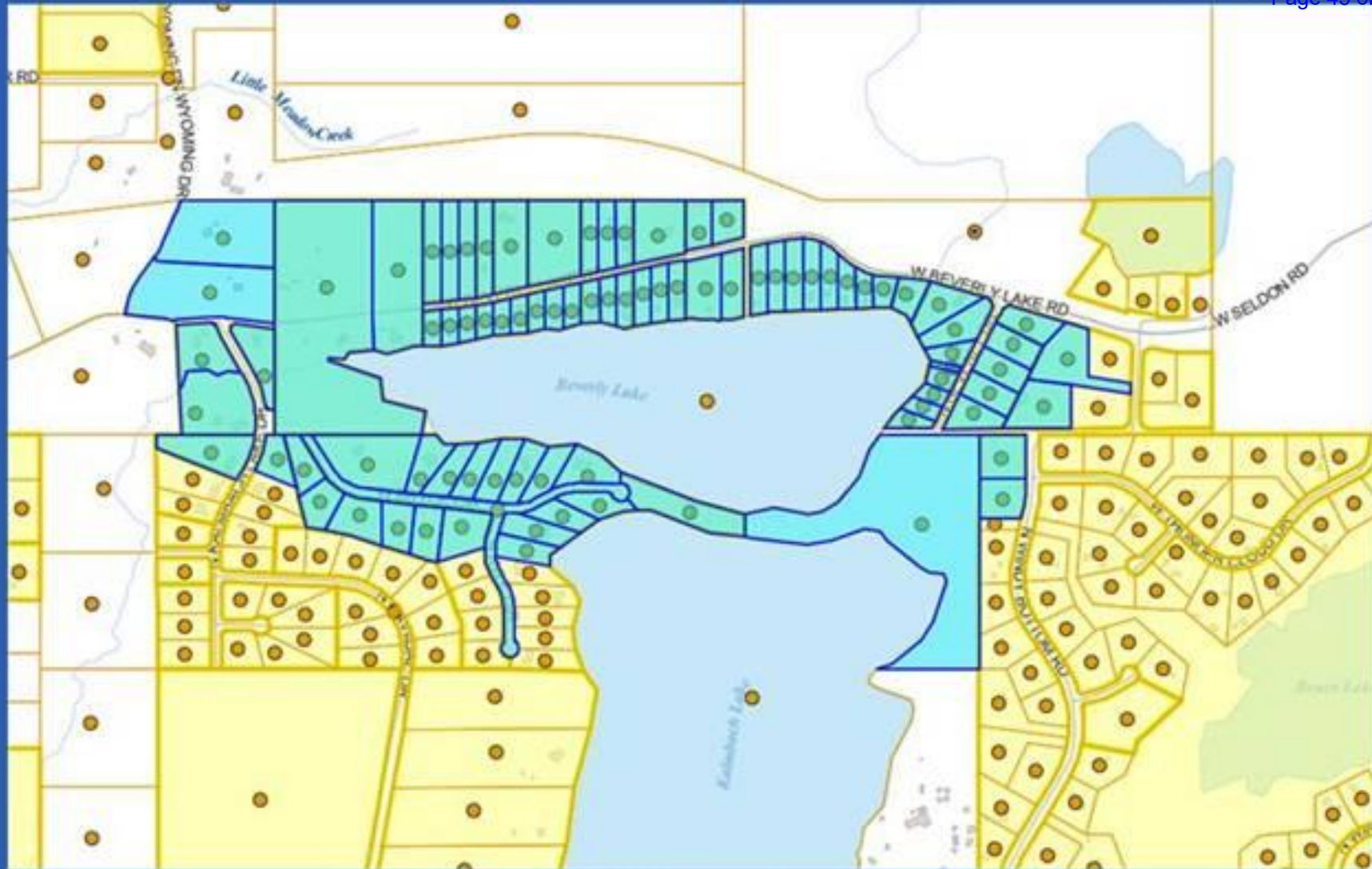
Please return this sheet in the MSB-addressed stamped envelope included in this mailer package by **Friday, May 20, 2022.** Planning staff *will not accept* envelopes with a postage date later than May 20, 2022.

Beverly Lake, Lake Management Plan	1 st Choice	2 nd Choice	3 rd Choice
Option A Quiet Hours: 10pm to 8am, Sunday through Saturday Motorized Use: 15 horsepower limit Personal Watercraft Use: Not allowed No Wake Zone: 150 feet from the shoreline			
Option B Quiet Hours: 10pm to 7am, Sunday through Thursday; 11pm to 7am, Friday through Saturday Motorized Use: Allowed on odd days of the month, and 3-day federal holidays (Memorial Day, 4 th of July, and Labor Day) Personal Watercraft Use: Allowed on odd days of the month, and 3-day federal holidays (Memorial Day, 4 th of July, and Labor Day)			
Option C No Plan			

Included in Mailer: Letter to the Property Owner; Education Materials for Ranked Choice Voting; Numbered Ballot; Stamped Return Envelope

MSB Contact: Kelsey Anderson, 907-861-8525, kelsey.anderson@matsugov.us

Public Outreach



Ballots were mailed to all parcels shown in BLUE because they fall within a 600' buffer of the Beverly Lake shoreline.

TAXID_LOKI	GENOWN	OWNER_1	NAME_2
218N02W26C025	PRIVATE	LEMIEUX ROGER E & GIGI L	
218N02W26C026	PRIVATE	HICKMAN TANNER JAY	
51998B01L001	PRIVATE	WEST BROCK A & MELANIE S	
51998B01L002	PRIVATE	ANTONOVA YELENA V	
54518000LPRD	PRIVATE	KALMBACH LK HOMEOWNR ASSN	
54518000T00A	PRIVATE	LAKE PROP LLC	
54518000T00C	PRIVATE	LORD GLENN D II & CHERYL L	
54518B01L006	PRIVATE	HENDRIX JOHN M	LINCOLN LINDA J
54518B01L007	PRIVATE	NELSON KAREN C	
54518B01L008	PRIVATE	RUSS RENE L	
54518B01L009	PRIVATE	KALMBACH JOHN B TR	KALMBACH KYLE D TR
54518B02L001	PRIVATE	OLSEN THERESA LUISE REV TR	
54518B02L002	PRIVATE	STEVENS ROBERT & WENDY	
54518B02L003	PRIVATE	HALL THOMAS E	PHILLIPPS ELAINE E
54518B02L004	PRIVATE	DESTINY HOMES CONST LLC	LOSIK PAVEL & OLGA
54518B02L005	PRIVATE	LOSIK PAVEL M & OLGA I	
54518B02L006	PRIVATE	RACHELLE-KRAFT AVALON TR	
54518B02L007	PRIVATE	HOWLETT COREY	
54965T0BL002A	PRIVATE	LILLO TODD & MARY R	
55226B01L001	PRIVATE	U S BANK NATIONAL ASSOC TRE	JP MORGAN MTG ACQ TR 2006-NC2
55226B01L002	PRIVATE	COYLE DEETT ANN	
55226B02L001	PRIVATE	CANNON ARIEL R& BRIANNA R	
55227B01L005	PRIVATE	KALMBACH GEORGE F FAM TR	
55227B01L006	PRIVATE	GRYNYUK MYKOLA & TETIANA	
55227B01L007	PRIVATE	HOFFENKAMP DAVID E TR AGMT	HOFFENKAMP JUDY K TR AGMT
55227B01L008	PRIVATE	KALMBACH GEORGE F MARITAL TR UW	KALMBACH MARIA VICTORIA TRE
55227B01L009	PRIVATE	KALMBACH GEORGE F MARITAL TR UW	KALMBACH MARIA VICTORIA TRE
55227B01L010	PRIVATE	KALMBACH GEORGE F MARITAL TR UW	KALMBACH MARIA VICTORIA TRE
55251B01L011	PRIVATE	KALMBACH GEORGE F MARITAL TR UW	KALMBACH MARIA VICTORIA TRE
55251B02L004	PRIVATE	HENRY RICK	
56029000L007	PRIVATE	ELVSAAS FRED S JR & BRITTANY A	
56029000L008	PRIVATE	WILLIAMS FAMILY TR	WILLIAMS ETHAN B TRE
56030000L001	PRIVATE	JENKIN EDWARD M & JENNIFER A	
56030000L002	PRIVATE	BEALS RODGER W & ELAINE D	
56030000L003	PRIVATE	MAUZY CRAIG	
56030000L004	PRIVATE	MAUZY CRAIG THOMAS	
56030000L005	PRIVATE	BRYAN LARRY E & HELEN B	
56030000L006	PRIVATE	VARIS PETER L & JUDY A	
56030000L007	PRIVATE	LEADER GREGORY S& CALLY A	
56030000L008	PRIVATE	TILLETT LESLIE A	TILLETT SHELLEY L
56030000L010	PRIVATE	DRAPE DAN'L D	
56030000L011	PRIVATE	TILLETT CAROL D	
56030000L012	PRIVATE	BROWN MICHAEL E & CAROL J	
56030000L013	PRIVATE	FINE LAVERN M	BERRY DIANN
56030000L014	PRIVATE	BERRY ROBERT L & DIANN M	
56030000L015	PRIVATE	FINE LAVERN M	BERRY DIANN
56030000L016	PRIVATE	BOCHENEK HENRY & JEAN M	
56030000L017	PRIVATE	BOCHENEK HENRY & JEAN M	
56030000L018	PRIVATE	BOCHENEK HENRY W & JEAN M	
56030000L019	PRIVATE	BROWN MICHAEL E & CAROL J	
56030000L020	PRIVATE	CHARNESKI SHAWN & JAYME	
56030000LPRE1	PRIVATE	DIAS MERRI BELLE	
56031B01L001	PRIVATE	RUSCH JOHNNY & JUDY	
56031B01L002	PRIVATE	BROWN CAROL J	
56031B01L003	PRIVATE	CUDIA VINCENT J & DIXIE D	
56031B02L001	PRIVATE	RAILING CURTIS	
56031B02L002	PRIVATE	SAVAGE LEONARD	
56031B02L003	PRIVATE	HARRIS LACEY D	
56032T0AL001	PRIVATE	SMITH JACOB O & JENNIFER E	
56032T0AL002	PRIVATE	SMITH JACOB & JENNIFER	
56032T0AL003	PRIVATE	IHLE TOSHIKO K	
56032T0BL001	PRIVATE	HAWKINS ELIZABETH	HAWKINS ELIZABETH EST
56204B01L001	PRIVATE	LINK MATTHEW & TISHE TRES	M & T LINKED LVG TR
56204B01L002	PRIVATE	LAFOURNAISE DOROTHY H TR	COVINGTON JOAN TRE
56204B01L003	PRIVATE	SCHRANZ PAUL & PATRICIA	
56204B02L001	PRIVATE	SMITH JACOB O & JENNIFER E	
56204B02L002	PRIVATE	TALLANT PAUL	TALLANT JAMES M
56204B02L003	PRIVATE	TALLANT PAUL	TALLANT JAMES M
56345000T00B	PRIVATE	OBEIDI SAID & NAHLA	OBEIDI SAMIR & AMAL OBEIDI OSAMA & FIDA
56345T0AL001	PRIVATE	ODOM CRAIG D & MARY ANN	
56345T0AL002	PRIVATE	BARTENSTEIN FAM TR	WALATKA MARK A
56345T0AL003	PRIVATE	OBEIDI SAID & NAHLA	
56388B01L001	PRIVATE	TRAVIS RICKIE L REV TR	TRAVIS KATHLEEN L REV TR
56388B01L002	PRIVATE	CAHILL JAMES G & JENNIFER FAM REV TR	
56388B01L003	PRIVATE	DICKEY MARTIN & THERESA FAM TR	
56388B01T00A	PRIVATE	WINN DONALD R & KATRINA M	
56670B02L001	PRIVATE	CHARNESKI SHAWN & JAYME	
56670B02L002	PRIVATE	JOHNSON JEFFREY B & KAREN K	
56670B02L005	PRIVATE	RIGAS-DESBONNES MELISSA G	
56904000L009A	PRIVATE	HOFER WAYLON SCOTT	HOFER DANIELLE ELIZABETH
57430000L001	PRIVATE	LONGACRE KATHLEEN	
57430000L002	PRIVATE	LONGACRE KATHLEEN	
57430000L003	PRIVATE	BALITSKIY OLEG & LYUDMILA	
57430000L004	PRIVATE	MUNDAY PETE J	

Public Comment

To Planning Commssion:

Our names is Mykola and Tetieana Griyuniuk and we live across the street from Beverly Lake. We are writing this letter in opposition to the Lake Management proposal on Beverly Lake. We had been living in this area for the last 7 years and because of our neighbors that had allowed us the access to the lake, our family been able to enjoy the lake with our children. We just purchased a boat last year and we took our kids out on our little boat riding and we enjoyed watching our children be happy and really enjoy the time with family. Because of this Lake management plan, we will lose our ability to enjoy Beverly Lake in our neighborhood.

We understand that the lake is not too big, so time sharing would be a great way to address this problem to share time and days when everyone who wants to use kayaks or canoes on some days and others that would like to pull their kids on the tubes on another days. We recommend to have non-motorized and motorized on odd and even days of the month. That way everyone will be able to use the lake.

We strongly oppose implementing Beverly Lake management plan and asking you to reconsider this and vote accordingly in order to allow for all families to enjoy what Beverly Lake has to offer.

Sencirely, Mykola and Tetiana Griyunuk

Kelsey Anderson

From: MSB Planning Commission
Sent: Friday, June 3, 2022 11:09 AM
To: Kelsey Anderson
Subject: FW: Beverly Lake management Plan

-----Original Message-----

From: Melissa Howlett <melissa.kidzone@yahoo.com>
Sent: Friday, June 3, 2022 6:38 AM
To: MSB Planning Commission <MSB.Planning.Commission@matsugov.us>
Subject: Beverly Lake management Plan

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

To whom it may concern:

My name is Corey Howlett and my family and I own a lot on Beverly Lake. I'm writing this to let you know that I'm very disappointed to see that a management plan has been voted and approved for Beverly Lake. It's disappointing that more off lake property owners were given the option to vote on a management plan for Beverly Lake, property owners, who don't even have lake frontage on Beverly Lake.

As an owner with lake frontage on Beverly Lakes, I'd like to appeal the vote on the management plan.

Thank you for your time.

Corey Howlett

Kelsey Anderson

From: MSB Planning Commission
Sent: Friday, June 3, 2022 11:15 AM
To: Kelsey Anderson
Subject: FW: Beverly lake

From: Jennifer Smith <gjijems11@gmail.com>
Sent: Friday, June 3, 2022 8:51 AM
To: MSB Planning Commission <MSB.Planning.Commission@matsugov.us>
Subject: Beverly lake

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

To whom it may concern,

I am writing to you because the lake management plan that was voted for is not what the majority of the people who actually live on the lake want. We have come together as neighbors and I believe without any management plan we can work it out.

Enforcement for a motor restricted lake will cause more problems. With enforcement we are causing the neighbors to police each other for the right to play on the lake.

Also, the writer of the management plan did not include any dates for the motor restrictions. That would mean winter restrictions would apply as well as summer.

Thank you for your time and consideration,

Jennifer Smith

Beverly Lake resident 2004

MSB Planning Commission

To whom it may concern,

I am writing about the Beverly Lake Management Plan that you will be addressing. Kelsey Anderson sent out notification last fall about residents of our community desiring a management plan for Beverly Lake. A vote was taken and public hearings were held. During the last public hearing, four plans had been emailed to Kelsey. After much discussion and consideration, Kelsey decided to take the most restrictive plan and a compromise plan and send it out to the eighty-four property owners for a vote. Many at that meeting were trying to create a compromise plan that we could live with. Those who want to disallow boats and jet skis cried foul because they weren't getting their way, so Kelsey created a new ballot that was sent out ten days later. The compromise plan was very poorly worded. The final vote came in 38 in favor of the most restrictive plan and 32 votes for no plan. No one voted for the compromise because it should have been the plan we voted for or against, not a ranked choice. The vote was fifty-four percent to locking up the lake to water craft. One property owner who happens to own seven lots within the 600 feet parameter has no homes located on any, voted to lock up our lake. Approximately 40 of the 84 properties that are within the 600 feet are not located on Beverly Lake. As a matter of fact, some of them live on Kalmbach lake. It is ultimately unfair that those living on another lake can make the decision to manage our lake. I strongly suggest you reject this proposal. We were also told by Kelsey Anderson that unless 65-70% of the residents were in favor of this plan, the Borough Assembly might take the concerns of the minority into consideration. Please do not authorize this management plan.

Many people living on this lake, researched lakes that did not have management plans so that their families could enjoy boating and jet skis. Jet skis were purchased. If those that want a management plan want a lake with a plan, they should have researched and bought on a lake with a plan. It is so unfair to come in and change what has worked for over fifty years that my family has had the opportunity to enjoy. The reasons they want the lake managed is for safety of wildlife. The lake has wildlife. We have not lost any wildlife from boating or jet skis. One resident said his shore is eroding. That is caused primarily by wind, not jet skis. If he hadn't clear cut his property all the way to the lake, he wouldn't have the erosion problem. He created it!

If a management plan is put into place, please consider using the compromise plan which allows boats and jet skis on even days of the month. They can have their quiet on odd days of the month. We have such a short summer in Alaska. We all want to enjoy the lake. Give our children the opportunity to enjoy the beautiful outdoors.

Sincerely, Theresa Dickey

June 1, 2022

To Whom It May Concern,

My husband and I live at 5242 W. Bryce Circle. we are both 79 years old. We do not live on the lake side but across the street from it. My daughter and her husband live on the lake and we are all very distressed over a possible lake management plan being enforced.

I have enjoyed watching my grandkids and great-grandkids pulling their inner tubes behind their jet ski. I think it's very sad that some bought houses to live on a motorized lake, and now other neighbors are trying to ruin this for them.

Beverly Lake is a quiet lake and we enjoy watching the birds all summer. Last summer was no different. Anyone that says the birds are nesting somewhere else because of the motorized activity on the lake is not telling the truth.

I spend a lot of time down at my daughter's house on her back deck, because of the amazing view. It's very calm and peaceful on the lake and on occasion there will be a boat or some type of watercraft out on the lake. It has never been disruptive or excessive. I went to the meetings about this situation and I can tell you that this lake is not overrun with non-stop motorized activities.

We want to ask this committee to make decisions so that all homeowners can enjoy the lake in the way that makes them happy. A timeshare structure is a good compromise so the people that want to fish or swim can enjoy that and then other days the lake can be enjoyed by people that want to use motors. I cannot believe that homeowners that live on a lake would not even have the ability to pull their friends and family on tubes. To change the rules after people purchased is a shame. If motorized activity is allowed on certain days it doesn't mean all day long people will be on the lake with their jet ski's or boats. It has never been like that. Its occasional use and it always has been, despite what is described at these meetings. I would like to ask you to be fair when considering what rules to Implement and don't believe everything you hear about what has been happening on the lake. I vote for a situation where everyone has their time to do what they love on the lake.

Kind Regards,

Dave and Judy Hoffenkamp (907-301-2614)

June 3, 2022

Dear Planning Committee

My Husband, Mother, and I have the privilege of owning a home 5059 W Bryce Circle - on Beverly Lake in the Mat-Su Valley. We purchased the home in July 2020 after an extensive search for the perfect home. Our three top priorities included a Mother-in-law apartment that would enable my mother to move back to Alaska in a safe neighborhood, and a lake that permitted motorized boats that are able to tow an innertube and jet skis.

I was fortunate to grow-up on a similar lake in Nikiski, Alaska and wished to provide our adult children and our grandchildren with opportunities to swim, boat, and learn to ski as I did as a child. Beverly Lake was a perfect choice for us, having met all of the criteria. My husband served for 26 years in the US Army and is a disable veteran and looking forward to finally settling down and growing roots after many years of service. We are anticipating this being our forever home – offering joy, peace, and laughter at this stage of life.

We were quite surprised and disappointed when we received notification from the borough that a few neighbors had initiated a petition to establish an invasive Lake Management Plan. Surprised because we had experienced nothing but kindness and respectful interactions with all of our neighbors and disappointed because a drastic step had been taken rather than the old-style *knock-on your neighbors' door and discuss neighborly concerns*.

Our disappointments continued throughout this process for the following reasons:

- The original petition was done without communication with the entire neighborhood, intentionally excluding neighbors who owned boats/jet skis.
- We were told at the first meeting that at least 60-70% of the property owners would need to be in favor of a LMP or it would not be “politically worth it” to the Planning Committee or Assembly. (Review the end of the recording of the first meeting)
- A large number of individuals voting on the LMP do not even live on Beverly Lake but had voting rights because the borough requires notifications to individuals within 600 feet of the lake.
- All accusations of dangers to wildlife, shorelines and personal injuries have not been verified as truth.

We discovered that 6 out of 7 local property appraisers believe our property values will decrease up to 20%, based on other Alaskan lakes that have had a similar LMP. I ask that the borough takes this into account while discussing the pros and cons of proceeding, as there will be an unfortunate reduction in borough property taxes being received from our neighborhood if the appraised values go down.

We ask that all of you take into consideration the location we live – Wasilla, Alaska...*Land of the Last Frontier*.

Please do not proceed with recommending the Beverly Lake LMP to proceed to the Mat-Su Borough Assembly. We have worked our whole life to retire in a beautiful area; “our little piece of paradise”. We are hopeful to continue to enjoy all that Beverly Lake has to offer.

Thank you for your time and service to our community.

Warm Regards
Tom and Elaine

Kelsey Anderson

From: MSB Planning Commission
Sent: Friday, June 3, 2022 12:06 PM
To: Kelsey Anderson
Subject: FW: Beverly Lake Management Plan

From: Kathy Longacre <klongacre@gmail.com>
Sent: Friday, June 3, 2022 11:58 AM
To: MSB Planning Commission <MSB.Planning.Commission@matsugov.us>
Subject: Beverly Lake Management Plan

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Jun 3, 2022

My family has been on Beverly Lake since 1964 and have enjoyed the water however we used it. I don't get the boat out too much in a summer, but it is such a pleasure to share with kids and grandkids when they come to visit. I also delight to see others screaming in sheer joy when being pulled on an inflatable pulled by a boat.

I would like for you to reconsider Beverly Lake having a management plan. Residents seem respectful of each other.

A ruling set on the books for a different type plan many years ago isn't appropriate for lake management. People that don't live on the lake should not be concerned or have a say in the management of the lake. It may make sense if you are putting in a gravel pit and neighbors for some distance are affected by noise or dust. Please disregard votes for non Beverly Lake people.

Thank you for your consideration.

Kathy Longacre
4850 W. Beverly Lake Rd.

Kelsey Anderson

From: Carol <til8@protonmail.com>
Sent: Wednesday, April 13, 2022 11:59 PM
To: Kelsey Anderson
Subject: Beverly Lake Estates Lake Management Plan

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Hi Kelsey,

I likely had an incorrect email address for you before as my email was returned as undeliverable. I apologize for not getting this to you sooner.

Many of us have remained in contact with each other since the last meeting. I personally would prefer for no motorized equipment at all on the lake, but feel that this compromise agreed to by many of us should not contribute to the multiple problems that Jet Skis cause.

I am in favor of a 150 foot no wake zone, no personal watercraft, and no jet skis. Up to 15 HP outboard motors is acceptable. Also, there should be observed quiet times as many of us work and have children who need to be in bed. Not to mention elders who live here who would also appreciate calm times. This is worth bringing up as we have long daylight hours in the summer and fall. I believe I heard 10am to 8pm. The lake could still be used obviously, but they should be quiet.

I will list my concerns for my decision:

-Noise. I worked swing shift hours for eight years until last summer. Even wearing earplugs I would be unable to sleep when jet skiers were out. I am a nurse and was working in an infirmary with very ill including covid patients. It was a rewarding but stressful job and I would be exhausted when I got home and many times would be awakened early and there would be no sleeping during the several hours of jet ski use. I tried many types of ear plugs, but none would block the loud reverberation penetrating my walls. That in addition to needing to keep windows closed during hot summer days and no air conditioning. Window fans are so helpful. There was no escaping the noise or heat anywhere in my house. Many times I would return to work sleep deprived. I don't know the decibel level of those large motorized water vehicles, but the sound really carries on that lake. You can hear conversations at normal tones at times if neighbors are outside and you have a window open. I believe a fair analogy for this would be a non-lake neighborhood having a car race in the street in front of their house. Motors racing and revving couldn't possibly be much different than the motor drone of jet skis, and certainly would not be allowed. A persons recreation should never take precedence over the quality of life of homeowner residents on the lake. Now, as a shift worker, I couldn't expect everyone to be quiet while I needed to sleep, but people talking, laughing and having fun is easily tuned out with earplugs. When awake this is a normal happy noise. It's nice to hear neighbors and children enjoying themselves.

-Wildlife has most definitely been affected the last few years of heavy jet ski use. I live at the end of the lake where nesting of loons, swans and ducks occurs yearly. I don't believe I saw a baby loon for long this past year, and heard loud distress calls continually when they were harassed by skiers. I understand during our meeting that Fish and Game volunteered that loons require 60 to 100 acres to thrive. So we have been extremely lucky to have had these birds here on our 40 acre lake for at least the approximately 40 years that I have visited family and owned property on this lake. I have lived here full time for the last 20 years, so I know of what I speak. Swans have not always been on this lake, but found the lake a safe haven for a long time now. These migratory birds will not nest when they are terrified. We also have muskrat and occasionally river otter. Of course these animals will also look for new habitat if they are fearful. I have not seen either of those for the last few years. They are also residents of this lake and are owed our care and consideration.

-I don't have children, but absolutely understand the risk of wakes swamping light watercraft. My neighbors have shared frightening examples. Safety for them should be our number one priority.

-This is a public lake as well as a neighborhood. When jet skies or powerboats with water skiers are uses, no one else gets to use the lake. It is effectively usurped for the entertainment of a few people. If someone drives out from another area to catch fish in this stocked lake, and may plan to put their kayak, canoe, tube etc in the lake they will be very disappointed. There is no mutual use of the lake at this time as it is unsafe for all other watercraft. When jet skiers are finished after several hours of use, there can't possibly be a fish to catch for several more hours.

We have been held hostage by our neighbors and their visitors who do not consider environmental impact, wildlife stewardship, or neighbor comfort. Their only concern is their recreation. We cannot, and should not have to escape our own houses to get some peace. They can load their recreational vehicles onto their trailers and travel a short distance for much larger and more appropriate venues.

There is also the difficulty to prove and enforce, use of alcohol with those who drive their watercraft during parties/get togethers in their "backyards". Often, they come to the lake to party on the weekends and have loud events. Many of these jet skiers do not actually live on the lake. There are seasonal and weekend cabins and jet ski users will leave to go back home after their recreation event with no concerns about their impact.

We also have one family who actually live on Kalmbach lake next to us. I understand they own a house on this lake where they may have lived prior, and their children and friends use that property to access a lake. Kalmbach residents have an agreement for no motorized craft at all on their lake, with a much larger lake and much smaller population. It is unacceptable that they feel that a small lake mostly full with residences is a more appropriate place to play. I remember being similarly annoyed with the sound carrying over from that lake before they had that agreement. This is much worse.

Bottom line is that this lake should be available for recreational use for all residents and the public that wishes to use it ... 100% of the time. When the jet skis are on it - one one else can safely use it. Anyone using the lake should be mindful of wildlife and safety and consideration for those families who actually live here. It wasn't that hard to do until recently. I vote NO jet skis or similar watercraft at all and will compromise with my opening statement opinion. No further.

I feel like most of us who are for a lake management plan and who have spent much time and energy getting this effort off the ground, are in agreement with this mentioned proposal. Possibly, if we start off our next meeting with this proposal instead of trying to force further compromise, we may be able to have a much shorter meeting.

Thanks so much for taking on this contentious project! We do appreciate your meeting management skills and can see that you do want to help us with a resolution. Will you please let me know that this was received?

Carol Tillett
Lot #11 Beverly Lake Estates, Add #1

Kelsey Anderson

From: Carol <til8@protonmail.com>
Sent: Wednesday, April 27, 2022 7:59 PM
To: Kelsey Anderson
Cc: Brittany Elvsaas
Subject: Beverly lake management plan

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Kelsey,

I want you to know that most of us do acknowledge and appreciate your efforts at trying to pull this together. It has been so contentious and emotional, for all of us. I think that you were hoping to accomplish at this last meeting was to find wiggle room to negotiate. And there's just not that space with either side.

I have concerns with this rank choice voting it just doesn't seem appropriate with this type of topic, I can understand it with people/politicians but i'm not finding it helpful for this. There's only one option for no jet skis which is what the majority of us want, and there's two options that allow JetSkiers to dominate... and no wake? Really? I would rather see No lake plan than plan D.

We might have been able to get something accomplished with your easel. It looked like what you were trying to do was to come up with a blended alternate plan if possible. That negotiation should've only been with one vote per parcel. And that's not what was happening. The room should've only been voters because the JetSkiers brought family and friends. Several I knew don't even live on the lake, and had hands up which were counted. It was really getting disheartening.

I know at this point thankfully we're pretty much done except for the voting. But I wanted to let you know I think the process as to how we will vote is confusing. I'm not going to do a 1,2,3. I can't. I see no compromise. I heard people ask if they have to rank vote. And the answer is of course ... no.

I have included Brittany when sending this so that she can forward this email to you as I've already tried and this one has failed like my earlier emails. You can send one to me but I can't send one to you. The borough is rejecting my mail likely because it's a protonmail account. Protonmail got to back to my query and they said it's on the boroughs end. I've had this address for several years and I've never had it rejected. And that includes all kinds of communications with the state of Alaska.

Thanks Kelsey!

Carol Tillett

From Wendy Stover

Appraiser Comments Re: Values of Property on Motorized Lake vs. Non-Motorized Lake

Re: Beverly Lake Property Values Being Affected by LMP

Valerie Kudryn: Enterprise Appraisal

A lake that is motorized is in higher demand. It's a hard question to say exactly what value would be given as an adjustment for motorized vs a non-motorized lake property. That would have to be determined per property.

Casey Dunagan: Affiliated Appraisers of Alaska

It's definitely a plus. It's a good thing to live on a motorized lake when you go to sell.

Eric Kennard: Apex Appraisal

Cannot put an exact value on it, each home is different, but it does add value to the home to be on a motorized lake.

Michael Strong: Strong Appraisals

It's a huge selling point to live on a motorized lake. To have a gated community and a motorized lake is huge for a Seller. He cannot put an exact value or percentage because it would be different depending on the house

Brad Higenbotham: Appraisal Co of Alaska

All based on the situation

Karen Erickson: Erickson Appraisal

I definitely give added value to a lake that is motorized over one that is not. The value is different at each lake

Charity Massie: Summit Appraisal

There is no across the board adjustment for that, but yes, the non-motorized lakes generally sell lower

Kelsey Anderson

From: Kelsey Anderson
Sent: Monday, April 25, 2022 4:54 PM
To: 'Terry'
Subject: RE: BEVERLY LAKE DRAFT PLAN AND MEETING REMINDER

Hey Terry,

I've copy and pasted your questions here and answered in red.

1. If a plan is approved and implemented how will it be enforced. MSB 17.59 is the code we use for implementing lake management plans and guides enforcement.
2. We'd like the names of the enforcers. Currently the Code Compliance Officer (CCO) for the Meadow Lakes area is Mike Johnson, but all calls or complaints need to be directed to the MSB Permit Center: 907-861-7822.
3. We'd also like to know the process for enforcement, fee's schedule. It is complaint-driven, so a resident must call the Permit Center with a complaint and then the code compliance officer will come check it out. The process always starts from an educational approach (verbal warning). The next step would be a written warning, and then move to a citation. Beyond citations, there are other civil remedies that the Borough can use through injunctive relief at the Alaska Court System. Our top priority is to educate people so they willingly comply without moving to any sort of fee or citation. This process heavily relies on neighbors taking the initiative to take photos or videos of any person acting out of compliance with the LMP regulations so there is proof that someone is acting outside of the allowed uses. Once those are passed along through the permit center, then an officer can go out and try to educate the resident about the Lake Management Plan.

The fee schedule for the MSB can be found here:

<https://www.codepublishing.com/AK/MatanuskaSusitnaBorough/#!/MatanuskaSusitnaBorough01/MatanuskaSusitnaBorough0145.html#1.45.100>

4. Also if they don't have legal precedent, how can levy fines. If the LMP is adopted by the Borough Assembly and codified, the MSB has the legal authority to enforce Borough code.
5. Does the borough have plans to clear and maintain public utilities access? The MSB does not own the land around Beverly Lake, so it will not be developing nor maintaining any sort of public access.
6. Who holds the fiduciary and liability responsibility for mishaps that occur in these access ways. The public access point and the trail to both Kalmbach and Beverly Lake is on Alaska Department of Natural Resources. However, I do not believe they would be held liable for any mishaps that happen at public access points. The ADNRR Public Information Center can be reached at 907-269-8400.

I hope that helps clarify how we implement Lake Management Plans. If you have other questions, feel free to call tomorrow 907-861-8525. Hope to see you at the meeting tomorrow evening! Also, you can find updated documents and other information on this website: <https://beverlylakelmp.matsugov.us/>

Best,

Kelsey

From: Terry <dickeymt@mtaonline.net>
Sent: Monday, April 25, 2022 12:11 PM
To: Kelsey Anderson <Kelsey.Anderson@matsugov.us>
Subject: Re: BEVERLY LAKE DRAFT PLAN AND MEETING REMINDER

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Kelsey,

We have some questions concerning the potential lake management plan for Beverly Lake. If a plan is approved and implemented how will it be enforced. We'd like the names of the enforcers. We'd also like to know the process for enforcement, fee's schedule. Also if they don't have legal precedent, how can levy fines. Does the borough have plans to clear and maintain public utilities access? Who holds the fiduciary and liability responsibility for mishaps that occur in these access ways. Thanks, Terry Dickey

Sent from my iPhone

On Apr 22, 2022, at 3:15 PM, Kelsey Anderson <Kelsey.Anderson@matsugov.us> wrote:

Dear Interested Party,

As we approach the third and final public meeting for the Beverly Lake, Lake Management Plan, I wanted to let all interested parties know that I have updated the Beverly Lake project website with a draft plan (also attached to this email), the updated Planning Department Policy, a parcel map, and some draft regulation options that we will be working through at the meeting. **I recommend all Beverly Lake residents look over these materials before our meeting on Tuesday, April 26, 2022 at the Wasilla Public Library from 4-7pm.** I will also have copies available at the meeting. **We will be verifying property owners for the vote to move the plan forward, so please bring an ID or proof of property ownership!**

For property owners who cannot make it to the meeting, we will be mailing ballots on Wednesday, April 27 to everyone who was not in attendance, and you will have until May 6 to review the meeting recording and draft document and cast your vote.

Here is the link to the Beverly Lake project site: <https://beverlylakelmp.matsugov.us/>

Here is the Microsoft Teams information for the meeting on Tuesday:

Click **HERE** to join via Microsoft Teams

OR

Call in option: 907-290-7880

Conference ID: 776 739 786

If you have any questions regarding the material or the upcoming meeting, please contact me at kelsey.anderson@matsugov.us or 907-861-8525.

Thank you all for your interest and participation in this planning effort!

Thank you,

Kelsey Anderson
Planner II, MSB
907-861-8525

Kelsey Anderson

From: Kelsey Anderson
Sent: Monday, April 25, 2022 11:11 AM
To: 'Joan Covington'
Cc: Nicki Pendleton; Steven Joseph Pendleton
Subject: RE: BEVERLY LAKE DRAFT PLAN AND MEETING REMINDER

Hello,

Thank you for your interest in the Beverly Lake, Lake Management Plan process!

The regulation options included in the draft plan are meant to guide the conversation about what residents want to see in their Lake Management Plan. The actual vote will be whether or not they wish to move the draft plan to the Planning Commission and Assembly with the idea that we are going to work through the regulation options and come to a consensus for what should be included in the draft plan. The regulations presented are based on feedback from the previous two public meetings, and the MSB's standard for lake regulations based on the size of the lake. I will also be adding two more options to go over at the meeting as some community members had a meeting yesterday and sent me some more ideas! This is a difficult process and my team and I are doing our very best to make sure every voice is heard and represented.

While the meeting on Tuesday evening is open to the public, only property owners within 600 feet of the Beverly Lake shoreline have the ability to vote. I do recall a Nicki or Steven Pendleton as property owners within that buffer. If you would like to provide their address I can double check on that.

Feel free to give me a call if you'd like to discuss this further. I will be in a meeting from 12:00 to 2:30 today, but free before and after. 907-861-8525j.

Best,
Kelsey

-----Original Message-----

From: Joan Covington <j.covington@me.com>
Sent: Sunday, April 24, 2022 8:08 AM
To: Kelsey Anderson <Kelsey.Anderson@matsugov.us>
Cc: Nicki Pendleton <cadetofspades@gmail.com>; Steven Joseph Pendleton <steven.j.pendleton@gmail.com>
Subject: Re: BEVERLY LAKE DRAFT PLAN AND MEETING REMINDER

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Hello Ms Anderson:

Do I correctly understand that the stakeholders on Beverly Lake will be asked to vote on only one of three options, and that a decision will be made based on whichever of those three options gets the most votes? That there is no possibility of a runoff, in case only a plurality gets the most votes?

That is certainly what it looks like from the summary you recently sent.

If this is the case, those in favor of a LMP will certainly lose out to those against, even though the majority of residents (54% of those returning responses) were in favor. The votes of those in favor will be split between two very similar plans (A and C).

To me this sounds like the minority is already set up to “win” with option B. I hope I am wrong.

Please reply-all with clarification: the persons cc'd are those for whom I hold this land in trust and on whose behalf I act, under their instruction.

Kind regards,

Joan Covington

Kelsey Anderson

From: Kelsey Anderson
Sent: Monday, April 25, 2022 3:10 PM
To: 'Olga Losik'
Subject: RE: Beverly Lake proposals

Hi Olga,

Thank you for the voicemail 😊 I actually had to change the '50 feet from bird nesting' to a 50 feet no wake zone. The reason for this change is that the borough doesn't have the legal authority to monitor bird habitat, so the corresponding rule that would be included in a Lake Management Plan (if you have one) would be a no wake zone. Below is the slide I made for the meeting tomorrow to get your community talking about regulations. Your options E and F were very similar, so I combined them. I think they are both great options and will be really helpful in the conversation, so thank you and your neighbors for meeting this weekend to get me those!! I know compromise does not come easy, and usually leaves everyone with a feeling of loss in one way or another, but if your community can come together and agree on some usage rules, I really believe you can avoid a lot of conflict in the future by having some clearly defined guidelines.

Since your option D is essentially "no lake management plan" I did not include it into the slide for comparing options and generating compromise because we are really trying to focus this meeting on finding a compromise. Based on the feedback I've received from many of your neighbors, I am preparing for folks to be ready to make a decision at the meeting about moving a plan forward or not. When we are talking about the voting process, I will be sure to mention that I received feedback that folks would like to make a decision at the end of the summer. In all honesty, the timeline for this project is constrained by the Planning Commission and Assembly calendars, and with Memorial Day and 4th of July holidays this summer, the earliest that a plan could be voted on by the Assembly is July 19, and that is if I can produce all the necessary documents in a seriously speedy manner. Because of that, I think it is in everyone's best interest to plan voting tomorrow evening, unless you all want to carry this project out for another 6-8 months.

I'll be in the office for another hour or so today if you'd like to call and chat more about how I combined your options. I want to make sure that you feel like I am properly representing your efforts!

Have a great afternoon,

Kelsey

Regulation Ideas Based on Community Feedback and Borough Stan

Option A: Borough Standard

Quiet Hours - 10pm to 8am,
Sunday through Saturday

No Wake Zone - 100 feet from
Shoreline

Motorized Use - 10 horsepower
limit

Personal Watercraft Ban

Winter Vehicle Use Allowed

Option B: Public Meeting Ideas

Quiet Hours - 10pm to 8am,
Sunday through Friday; 11pm
Saturday to 8am Sunday

No Wake Zone - 100 feet from
shoreline

Motorized use - 10 horsepower
limit, Monday through Wednesday,
Saturday

Personal Watercraft - Thursday
through Friday; Sunday

Winter Vehicle Use Allowed

Option C: Developed by Residents

Quiet Hours - 10pm to 8am,
Sunday through Saturday

No Wake Zone - 150 feet from the
shoreline

Motorized Use - 15 horsepower or
electric motor only

Personal Watercraft Ban

Winter Vehicle Use Allowed

From: Olga Losik <olgalosik@yahoo.com>
Sent: Monday, April 25, 2022 12:38 PM
To: Kelsey Anderson <Kelsey.Anderson@matsugov.us>
Subject: Re: Beverly Lake proposals

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Hi Kelsey

It's me again

I left you a voicemail also but if you can please change words from staying away 50 feet from loon nesting to bird nesting please

Thank you

Olga

Sent from my iPhone

On Apr 25, 2022, at 11:40 AM, Olga Losik <olgalosik@yahoo.com> wrote:

Hi

Thank you

Yes I think most of them should be there tomorrow

Thank you

Sent from my iPhone

On Apr 25, 2022, at 9:51 AM, Kelsey Anderson <Kelsey.Anderson@matsugov.us> wrote:

Hi Olga,

Thank you very much for getting this to me! I am going to upload it to the website today and we will discuss it tomorrow. I hope everyone who was at your meeting yesterday will be at the meeting tomorrow night at the Library!

Best,
Kelsey

From: Olga Losik <olgalosik@yahoo.com>
Sent: Sunday, April 24, 2022 7:56 PM
To: Kelsey Anderson <Kelsey.Anderson@matsugov.us>
Subject: Re: Beverly Lake proposals

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]
Hello Kelsey, this is Olga Losik

We had gotten together today with several neighbours and wrote up several options. All of us don't want any kind of lake management on Beverly Lake and haven't seen anyone abuse the lake or cause any disturbance, but we wrote several options that you can include to the proposed plans that we can talk about it on Tuesday. Most of the people that I met at the meeting today have been on the lake for many years, one lady, Kathy Longacre grew up on the lake in 1960s, several other ladies been living on the lake for over 40 years and we all do not want to have our rights taken away so we can enjoy the lake. There were many false statements about birds and wildlife that was said by people that the birds are gone now, people that been on the lake the longest can testify on that on the meeting. Another point we talked about and we will try to find some backup recourses that it's harder to sell your house on the restricted lake and it decreases property values. We will have a realtors and appraisals give us more definite answer on that.

Here are proposed options, please include them. Option E and F pretty much the same except instead of doing weekends and weekdays, other option is to do odd or even days which might be a good option. Another point we want to make, is that people who are not using motorised boats can do whatever they want on the lake all 7 days a week, they would just have to be little bit more cautious on other few days but we are not taking anything away from them, it's not like they can't enjoy a lake every day. Here are the options:
Thank you

Option D

We propose to not consider any lake management plan until the end of the summer of 2022. This gives us the opportunity to demonstrate neighborly respect and consideration without causing permanent regulations on Beverly Lake. Implementing lake management will possibly reduce property values on restricted lake.

OPTION E

-Quiet hours 10 pm to 7 am Sunday through Thursday night and 11 pm to 7 am Friday and Saturday.

-Winter vehicles are allowed

-All people must stay away 50 feet away from loon nesting area.

-Kayaks, canoes, paddle boards, floating docks, electric boats, swimming are all allowed on the lake 7 days a week.

-Personal watercrafts, boats with no limits on horsepower are allowed on the lake Wednesday through Saturday and on Memorial Day, 4th of July and Labor Day.

Option F

-Quiet hours 10 pm to 7 am Sunday through Thursday night and 11 pm to 7 am Friday and Saturday.

-Winter vehicles are allowed

-All people must stay away 50 feet away from loon nesting area.

-Kayaks, canoes, paddle boards, floating docks, electric boats, swimming allowed on the lake 7 days a week.

-Personal watercrafts, boats with no limits on horsepower are allowed on the lake on even days of the month (2,4,5,8, 10 etc.) and on Memorial Day, 4th of July and Labor Day

Olga
Sent from my iPhone

On Apr 4, 2022, at 1:37 PM, Kelsey Anderson
<Kelsey.Anderson@matsugov.us> wrote:

Hello Beverly Lake resident,

I am reaching out to let you know that we have scheduled another meeting to talk about a Lake Management Plan for your community.
The meeting will be held at the Wasilla Public Library on Tuesday, April

26, 2022 from 4pm-7pm. At this time, I am not planning on having a virtual component to this meeting, as it is extremely important to have everyone there in person, working together. However, if April 26th will not work for you, please respond to this email and let me know.

I have updated the Beverly Lake Website with recordings of the previous two public meetings, and the information for our upcoming meeting. I am working to get a document together that summarizes the concerns, issues, and interests that you all talked through in the meetings. When that is finalized, I will share that on the website as well!

What to expect at the next meeting: I will be developing some options for your lake management plan based on the discussions from the previous two meetings. Together, we will go over these options and work together to find common ground and consensus regarding lake regulations. At the end of the meeting, we will vote on how to proceed (for or against a lake management plan). If there is a majority in favor of a plan, I will move forward to finalize draft legislation that would then go through the Planning Commission and ultimately the MSB Assembly for adoption into Borough Code. Please come with ideas, a teamwork attitude, and be ready to work!

If you have any questions, please email me at Kelsey.anderson@matsu.gov. I am looking forward to working with you all again soon!

Best,

Kelsey Anderson

Kelsey Anderson

From: Daniel Drape <danielddrape@gmail.com>
Sent: Thursday, March 17, 2022 9:30 PM
To: Kelsey Anderson
Subject: Beverly lake management plan.

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

I live on the lake, recent years , with the growth

Has brought increases

In lake usage.

Beverly lake is to small

For jet skies, the smallest horsepower I

Know of is 60 horsepower. These machines are designed

For fast riding which

Causes noise for extended periods of time. Group riders are

A disaster here on

Beverly lake.

Our swans have simply

Left due to the jetski activity.

Beverly lake is to small

For this kind of usage

Also a no wake rule,

(Signage) is useless.

No air planes doing

Touch and goes should be permitted, as well as no air flight business should be allowed.

Outboard engine users become a form of noise, wakes and generally just to big for the lake, so a limited
Horsepower 10 hp.

Summer of 2021 we no longer had the Loons.

Winter use of snowmobiles is ok

Fire works needs to be banned none allowed all year. The lake has

Residual by products

from this, paper and plastic , along with the

Fact ADF & G stocks this lake. The lake needs to be kept clean.

Thank for reading this.

Daniel Drape

Kelsey Anderson

From: daniel drape <hewittlk@mtaonline.net>
Sent: Tuesday, March 29, 2022 10:42 AM
To: Kelsey Anderson
Subject: Fwd: BEVERLY LAKE MANAGEMENT PLAN

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

HELLO, THIS IS DANIEL DRAPE , I HAVE UPGRADED MY COMMENTS FOR THE LAKE MANAGEMENT PLAN, PLEASE ADD TO THE RECORDS.

THANK YOU
DANIEL DRAPE
BEVERLEY LAKE LOT 10

From: daniel drape <hewittlk@mtaonline.net>
Subject: BEVERLY LAKE MANAGEMENT PLAN
Date: March 25, 2022 at 3:15:56 PM AKDT

MARCH

BEVERLY LAKE MANAGENT PLAN

I HAVE LIVED ON BEVERLY LAKE FOR 25 YEARS , RECENT YEARS WITH THE GROWTH HAS BROUGHT INCREASES WITH LAKE USAGE, BEVERLY LAKE IS TOO SMALL FOR JET SKIS, PERSONAL WATER CRAFT, AND LARGE HORSE POWER BOATS .
THE BIRD LIFE HERE BEEN REDUCED BECAUSE OF IT, I ONLY SAW THE LOONS IN THE SPRING DURING ICE OUT, THAN NEVER AGAIN ALL SUMMER, THE SWANS DO NOT COME INTO THE LAKE
AND STAY ANYMORE, JET SKI ACTIVITY HAS RUN THEM OFF, AS WELL AS THE LOONS .

THE LAKE IS JUST TOO SMALL TO ACCOMMODATE THIS KIND OF ACTIVITY, NUMEROUS AREAS ARE SUFFERING FROM EROSION AS WELL AS POLLUTION :
FIRE CRACKER DISCHARGES OVER THE LAKE
LEAVES THE SNOW WITH A GREY COLOR AS WELL AS PLASTIC CONTAINERS FROM THE FIRE CRACKERS. FIREWORKS SHOULD BE BANNED.
DEPT OF FISH AND GAME STOCKS THIS LAKE SO IT WOULD BE BETTER NOT TO DISCHARGE OVER , ON THE LAKE.

IT MUST BE POINTED OUT THAT GEOGRAPHYLY BEVERLY LAKE IS LOWER THAN BEVERLY LAKE RD. AND IS SEPARATED BY A HIGH RIDGE FROM KALMBACH LAKE , THIS MAKES FOR HIGHER AND
LOUDER NOISE LEVELS.

THE NEWER HOME OWNER, USERS OF BEVERLY LAKE WITH JET SKIS OR PERSONAL CRAFT , LARGE BOATS FEEL THEY SHOULD BE ABLE TO USE THE LAKE FOR WHAT EVER THEY WANT . THIS JUST DOES NOT WORK FOR THIS LAKE

THESE NEWER HOME OWNERS SHOULD BE AWARE THAT THEY HAVE OPTIONS, FOR THE JET SKIS,AND PERSONAL WATER CRAFT. THEY CAN TRAILER THEM TO DESHKA LANDING BEHIND WILLOW AND HAVE ACCESS TO HUNDREDS OF MILES ON THE SUSITNA RIVER . THEY CAN PURCHASE DAY PARKING OR SEASONAL PASS, LEAVE THEIR MACHINES ON TRAILER IN THE PARKING AREA , ALSO THERE FUEL THERE AND FACILITIES. PLENTY OF ROOM THERE.

ALSO THEY CAN TRAILER THEM TO BIG LAKE AS WELL AS THE KNIK RIVER AREAS.

A 5 HP OUTBOARD IS REALLY ALL THAT IS NEEDED TO BOAT AROUND ON THE LAKE FOR FISHING, PEOPLE STILL CAN CANOE, PADDLES BOAT OR INNER TUBE . MY OBSERVATION OF THE JET SKI ,PERSONAL WATER CRAFT USERS IS THAT NO ONE ELSE CAN USE THE LAKE , THE WATER IS SO RILED UP, WAVES CROSSING OTHER WAVES, MACHINES DODGING OTHER MACHINES, AND RUNNING TILL THEY ARE OUT OF FUEL ,RE FUEL AND START ALL OVER AGAIN. THIS IS A REGULAR OBSERVATION. HAVEING SOME TYPE OF BOROUGH CODE ENFORCEMENT IS LIKEY TO BE OFFERED BUT WILL DO NO GOOD, REASON BEING THE ACESS TO THE BACK SIDE OF BEVERLY LAKE FROM KALINBOCK RD. HAS A SECURITY GATE ON IT , LOCKED . ANY ENFORCEMENT CANNOT GET THRU IT, SO WHAT GOOD CAN ENFORCMENT DO .

THANK YOU
DANIEL DRAPE

Kelsey Anderson

From: daniel drape <hewittlk@mtaonline.net>
Sent: Wednesday, April 13, 2022 9:03 PM
To: Kelsey Anderson
Subject: BEVERLEY LAKE MANAGEMENT PLAN

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

HELLO , THIS IS DANIEL DRAPE, LOT 10 ON BEVERLY LAKE .

PLEASE BE AWARE I AM IN FAVOR OF A 150 FT. NO WAKE ZONE, AND NO PERSONAL WATER CRAFT, NO JET
SKIES, AND UP TO 15 HORSE POWER OUTBOARD MOTORS ARE
ACCEPTABLE .

THANK YOU

DANIEL DRAPE LOT 10 BEVERLY LAKE .

Kelsey Anderson

From: Brittany Elvsaas <907suzukigirl@gmail.com>
Sent: Friday, April 15, 2022 2:01 PM
To: Kelsey Anderson
Subject: Beverly Lake Management Plan

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Kelsey,

Here is what a group of us had come up with as a Lake Management Plan for consideration or discussion at the April 26th meeting. I am hoping you can add this to your drafts as a voting option. When we talked on the phone yesterday I had forgotten to tell you about the quiet hours. You will see below what we had come up with. Thank you,

Brittany Elvsaas
(907) 715-9747

No personal watercraft (jet skis)

15hp or less

No wake 150ft from the shoreline

Quiet hours 10pm-8am Sun-Sat

The issues that have been identified include:

- Protection of the quiet, residential character of the lake Maintaining the general peacefulness (lack of noise) of the lake
- Protection of the wildlife and wildlife habitat
- The ability of Beverly Lake to remain a migratory bird nesting site (for birds such as loons) should be preserved. Recreational use of the lake should be compatible with wildlife nesting.
- Provide a safe place for swimmers and

- Erosion caused by wakes from personal watercraft (jet skis) and boats with higher horsepower than 15 hp and
- The use of smaller motors will reduce the number of conflicts between users and
- Surface uses that create loud noise, disturbing wildlife, or creating wakes and safety issues are the primary concerns

The lake management plan provides management guidelines for:

- The protection of the residential quality of life on Beverly Lake and
- The continued quiet recreational enjoyment of Beverly Lake and
- The protection and enhancement of fish and wildlife and

The protection of public health, safety, and welfare

Personal Watercraft Ban It is recommended that personal watercraft (a.k.a jet skis) be banned from Beverly Lake. Use of personal watercraft is incompatible with the quiet recreational and residential uses of the lake. Furthermore, they pose a safety hazard for swimmers, boaters, and aircraft. Their wakes contribute to shoreline erosion and disturbing nesting birds.

Fifteen Horsepower Limit It is recommended that boat motors be limited to 15 horsepower. The use of high-powered boats is incompatible with the expanding use of the lake for quiet recreational and residential uses. High-powered boats pose a safety hazard for swimmers, other boaters, and aircraft. Their large wakes contribute to shoreline erosion and disturb nesting birds.

Quiet Hours To maintain the existing quiet nature, residential quality and low impact use of the lake, quiet hours are established between the hours of 10pm and 8am Sunday through Saturday

Kelsey Anderson

From: Craig O <craiginalaska@gmail.com>
Sent: Tuesday, March 8, 2022 1:24 PM
To: Kelsey Anderson
Subject: Beverly Lake, Lake Management Plan

Follow Up Flag: Follow up
Flag Status: Completed

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Ms. Anderson,

My name is Craig Odom, my wife Mary Ann Odom and I reside at 5080 West Beverly Lake Road, Wasilla, Alaska, 99623 as full time residents.

I would like to express to the Borough planning department my support for an aggressive lake management plan.. I would also like to state my total opposition to personal watercraft (jet skies) or any boats with motors larger than 7 HP. I strongly support a No Wake Zone: 150 feet from shore.

I've noticed a dramatic decline in the number of nesting Swans and Loons on the lake over the last two years. I have witnessed and videoed Jet Skies on the lake making waves crashing the shore line causing erosion and deteriorating the bank.

Please use this as my voice as I will not be able to attend the meetings as I have another commitment.

V/r
Craig D. Odom
907-322-6677

Kelsey Anderson

From: Craig O <craiginalaska@gmail.com>
Sent: Thursday, March 31, 2022 7:46 AM
To: Kelsey Anderson
Subject: Beverly Lake, Lake Management Plan

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]
Ms. Anderson,

I'm back from my vacation from the lower 48 now. I spoke with a couple of my neighbors and I was told the videos and letter I sent to you were not shared at the meeting. I was very disappointed to learn this. I sent you my letter and the videos to be used as my voice stating my position to start the process to implement a Lake Management Plan.

I don't need to rewrite my letter to you or resend the videos since you replied that you have them. The video is from one Jet Ski. Think of the erosion and damage to the shore line when there are additional Jet Skies on the lake at the same time.

The overall majority of the residents living on Beverly Lake, do not want Jet Skies.

I will not be able to attend the next meeting in person. I understand you will have a ZOOM meeting on April 18th. What is the actual media you will use so I can make sure my son has it available to me.

V/r
Craig Odom

To Whom It May Concern,

My husband and I live across the street from Beverly Lake at 5242 W. Bryce Cir. My daughter and her family live on the lake at 5035 W. Bryce Cir.

We are the grandparents and great-grandparents to our family that has enjoyed many years of being on a motorized lake. We find great enjoyment sitting out in the yard on nice days watching our family have fun pulling tubes and playing on the lake.

I think that the people that actually live and play on this lake should be the ones to vote on this not anyone else but since I had the opportunity to vote I want to vote NO to the lake management plan.

My husband and I are both almost 79 years old. From our house we don't hear any noise from the lake and when at my daughter's house we always enjoy seeing the ducks, swans and hearing the loons. The motorized activity we see on the lake is not offensive to us at all. It is just families having a good time together. It is rare for families to spend time together in this day and age with kids going one way and doing their own thing. Being able to play on the lake is great for families to bond and make memories that will last a lifetime.

Why anyone would have a problem with this I am not sure. We do not want this taken away from our family. Even though we are not on the lake we did read the CCR's before we moved in. It was perfectly clear to us that this lake was approved for motorized activities. It is puzzling why anyone would buy on a motorized lake and then complain that it is motorized. It seems to me that if they don't like the rules maybe they need to move to a lake that better suits them. This is a no-brainer. Trying to change the rules for everyone else because they are unhappy is devastating for the families that purchased land and built their homes here so that they could have fun times on the lake with their family.

Please count us in for NOT wanting a lake management program. We feel very strongly about this.

Sincerely,

David and Judy Hoffenkamp

5242 W Bryce Cir

907-301-2644

Kelsey Anderson

From: jjr@gci.net
Sent: Thursday, April 14, 2022 12:37 PM
To: Kelsey Anderson
Subject: Beverley Lake

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]
Hi Kelsey

I am Johnny Rusch along with my wife Judy. We own a home on Beverly Lake that fronts the lake.

As you know there is a petition to modify the lake management. Both my wife and I are in favor of the proposed management as follows:

- a. 150' no wake from the shoreline
- b. restriction on motors to a maximum of 15 HP or less
- c. NO jet skis or powerful ski boats

We purchased our place in 2014 and have watched it become a free for all with jet skis and power boats that have damaged our shoreline, neighborhood docks and caused the loons and swans to relocate to other lakes in the area.

Thank you very much for your efforts in this matter.

Regards

Johnny & Judy Rusch
5020 Beverly Lake Rd
Wasilla AK
907 350-4050

To Whom It May Concern,

I intend to tie in to the meeting remotely but in case I have any issues I want to make sure I have sent a letter to you explaining how we feel about a lake management plan.

Prior to purchasing our land we reviewed the CCR's to make sure that this lake was a motorized lake. We wanted to be able to ride jet ski's and pull kids on tubes. We purchased this lake front lot so that we could have fun playing on this lake with our kids and grandkids. We have lived here almost 5 years and our family has made the best memories. It is not fair to change the rules after we have purchased based on this being a motorized lake.

Another thought, why did each person living on the lake, buy their lots on a motorized lake and then whine and cry when people are using motorized toys on the lake? We all have a choice to buy on motorized or non-motorized lakes. It is not fair that people knowingly buy on a motorized lake and then after the fact try to change the rules. It is also not fair that people not living on the lake, actually living on their own non-motorized lake (Kalmbach Lake) are able to vote on what happens on our lake. Those people are not affected in any way by what we do on our lake. This whole situation is not fair.

Responsible people read the rules BEFORE they buy their land. If they cannot handle the rules they should buy on a lake that matches their lifestyle.

We purchased a brand new jet ski last year based on this lake being motorized. We are opposed to a lake management program. We observed our neighbors riding responsibly and enjoying family time on the lake. I think it is sad for people to interfere with this since there are so few warm; sunny days that kids get to enjoy summer here in Alaska. I would also say that the use of jet ski's was very moderate last summer. I do not believe that this privilege was abused.

When on the lake we are very careful to stay far away from the shoreline and we don't ride the jet ski past 9 or 9:30PM, so that we don't disturb the neighbors. I think all the neighbors using the lake are respectful to each other. I don't see anyone being wild or drunk or behaving irresponsible or offensive. I am obsessed with the loons and I love the birds on the lake. Despite the motorized activity we had loons all summer long. They swam in front of our dock all times of day and night. We could hear them early morning and late at night. We also had many swans and a whole family of ducks nesting right next to our dock, and sand hill cranes came and went throughout the summer. The little bit of motorized activity that is going on at this lake is not affecting the birds.

We live on a very quiet lake with wonderful neighbors. After a 7 month long, brutal winter we feel happy to see families enjoy their days on the lake. It's too bad that some people have nothing more to do in their life than be angry when other people are enjoying their lives. These angry, critical people, may benefit more from therapy than a lake management plan. They should not be allowed to decide for us what happens on our lake.

Living on this lake has been an amazing experience for our family. Our kids and grandkids, our whole family LOVES the memories and good times we are sharing on this lake. We don't want this taken away from our family or from our neighbors that are enjoying it the same as we are. Responsible people read the CCR's BEFORE they buy on a motorized lake. We would have NEVER bought on a non-motorized lake and then went in and tried to change the rules for everyone else. This is very unfair and we are opposed to the lake management plan.

Respectfully,

Robert and Wendy Stevens

5035 W Bryce Cir

Kelsey Anderson

From: Jim and Jennifer Cahill <jandjcahill@comcast.net>
Sent: Wednesday, April 6, 2022 7:59 PM
To: Kelsey Anderson
Cc: Maija DiSalvo
Subject: RE: Beverly Lake LMP Questions

Follow Up Flag: Follow up
Flag Status: Completed

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Kelsey,

Thanks for following up before you are out of the office. Appreciate having the Zoom option set up for the next meeting. If I have any further questions I will let you know.

Thanks

Jim Cahill

Sent from Mail for Windows

From: Kelsey Anderson
Sent: Wednesday, April 6, 2022 6:34 PM
To: jandjcahill@comcast.net
Cc: [Maija DiSalvo](#)
Subject: Beverly Lake LMP Questions

Hi James,

This is Kelsey with the Mat-Su Borough. Maija passed along your questions regarding the Beverly Lake, Lake Management Plan process. I am going to be out of service tomorrow and Friday, so I will do my best to answer them and will get in touch with you next week to follow up and see if you have any remaining questions. I don't have *all* the answers to all your questions, but I will tell you all I know right now!

1. To your question about general guidelines, I've attached 2 photos straight from the Morvoro Lake, Lake Management Plan. This is "boiler-plate" language that can be found in almost every lake management plan, and is the standard the borough uses when discussing possible regulations. It should be noted that it is ultimately up to the residents of every lake seeking an LMP to decide which regulations they would like.
2. To your question regarding loon nesting signage, the MSB does not monitor lake signage for loons, so I am not sure if other lakes are using the signage. Based on our public meeting and information from ADF&G, they have signage available, and someone would just have to work with DNR to make sure it's OK to put a mooring buoy on the submerged lands for the floating sign.
3. To your question regarding online meeting options, I am hearing feedback from you and your neighbors who would like to be a part of the meeting virtually. I will be adding either a Zoom or Microsoft Teams component to the in-person meeting on April 26. I will be emailing the Beverly Lake residents the link information, and it will also be posted on the Beverly Lake project website: <https://beverlylakelmp.matsugov.us/>
4. To your question regarding voting, my supervisors and I are working with our Law Department to come up with a fair way to facilitate voting for your community. I do know that we will be basing who can vote off of MSB tax

records and the 600 feet buffer we used for the initial ballot. That just means that only those who are shown as property owners within 600 feet of the shoreline will have a vote for or against a lake management plan. I know how important it is to accommodate those who cannot attend the meeting, so what we are trying to figure out is if we need to go to a paper ballot again, or if we can vote in person at the meeting and have an option for residents to email me their vote after the meeting. It is also likely that the vote will be per parcel (which is what it was for the petition and the ballot), meaning that someone with 2 parcels within that 600 feet buffer will have 2 votes. I am trying to figure this out quickly, as I know this is important information for you all to have. I will be updating the website above with this information as soon we have come to a fair solution.

5. Beverly Lake is the only community who has successfully presented a valid petition to the MSB since the last lake management plan was adopted.

That is all I know at this moment! I hope that helps bring some clarity to the situation. As I said in the email I sent out regarding the upcoming meeting, I am planning on bringing several options for a lake management plan with the goal of finding some middle group for your community. I really hope we can figure out something that works for you all!

I will be in touch next week!

-Kelsey

Kelsey Anderson

From: tishelink <tishelink@yahoo.com>
Sent: Saturday, April 16, 2022 1:01 PM
To: Kelsey Anderson
Subject: Beverly Lake Management Plan

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Hi Kelsey-

Our suggestion for options to include on the lake mang. plan for the next meeting.

Matt Link and I would like to see:

No personal watercraft

15 HP limit.

Main concerns and reason behind this is the migratory loons and swans. Wakes taking out nests or babies/eggs.

Safety of others trying to use the lake.

The acreage and shape layout of Beverly Lake are simply too small to accommodate the use of personal watercraft safely without causing erosion, nest damage, and allowing others to enjoy the lake while they are out.

Kelsey Anderson

From: Patty Schranz <sourdoughstop@hotmail.com>
Sent: Saturday, March 19, 2022 12:17 PM
To: Kelsey Anderson
Subject: Re: Public Meeting Reminder - Beverly Lake, Lake Management Plan

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Hello,
Our concern is mostly the Jet Skis. There's been two many close calls concerning safety. 90 percent of the people own small motored boats canoes and paddle boats and paddle boards ,and people swimming.which means when the jet skis are out there nobody else can be out there. It's not about who right it's about what's right.

Sent from my iPhone

On Mar 18, 2022, at 10:09 AM, Kelsey Anderson <Kelsey.Anderson@matsugov.us> wrote:

Greetings, Beverly Lake Residents,

You are receiving this email as a reminder that there are two scheduled public meetings to discuss the Lake Management Plan process for Beverly Lake, and they are coming up next week! At these meetings, you will have a chance to connect with your neighbors, discuss current interests and concerns, and come up with collaborative solutions for your neighborhood. I will be going over what a lake management plan is, and how it can be used as a tool for your community. The meeting times and locations are as follows:

Meeting 1: Tuesday, March 22, 2022, In-person at the Wasilla Public Library, 4pm to 7 pm. Virtual option available. See link and call-in information below.

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

+1 907-290-7880,,774928628# United States, Anchorage

(844) 643-2217,,774928628# United States (Toll-free)

Phone Conference ID: 774 928 628#

Meeting 2: Thursday, March 22, 2022, Virtual Meeting Only. See link and call-in information below.

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

+1 907-290-7880,,398514355# United States, Anchorage

(844) 643-2217,,398514355# United States (Toll-free)

Phone Conference ID: 398 514 355#

If you have any questions leading up to the public meetings, or would like to submit a written comment in the event that you cannot attend either meeting, please contact me at 907-861-8525 or kelsey.anderson@matsugov.us. I am looking forward to working with you all, and learning more about all the reasons why Beverly Lake is a unique place to live and recreate!

March 22, 2022

Our names are Pavel and Olga Losik and we live on Beverly Lake.

Due to our travel, we could not attend this meeting in person, but wanted to write this letter in the strong opposition of the proposed lake management plan for Beverly Lake. We own a home on a lake and also own a lot right next to us on the lake.

We bought this property about 4 years ago to have an opportunity to live and enjoy lake with our family. When we were looking to purchase lake lot to build our dream home, we specifically looked on the lakes that had no restrictions. There were other lots available on lakes with restrictions for less money but we wanted to live on the lake that allowed boats and jetskis and had no lake management plan. We wouldn't ever bought a property on non-motorised lake.

Beverly lake is very private and quiet and over the short summers that we have in Alaska, we were able to enjoy only few warm days on the lake. Our neighbors also enjoy the lake, some use floating docks, canoes, kayaks and some using jetskis and boats but everyone was always very respectful to each other and we never seen any issues with it.

We also purchased brand new jet-skis last summer and we used it handful of times pulling kids on the tube. Last summer with only few nice days, people used their boats or jetski only few times and we never noticed any issues that people were loud or disrespectful to each other or the wildlife. We also really enjoy the wildlife on the lake and we had loons and swans whole summer by our dock and they were not affected by few days in the summer that jetski were used. We actually enjoyed watching families having fun on the lake with their children which is so needed now days especially in the last few years.

We strongly oppose putting restrictions and have a lake management on Beverly Lake. Having those restrictions will significantly lower value of everyone's properties that live on the lake and we don't want that for our two properties and our neighbours.

Our neighbours on the lake who are in favour to implement the restrictions on Beverly Lake when they purchased their properties were fully aware that this lake allowed motorised boats and jetskis and they had a choice to buy a lake lot on another lake that had restrictions. Now changing it and taking it away from other neighbours is not a fair solution. They have an option to buy a property on non-motorised lake if they prefer and not change the rules for everyone else. We can compromise on some things, for example like adding quiet hours in the evenings or maybe not riding close to the shore, but we strongly oppose to put any restrictions on use of boats or jetski on Beverly Lake.

In Alaska we have such short summers that consist of only few warm days that our families can enjoy and we shouldn't take that away from all the families. Living on the lake and not be able to use it is not what we had in mind when we purchased our lots and building our family dream home. Everyone on the lake has an opportunity to play on the lake and not be judgemental of their neighbors who actually use it and enjoy it.

Also, this lake has no public access that provides boat launch to surrounding people, so only people that live on the lake are able to use any boats on the lake anyways. We were surprised that Borough sent out these letters to people who don't live on the lake but are within 600 feet to vote on the lake management plan and decide for us, the owners of lake lots what we should be allowed or not allowed to do on the lake we live on.

Please reconsider the lake management plan because it's completely unfair. When we look into buying a property, we always look at CCRs and agree with them prior to purchase, we don't change them after to fit our lifestyle and same with this lake. Let's work together with each other and be respectful to each other's concerns but still allow all motorised boats and jetskis.

Thank you,
Olga and Pavel Losik 5149 w Bryce Cir

By:
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 22-20**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION
RECOMMENDING THAT THE MATANUSKA-SUSITNA BOROUGH ADOPT THE BEVERLY
LAKE, LAKE MANAGEMENT PLAN AND AN ORDINANCE AMENDING MSB 17.59 -
LAKE MANAGEMENT PLAN IMPLEMENTATION

WHEREAS, the Matanuska-Susitna Borough's Comprehensive Plan includes the goals to 1) protect and enhance the public safety, health, and welfare of Borough residents and 2) protect and enhance the Borough's natural resources including watersheds, groundwater supplies, and air quality; and

WHEREAS, the overall objective for Rural Residential Areas in the Meadow Lakes Community Comprehensive Plan is to maintain the low density residential pattern and to protect environmental quality, particularly the quality of surface and subsurface water used for domestic purposes; and

WHEREAS, the Matanuska-Susitna Borough Assembly was given the power to regulate motorized use on waterways by the voters; and

WHEREAS, the Beverly Lake, Lake Management Plan provides management guidelines to protect the public health, safety, and welfare of all residents and visitors to the lake; and

WHEREAS, the Beverly Lake, Lake Management Plan was initiated with a valid petition signed by the owners of fifty-two percent of properties within 600 feet of Beverly Lake; and

WHEREAS, a ballot was mailed to eighty-four properties within six hundred feet of the shoreline to gauge community interest in initiating a Lake Management Plan; and

WHEREAS, fifty-nine ballots returned showing a sixty-two percent majority in favor of initiating a Lake Management Plan in February of 2022; and

WHEREAS, following the ballot process, the Planning Department facilitated three public meetings, both in person and virtual, to provide several opportunities for public involvement; and

WHEREAS, the Beverly Lake community was extremely involved in the development of the Beverly Lake, Lake Management Plan with over 30 households present for the meetings and many more providing written comment via email; and

WHEREAS, the property owners of the Beverly Lake neighborhood identified their concerns for safety, water quality, loss of wildlife and wildlife habitat, protection of personal property, and protection of the quiet recreational character of the lake; and

WHEREAS, it was identified that use of personal watercraft and motorized watercraft has created hazardous conditions to swimmers, other non-motorized users, and wildlife; and

WHEREAS, it was also identified that shoreline erosion can impact and degrade vegetation that stabilizes waterfronts; and

WHEREAS, the use of personal watercraft and motorized watercraft can directly contribute to shoreline erosion, as well as personal property damage to docks; and

WHEREAS, two options for regulations were developed by the community due to the controversial nature of the use of personal watercraft and motorized watercraft use; and

WHEREAS, the Beverly Lake, Lake Management Plan acknowledged the will of the residents by including both options for regulations in the final mail-in ballot; and

WHEREAS, fifty-four percent of ballots returned prove that a majority of property owners within 600 feet of the shoreline are in favor of a Lake Management Plan for Beverly Lake that includes a ban on jet skis and motorized use over 15 horsepower; and

WHEREAS, staff addressed the concern of some residents that only those with shoreline property should be allowed to have a vote by also calculating the percentage of ballots returned by shoreline owners; and

WHEREAS, ballots returned by only those who own shoreline property show that fifty-two percent are in favor of a Lake Management Plan for Beverly Lake that includes a ban on jet skis and motorized use over 15 horsepower; and

WHEREAS, it is the will of both the majority of shoreline property owners and all property owners within the required six hundred feet public notice area to have a Lake Management Plan for Beverly Lake.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends the Borough Assembly adopt the Beverly Lake, Lake Management Plan; and

BE IT FURTHER RESOLVED, the Matanuska-Susitna Borough Planning Commission hereby recommends the Borough Assembly adopt Ordinance Serial No. 22-078 adopting the Beverly Lake, Lake Management Plan and amending MSB 17.59 - Lake Management Plan Implementation.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this -- day of --, 2022.

Stafford Glashan, Chair

ATTEST

KAROL RIESE, Planning Clerk

(SEAL)

YES:

NO:

DRAFT

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COMMISSION BUSINESS

COMMISSION BUSINESS




MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822
www.matsugov.us

MEMORANDUM

DATE: June 10, 2022

TO: Planning Commissioners

FROM: Alex Strawn, Planning and Land Use Director 

SUBJECT: Tentative Future PC Items

Upcoming PC Actions

Quasi-Judicial

- Frontier Plaza Subdivision – Earth Material Extraction, 18N10E31A004 (Staff: Mark Whisenhunt)
- Talkeetna Connection – Marijuana Retail Facility, 24N04W29D002 (Staff: Peggy Horton)
- Dime Bag – Marijuana Retail Facility, 6298B01L002 (Staff: Peggy Horton)
- Premier Homes – Earth Material Extraction, 17N02W34D003 (Staff: Peggy Horton)
- Green Jar – Hatcher Pass – Marijuana Retail Facility, 4316B01L0064 (Staff: Jason Ortiz)
- Green Go, LLC – Marijuana Cultivation Facility, 17N01W11A020 (Staff: Mark Whisenhunt)
- Floaters – Alcoholic Beverage Dispensary Expansion, 1783B02L003 (Staff: Mark Whisenhunt)
- QAP – Church-Seldon, Earth Material Extraction, 18N01W31A015 (Staff: Peggy Horton)
- Denali Farms – Marijuana Cultivation Facility, 4136B03L004 (Staff: Peggy Horton)
- MSB East Kashwitna – Earth Materials Extraction, 20N04W07A001 (Staff: Mark Whisenhunt)
- Purely Alaskan – Residential Special Land Use District CUP, 19N04W29A012 (Staff: Mark Whisenhunt)
- Checkmate Harvest Company – Marijuana Cultivation Facility, 18N01W15D005 (Staff: Mark Whisenhunt)

Legislative

- Historic Preservation Plan (HPP) (Staff: Adam Bradway)
- Municipal Separate Storm Sewer System (MS4) (Staff: Rick Antonio)
- Bike and Pedestrian Plan (Staff: Kelsey Anderson)
- MSB Borough-Wide Comprehensive Plan (Staff: Kim Sollien)
- Marijuana Code Update (Staff: Alex Strawn)
- Glacier View Comprehensive Plan Update (Staff: Leda Borys)
- Coordinated Human Services Transportation Plan (Staff: Leda Borys)
- Aviation Overlay District Repeal (Staff: Kelsey Anderson)
- MPO Formation (Staff: Kim Sollien)
- Corridor Studies (Staff: Kim Sollien/Adam Bradway)