

MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION AGENDA

Edna DeVries, Mayor

PLANNING COMMISSION

Doug Glenn, District 1
Richard Allen, District 2
C. J. Koan, District 3
Mike Rubeo, District 4
Bill Kendig, District 5
Wilfred Fernandez, District 6
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*

April 17, 2023
REGULAR MEETING
6:00 p.m.

Ways to participate in the meeting:

IN PERSON: You will have 3 minutes to state your oral comment.

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

Written comments are due at noon on the Friday prior to the meeting.

TELEPHONIC TESTIMONY:

- 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.”
- 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.

OBSERVE: observe the meeting via the live stream video at:

- <https://www.facebook.com/MatSuBorough>
- Matanuska-Susitna Borough - YouTube

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: April 03, 2023

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

Resolution 23-09 A conditional use permit in accordance with MSB 17.70 – regulation of alcoholic beverage uses for an alcoholic beverage dispensary (bar) known as, Fairview Inn, located at 13625 E. Main Street; Tax ID #57000B12L020-1; located within the Township 26 North, Range 5 West, Section 24, Seward Meridian. Public Hearing: May 1, 2023 (Applicant: Hans Axelsson for Fairview Inn; Staff: Rick Benedict, Planner II)

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

V. COMMITTEE REPORTS

VI. AGENCY/STAFF REPORTS

A. Metropolitan Planning Organization (MPO) Overview (Staff: Kim Sollien, Planning Services Manager)

B. Boundary Development (Staff: Gerrit Verbeek, Planner II)

VII. LAND USE CLASSIFICATIONS

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

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 23-11 A resolution of the Matanuska-Susitna Borough Planning Commission amending MSB 17.30, Conditional Use Permit for Earth Material Extraction Activities by creating a registration process for earth material extraction of 2,001 to 10,000 cubic yards annually. (Staff: Alex Strawn, Planning and Land Use Director)

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

April 3, 2023

MINUTES

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
April 03, 2023**

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on April 03, 2023, 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 Kendig.

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
Ms. C. J. Koan, Assembly District #3
Mr. Michael Rubeo, Assembly District #4
Mr. Bill Kendig, Assembly District #5
Mr. Curt Scoggin, Assembly District #7

Planning Commission members absent and excused were:

Mr. Wilfred Fernandez, Assembly District #6

Staff in attendance:

Mr. Alex Strawn, Planning and Land Use Director
Ms. Kelsey Anderson, Planner II
Ms. Shannon Bodolay, Assistant Attorney
Ms. Corinne Lindfors, Development Services Division Administrative Specialist
*Ms. Karol Riese, Planning and Land Use Department Administrative Specialist

*Indicates that the individual attended telephonically.

II. APPROVAL OF AGENDA

Chair Kendig 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 Commissioner Koan.

IV. CONSENT AGENDA

A. Minutes Regular Meeting Minutes: March 20, 2023

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
April 03, 2023**

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

Resolution 23-11 A resolution of the Matanuska-Susitna Borough Planning Commission recommending approval of an ordinance amending MSB 17.30, Conditional Use Permit for Earth Material Extraction Activities, by creating a registration process for earth material extractions of 2,001 to 10,000 cubic yards annually.(Staff: Alex Strawn, Planning and Land Use Director)

GENERAL CONSENT: The consent agenda was approved without objection.

V. **COMMITTEE REPORTS** - *(There were no committee reports.)*

VI. **AGENCY/STAFF REPORTS** - *(There were no Agency/Staff Reports.)*

VII. **LAND USE CLASSIFICATIONS** - *(There were no land use classifications.)*

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

The following persons spoke regarding gravel:

DJ McBride, Darrin Marshall, Eileen Probasco, Patricia Chesbro, Patricia O'Neil, and Steve Edwards

The following persons spoke regarding setbacks:

Patti Fisher, Eileen Probasco, Peter Probasco, Doug Miller, Patricia Chesbro, Camden Yehle (Meadow Lakes Community Council), Gary Powell, Mr. Santana, and Steve Edwards

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

X. **PUBLIC HEARING LEGISLATIVE MATTERS** *(Nothing Scheduled)*

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

XII. **UNFINISHED BUSINESS**

Resolution 23-03 A resolution of the Matanuska-Susitna Borough Planning Commission recommending approval of an ordinance amending MSB 17.55 and MSB 17.80 to allow buildings to be built within 75 feet of a water body. (Staff: Alex Strawn, Planning and Land Use Director)

MOTION: Commissioner Allen moved to approve Planning Commission Resolution 23-03. The motion was seconded. (Motion was restated by Chair Kendig from the March 20, 2023 Meeting)

Discussion ensued

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
April 03, 2023**

VOTE: YES (1) Commissioner Kendig
NO (5) Commissioner Allen, Rubeo, Scoggin, Glenn, and Koan

The main motion failed with Commissioners Allen, Rubeo, Scoggin, Glenn, and Koan in opposition.

Alex Strawn suggests drafting a resolution stating reasons for denial to submit to the Assembly. This is the way the Planning Commission should communicate with the Assembly.

Discussion ensued

RECESS: 6:53 p.m.

RESUME: 6:59 p.m.

Alex Strawn introduces and explains: Resolution 23-12

Discussion ensued

MOTION: Commissioner Koan moved to accept Resolution 23-12. The motion was seconded.

Discussion ensued

MOTION: Commissioner Glenn moves to push the motion to the next meeting. No second was made.

Discussion ensued

MOTION: Commissioner Koan moved to postpone Resolution 23-12 indefinitely. The motion was seconded.

VOTE: The motion to postpone Resolution 23-12 was approved without objection.

Resolution 23-07 A resolution of the Matanuska-Susitna Borough Planning Commission recommending approval of an ordinance amending MSB 15.24.031 – Initiation and Amending Lake Management Plans. (Staff: Kelsey Anderson, Planner III)

MOTION: Commissioner Allen moved to approve Planning Commission Resolution 23-07 and moved to postpone voting on Planning Commission Resolution 23-07 to a time certain on April 3rd to allow more commission members to be in attendance. The motion was seconded. (Motion was restated by Chair Kendig from the March 20, 2023 Meeting)

Discussion ensued

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
April 03, 2023**

MOTION: Commissioner Rubeo moved a primary amendment to add missing language. The motion was seconded.

VOTE: The primary amendment passed without objection

MOTION: Commissioner Allen moved to approve Planning Commission Resolution 23-07 and moved to postpone voting on Planning Commission Resolution 23-07 to a time certain on April 3rd to allow more commission members to be in attendance. The motion was seconded. (Motion was restated by Chair Kendig from the March 20, 2023 Meeting)

VOTE: YES (3) Commissioners Rubeo, Allen, and Kendig
NO (3) Commissioners Scoggin, Koan, and Glenn

The Main motion failed with Commissioner Scoggin, Koan, and Glenn in opposition.

XIII. NEW BUSINESS (*Nothing on the agenda*)

XIV. COMMISSION BUSINESS

A. Upcoming Planning Commission Agenda Items (*Staff: Alex Strawn*)

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

XV. DIRECTOR AND COMMISSIONER COMMENTS

Commissioner Glenn: No comment

Commissioner Koan: Interesting meeting, learning new items.

Commissioner Scoggin: Agree with Commissioner Koan and comments on the lake management plan.

Commissioner Allen: Informs of Valley Hockey team's success at national tournaments.

Commissioner Rubeo: No comment

Commissioner Kendig: No comment

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
April 03, 2023**

XVI. ADJOURNMENT

The regular meeting adjourned at 7:39 p.m.

WILLIAM KENDIG
Planning Commission Chair

ATTEST:

CORINNE LINDFORS for KAROL RIESE,
Planning Commission Clerk

Minutes approved: _____

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INTRODUCTION FOR PUBLIC HEARING QUASI-JUDICIAL

Resolution No. 23-09

Conditional Use Permit for Fairview Inn (Alcohol Beverage Dispensary (Bar))



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822

Email: permitcenter@matsugov.us

RECEIVED
NOV 29 2022
Mat-Su Borough
Development Services

APPLICATION FOR A CONDITIONAL USE PERMIT REGULATION OF ALCOHOLIC BEVERAGE USES – MSB 17.70

NOTE: Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Borough staff will not process incomplete applications.

Application fee must be attached, check one:

- ☒ \$1,500 for Beverage Dispensary
☐ \$1,500 for Package Store

Required Attachments:

- ☒ Site plan as detailed on Page 3
☒ Narrative with operational details and all information required on Page 2
☒ State of Alaska Alcoholic Beverage License

Subject Property:

MSB Tax Account ID#(s): 57000B12L020-1
Street Address: 13625 E Main Street, Talkeetna, AK 99676
Facility/Business Name: Fairview Inn

Name of Property Owner

Ronja, LLC
Mailing: PO Box 71634
Fairbanks, AK 99707
Phone: Cell (907) 388-2645
Wk _____ Hm _____
E-mail: axelsson.hans@gmail.com

Name of Agent / Contact for application

Hans Axelsson
Mailing: PO Box 71634
Fairbanks, AK 99707
Phone: Cell (907) 388-2645
Wk _____ Hm _____
E-mail: axelsson.hans@gmail.com

Attach a narrative explaining, in detail, how the applicant will meet the following requirements of MSB 17.70.	Attached
How the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the surrounding area?	✓
How the granting of the conditional use permit will not be harmful to the public health, safety, convenience and welfare?	✓
Are sufficient setbacks, lot area, buffers and other safeguards being provided?	✓
Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?	✓
Is there any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained?	✓
What measures are being proposed to reduce any negative effect upon adjacent and nearby properties? (Example: visual buffers, planted berms, landscaping, reduction or elimination of obtrusive or garish signing or other features, lowered building elevation, clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors) Where the surrounding area is predominantly residential in character, do site and building design features that contribute to the residential character of the development?	✓
Are there adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit?	✓
Will access to the premises create an unreasonable traffic hazard?	✓
Will a reasonably expected increase in traffic overtax the existing road system?	✓
Is the use compatible with the character of the surrounding neighborhood?	✓
Is there or would the use tend to result in, a high crime rate or a high incidence of alcohol-related accidents in the area?	✓
Does the applicant or a person with an interest in the application have an interest in a liquor license which was suspended or revoked in the 12 months preceding the application?	✓
Has the applicant or person with an interest in the application demonstrated that the person is untrustworthy or unfit to conduct the operation of a licensed business, or is a potential source of harm to the public?	✓
What is the maximum occupancy capacity of facility as determined by Fire Marshall?	✓
What is the number of employees proposed to work on largest work shift?	✓
How many regular parking spaces will the use provide?	✓
How many handicapped parking spaces will the use provide?	✓
Is the use a sole occupant in a building or a tenant in a building?	✓
How much square footage will the proposed use occupy in the building?	✓
What are the proposed hours of operation?	✓
What noise mitigation measures are proposed?	✓

Submit a detailed site plan, <u>drawn to scale</u>. Drawings under the seal of an engineer or surveyor are recommended but not required.	Attached
Show proposed and existing structure(s) on the site. Indicate which structure(s) will be used for the liquor use. Draw lot dimensions and indicate setback distance of structure(s) from the lot lines, rights-of-way, and waterbodies.	✓
Show the dimensions of all structures.	✓
Show signage, existing and proposed.	✓
Provide interior floor plans specifying the location of the use or uses to be made of the development. Provide dimensions on the interior floor plan.	✓
Provide the location and dimensions for all access points to and from the site to public rights-of-way.	✓
Indicate any existing or proposed land contouring.	
Indicate any existing or proposed vegetation or other landscaping.	✓
Indicate any existing or proposed buffering – fences, trees, or berms.	✓
Provide a drainage plan.	
Provide vehicular and pedestrian circulation patterns.	
Indicate exterior lighting plans.	
Show the distance(s) to the nearest road intersection in all directions from proposed permit site along roads adjacent to the site.	✓
Provide the location and dimensions of proposed or existing parking areas.	✓
Indicate a scale and north arrow.	✓

Prior to the public hearing, the applicant must also pay the mailing and advertising fees associated with the application. Staff will provide applicant with a statement of advertising and mailing charges. Payment must be made **prior** to the application presentation before the Borough Planning Commission.

OWNER'S STATEMENT: I am owner of the following property:

MSB Tax Account ID #(s) 57000B12L020 - 1 and,
I hereby apply for approval an alcoholic beverage use conditional use permit on that property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.70 and with all other applicable borough, state, and federal laws.

I understand that other rules such as local, state, and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorizations may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety, and welfare, and ensure the compatibility of the use with other adjacent uses.

I understand that changes from the approved conditional use permit may require further authorization by the Borough Planning Commission.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.



Signature: Property Owner

HANS AXELSSON / RUNJA, LLC

Printed Name

11/22/2022

Date

Signature: Agent

Printed Name

Date

PERMIT CENTER – FEE RECEIPT FORM

A10250

Property Location: 7000 B12 L020-1Applicant: Fairview Inn

	USE PERMITS {100.000.000.341.300}	Fee
<input type="checkbox"/>	8.35 Public Display of Fireworks	\$25.00
<input type="checkbox"/>	8.40.010 Liquor License - Alcohol & Marijuana Control Office (AMCO) Referrals for Matanuska Susitna Borough Review of Issuance, renewal or transfer (location, owner)	\$100.00
<input type="checkbox"/>	8.41.010 Marijuana License - Alcohol & Marijuana Control Office (AMCO) Referrals for Matanuska Susitna Borough Review of Issuance, renewal or transfer (location, owner)	\$100.00
<input type="checkbox"/>	8.52 Temporary Noise Permit	\$1000.00
<input type="checkbox"/>	8.55 Special Events Permit 500 – 1000 Attendees	\$500.00
<input type="checkbox"/>	1000+ Attendees	\$1,000.00
<input type="checkbox"/>	8.55 Special Events Permit Site Monitor Fee / Per Day	\$300.00
<input type="checkbox"/>	17.02 Mandatory Land Use Permits- Residential Non-habitable	\$25.00
	Commercial/Industrial	\$150.00
<input type="checkbox"/>	17.04 Nancy Lake Special Land Use District CUP	\$1,500.00
<input type="checkbox"/>	17.06 Electrical Generating & Delivery Facility Application	\$500.00
<input type="checkbox"/>	17.08 Hay Flats Special Land Use District Exception Application	\$1000.00
<input type="checkbox"/>	17.17 Denali State Park Conditional Use Permit	\$1500.00
<input type="checkbox"/>	17.18 Chickaloon Special Land Use District CUP	\$1500.00
<input type="checkbox"/>	17.19 Glacier View Special Land Use District CUP	\$1500.00
<input type="checkbox"/>	17.23 Port MacKenzie Development Permit	\$1000.00
<input type="checkbox"/>	17.25 Talkeetna Conditional Use Permit	\$1500.00
<input type="checkbox"/>	17.25 Talkeetna Conditional Use Permit – Variance	\$1500.00
<input type="checkbox"/>	17.27 Sutton Special Land Use District CUP	\$1500.00
<input type="checkbox"/>	17.29 Flood Damage Prevention Development Permit	\$100.00
<input type="checkbox"/>	17.29 Flood Damage Prevention Development Permit –Variance	\$500.00
<input type="checkbox"/>	17.30.040 Earth Materials Extraction Admin. Permit	\$1000.00
<input type="checkbox"/>	17.30.050 Earth Materials Extraction CUP	\$1500.00
	17.36 Residential Planned Unit Development Application – Concept Plan – up to 50 Lots	\$500.00
	Additional Lots or tracts being created – Per Lot	\$100.00
<input type="checkbox"/>	17.48 Mobile Home Park Permit Application	\$500.00
<input type="checkbox"/>	17.52 Residential Land Use District App (Rezone)	\$1,000.00
<input type="checkbox"/>	17.52 Conditional Use Permit Application CUP	\$1,500.00
<input type="checkbox"/>	17.55 Shoreline Setback Exception Application	\$300.00
<input type="checkbox"/>	17.60 Conditional Use Permit Application	\$1500.00
<input type="checkbox"/>	17.61 Commercial/Industrial Core Area Conditional Use Permit	\$1500.00

<input type="checkbox"/>	17.62 Coal Bed Methane		\$1500.00
<input type="checkbox"/>	17.63 Conditional Use Permit for Racetracks		\$1500.00
<input type="checkbox"/>	17.65 Variance		\$1500.00
<input type="checkbox"/>	17.67 Tall Structures -	Network Improvement Permit Nonconforming Use Administrative Permit Conditional Use Permit	\$100.00 \$200.00 \$500.00 \$1500.00
<input checked="" type="checkbox"/>	17.70 Regulation of Alcoholic Beverage Use Permit Application		\$1500.00
<input type="checkbox"/>	17.73 Multi-Family Land Use Permit – add :		\$500.00
<input type="checkbox"/>	17.75 Single-Family Residential Land Use I		\$500.00
<input type="checkbox"/>	17.76 Large Lot Single-Family Residential I Conditional Use Permit Application		\$1000.00
<input type="checkbox"/>	17.80 Nonconforming Structures (Amnesty) Pre-Existing Legal Nonconforming (C	Matanuska Susitna Borough Payment Date Thursday, December 1, 2022 Deposit Number 47261 Operator buck1936	\$300.00
<input type="checkbox"/>	17.90 Regulation of Adult Businesses – Co		\$300.00
<input type="checkbox"/>	28.60 Timber Transport Permit	Real 2022 (Total) \$0.00 MCR (Planning/Platting) \$1,500.00 Misc Rec Tax Map # 2MISC	\$1500.00 \$300.00

	RIGHT-OF-WAY FEES:		
<input type="checkbox"/>	Driveway		\$50.00
<input type="checkbox"/>	Driveway Deposit {100.226.100}	Total Paid \$1,500.00 Check \$1,500.00 Change \$0.00	\$150.00
<input type="checkbox"/>	Construction		\$200.00
<input type="checkbox"/>	Utility (Application Fee = \$100 ~ Distance F		
<input type="checkbox"/>	Encroachment	Receipt Number msb91828783 12/1/2022 8:41:28 AM Paid By FAIRVIEW INN LLC Cashier Id. buck1936	\$150.00
<input type="checkbox"/>	Construction Bond {100.227.000}		

	PLATTING PRE-APPLICATION CONFER		
<input type="checkbox"/>	Pre-Application Fee		\$50.00

	FEES:		
<input type="checkbox"/>	Flood Plain Development Survey CD		\$10.00
<input type="checkbox"/>	CD/DVD/DVD-R		\$7.50
<input type="checkbox"/>	Construction Manual/Title 43		\$5.00
<input type="checkbox"/>	Plat Map/Tax Map Copies/Mylar		\$5.00
<input type="checkbox"/>	Color Maps		\$12.00
<input type="checkbox"/>	Xerox Copies (B/W = \$0.25 ~ Color \$1.00/		
<input type="checkbox"/>	Advertising Fees		
<input type="checkbox"/>	Cultural Resources Books or Maps		
<input type="checkbox"/>	Citation Payment (If sent to collections – use total due from Courtview)		
<input type="checkbox"/>	Thumb Drive 2GB = \$5, 4GB = \$8, 8GB = \$10; 16GB = \$15; 32GB = \$20		

\$ 1500.00 Amount Paid Date: 12.01.22 Receipt # 91828783 By: AB

How the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the surrounding area?

This permit application is a modification of the existing conditional use permit for the beer garden which was first permitted in 1995 and revised in 2013. The annexed area would entail the area west of the Fairview Inn fronting Main Street. The surrounding land uses consist of private residences, lodging, retail shops, tourist services, food vendors, bars and restaurants. The use is cohesive with the surrounding use and there is no indication that the use would have a negative effect on the surrounding area.

How the granting of the conditional use permit will not be harmful to the public health, safety, convenience and welfare?

The permit modification is consistent with the goals and policies of the Talkeetna & the Matanuska – Susitna's Comprehensive Plans.

Are sufficient setbacks, lot area, buffers and other safeguards being provided?
Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?

The annexed beer garden area would have a deck, seasonal covered area and a fence with flower boxes compatible with other businesses along Main Street.

Is there any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained?

The annexed beer garden's foot print would eliminate the parking west of the Fairview Inn which would reduce seasonal traffic congestion and interference with the pedestrian traffic along Main Street. Parking is being offered at 22152 S. D Street, located adjacent and directly north of the Fairview Inn and also west along the original beer garden's fence. There is also abundant public parking along D Street and around the Talkeetna Village Park.

What measures are being proposed to reduce any negative effect upon adjacent and nearby properties? (Example: visual buffers, planted berms, landscaping, reduction or elimination of obtrusive or garish signing or other features, lowered building elevation, clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors) Where the surrounding area is predominantly residential in character, do site and building design features that contribute to the residential character of the development?

The entire beer garden's foot print is filled with crushed rock, eliminating any dust and the perimeter will be lined with a fence and flower boxes. There will one entry point from Main Street into the beer garden as well as one entrance from D Street and one through the bar.

Are there adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit?

No increased traffic is expected. Most of the seasonal visitors tend to be pedestrians arriving on trains and busses. Parking is being offered at 22152 S. D Street, located adjacent and directly north of the Fairview Inn and also west along the original beer garden's fence. There is abundant public parking along D Street and around the Talkeetna Village Park.

Will access to the premises create an unreasonable traffic hazard?

By removing the parking off Main Street will reduce traffic hazard and increase public safety as Main Street is mainly a pedestrian pathway during the summer season.

Will a reasonably expected increase in traffic overtax the existing road system?

No, please see the answers in the two previous questions.

Is the use compatible with the character of the surrounding neighborhood?

Yes, the surrounding land uses consist of private residences, lodging, retail shops, tourist services, food vendors, bars and restaurants. The annexation would be compatible and cohesive with the character of the surrounding neighborhood. The annexed area is also within the approved area for serving alcohol in the newly provided AMCO license issued in October 2022.

Is there or would the use tend to result in, a high crime rate or a high incidence of alcohol-related accidents in the area?

There is no indication that the beer garden would result a higher crime rate or a high incidence of alcohol-related accidents in the area. The dedicated staff at the Fairview Inn will manage the beer garden and monitor consumption. All of the servers are TAPS certified. Fairview Inn's top priority continues in providing safety for all guests regarding the service of alcoholic beverages. For further information regarding Fairview Inn's safety precautions, please see the attached Fairview Inn's Security Plan.

Does the applicant or a person with an interest in the application have an interest in a liquor license which was suspended or revoked in the 12 months preceding the application?

No

Has the applicant or person with an interest in the application demonstrated that the person is untrustworthy or unfit to conduct the operation of a licensed business, or is a potential source of harm to the public?

No

What is the maximum occupancy capacity of facility as determined by Fire Marshall?

Fairview Inn's inside capacity is 58.

What is the number of employees proposed to work on largest work shift?

6

How many regular parking spaces will the use provide?

As required by MSB 17.25.050, two off street parking spaces (measuring at least 9' x '18') will be provided at the rear of business at 22152 S. D Street. In addition to these parking spaces there are two additional parking places along the west side of the original beer garden's fence.

How many handicapped parking spaces will the use provide?

The two parking spaces at 22152 S. D Street are handicapped accessible.

Is the use a sole occupant in a building or a tenant in a building?

The use is the sole occupant in the beer garden.

How much square footage will the proposed use occupy in the building?

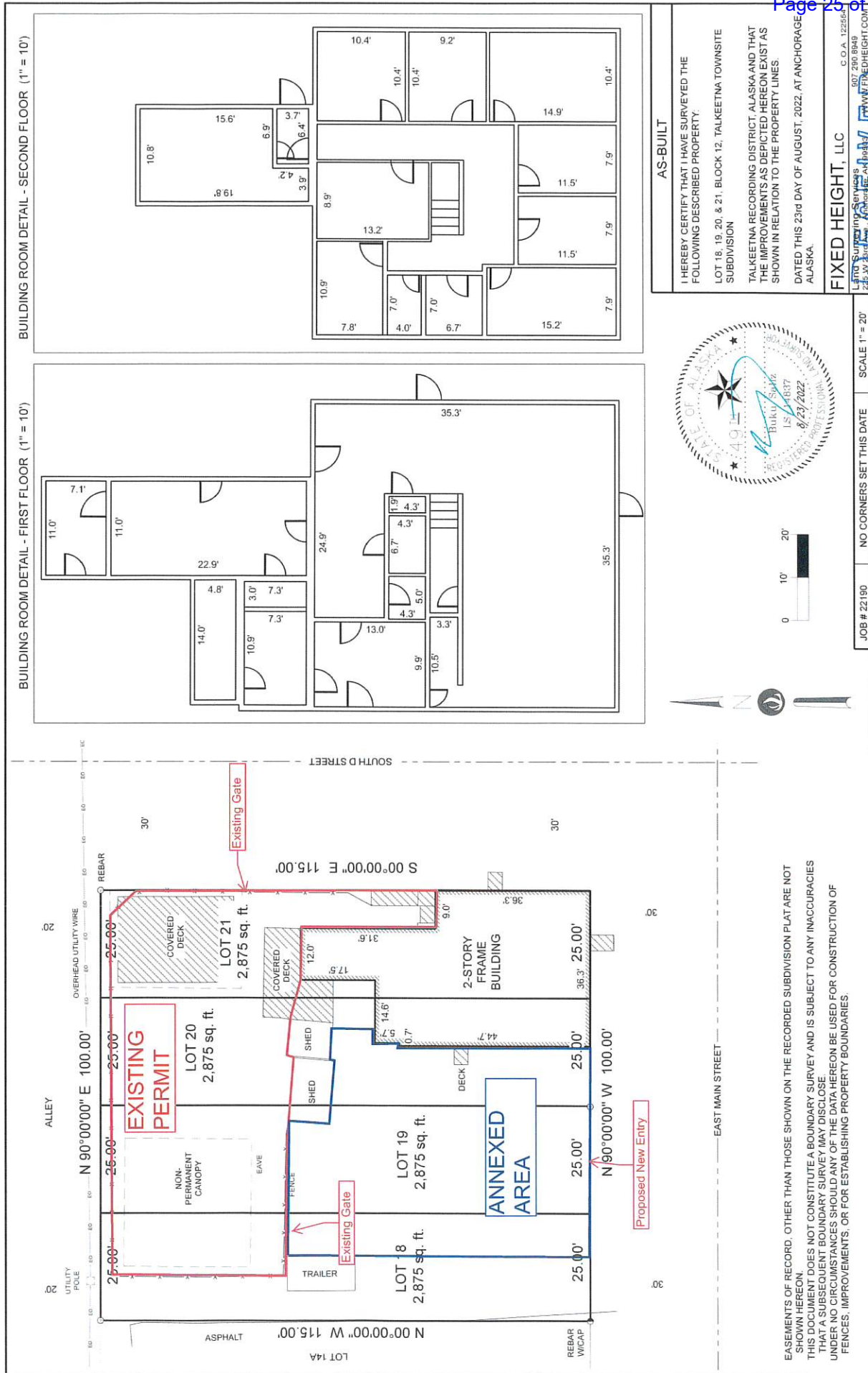
The total square footage of the outside beer garden, including the annexed area is approximately 6,700 square feet.

What are the proposed hours of operation?

The proposed hours of the annexed area is 10 am – 10 pm, May - September, while the original beer garden's footprint will be open from 10 am until 3 am, year around. The existing permit allows the beer garden to be open between May – September, however by making the original beer garden's footprint to be open year would allow patrons to enjoy the covered deck during the shoulder seasons and at special events such as the Bachelor Ball, Oosik Ski Classic, etc.

What noise mitigation measures are proposed?

No additional noise is expected in the annexed area. The operation will comply with the requirements of MSB 8.52 – Noise, Amplified Sounds and Vibrations.





	0	0.04	0.07	Miles
0.1				

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Reported on 11/22/2022 11:21 AM

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- Legend**
- Road Mileposts
 - Roads**
 - Highway
 - Major Road
 - Medium Road
 - Minor Road
 - Ramp
 - - Primitive Road
 - - Private Road
 - - Not Constructed
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 - ROW and Easements**
 - ROW Road
 - ROW RR
 - - - ROW Easement
 - - - Section line easement
 - Lakes and Rivers**
 - Streams**
 - Section Lines**

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Development Services

1:2,257

Notes

This map was automatically generated using Geocortex Essentials.

Fairview Inn LLC Security Plan

Fairview Inn LLC, DBA Fairview Inn LLC will be utilizing the outdoor space. The outdoor space will be approximately 6,701.16 square feet. The outdoor area will allow for seating, open space, and a canopy area that is 30'x30' for rain and sun shielding so that patrons can enjoy their beverages outside in any weather. There is 6' cedar fencing with large wooden posts every 10' around the perimeter of the outdoor servicing area (which is on the North and East sides of the property). Along the western boundaries of the property and along the front main street entrance, there will also be a 36-inch-high picketed fence, with flower boxes, that will run along the front (Main Street side) of the property and long the West side of the property. Proper egress from the outdoor service area will always remain unobstructed.

All safety related operations for Fairview Inn LLC's current liquor service will additionally be enforced in the new service area. Our top priority continues in providing safety for all guests regarding the service of alcoholic beverages. Servers will be present in the outdoor area to monitor consumption.

The staff of Fairview Inn LLC will manage each section of the outdoor area which includes; an open space fenced in on the North and East side of the property, a covered 30'x30' canopy covered area in the same fenced in area on the North and East side of property; and a small front area, with tables and chairs, fenced in by the above described 36" picket fence with flower boxes along the fence. Management will assign staff to each specific outdoor area to make sure that there are designated staff to monitor the areas outside and within the fenced in barrier. The assigned staff shall monitor their assigned area, greet guests, monitor guests' consumption, ensure there are no persons under 21 years of age that are not supervised by a parent or guardian, and shall also be responsible to remove any abandoned drinks, empty glasses, and any glass left unattended that has alcoholic beverages within it to ensure minors do not gain access to unattended glasses that contain alcoholic beverages. Any outdoor area that is not in use or if there is not enough staff on shift to monitor that outdoor area will be closed off and staff will be assigned to monitor the roped off area, so guests do not wander into areas that are temporarily restricted due to lack of staff on shift to monitor those areas.

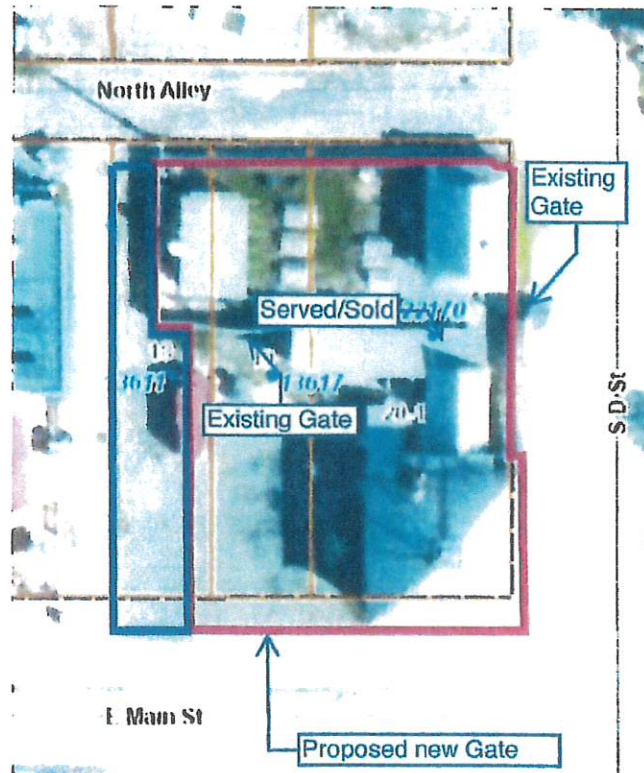
In addition, Fairview Inn LLC will ensure that no alcohol is consumed or accessed by a minor in the establishment. All of Fairview Inn LLC's servers are TAPS certified. All minors must be accompanied by a parent or legal guardian (over age 21) while in the restricted area when any alcohol is being served, sold, or consumed. Underaged persons will be monitored closely by our professionally trained alcohol servers. Servers will check the identification of all patrons ordering an alcoholic beverage. Proper signage at points of entry indicating no minors without a parent or legal guardian are posted.

All staff is trained in the identification of fake ID's. Keeping the outdoor seating area viable without any increased risk to minors exposed to alcohol will continue to be part of our training for our staff. All servers will closely monitor that only the guests that have been carded will have alcoholic beverages.

ABC Mandated posters as required by law are posted inside Fairview Inn LLC and at the entrances of the outdoor seating area. All entrances and exits will provide clear notice that NO ALCOHOL IS ALLOWED BEYOND THE OUTDOOR SEATING AREA.

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License # 383
Overview of Premises



2
+

- - Amco Licensed premises
- - Parking



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department Development Services

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9822 • Fax (907) 745-9876

Email: PermitCenter@matsugov.us

REGULATION OF ALCOHOLIC BEVERAGE USES CONDITIONAL USE PERMIT

PERMIT#: 1717020130003

ACTION: In accordance with Matanuska-Susitna Borough Code 17.70, a conditional use permit to allow amplified music in the Fairview Inn beer garden is hereby granted as referenced within this document.

EFFECTIVE DATE: August 19, 2013

PERMITTED SITE: Talkeetna Townsite, Block 12, Lots 18, 19, & 20-1; within Township 26 North, Range 5 West, Section 24, Seward Meridian

PERMITTEE: Phillip P. Weidner Family Limited Partnership
330 L Street, #200
Anchorage, AK 99501

PROPERTY OWNER: Phillip P. Weidner Family Limited Partnership
330 L Street, #200
Anchorage, AK 99501

General Requirements and Conditions:

All development and use of the permitted site shall occur as described in the approved application submitted and as further specified by the conditions listed herein. Any deviation from the requirements or conditions of this permit or from borough code may be grounds for penalties as authorized by borough code.


This permit does not constitute a license from the State of Alaska, Alcoholic Beverage Control Board. The permittee is required to comply with all applicable Alaska Statute provisions and all conditions of any license issued there under.

Specific Conditions of the Permit:

1. The owner and/or operator shall comply with all other applicable federal, state, and local regulations.
2. Thirteen (13) parking spaces shall be maintained.
3. The applicant shall maintain the fence in good repair and free of graffiti.

4. If the operation expands or alters, an amendment to the conditional use permit shall be required.
5. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 – Noise, Amplified Sounds, and Vibration. (A copy of MSB 8.52 is attached to this permit)
6. The beer garden shall only be operated annually during the months of May through September.
7. Dust shall be controlled in the beer garden.
8. Signage shall be erected to delineate the Fairview Inn parking area and shall indicate that the alley way cannot be blocked.
9. The conditional use permit issued in 1995 shall become null and void and replaced with this conditional use permit.

This permit is approved by Matanuska-Susitna Borough Planning Commission Resolution No. 13-33(AM), passed on August 19, 2013. A copy of the resolution and site plan are attached. This permit may be appealed within 21 days of approval in accordance with MSB 15.39 Board of Adjustment and Appeals.


Eileen Probasco, Director
Planning and Land Use Department


Date of Issuance

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 13-33 (AM)**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A MODIFICATION TO THE FAIRVIEW INN BEER GARDEN BEVERAGE DISPENSARY CONDITIONAL USE PERMIT UNDER MSB 17.70, LOCATED ON BLOCK 12, LOTS 18, 19, & 20-1, TALKEETNA TOWNSITE; WITHIN TOWNSHIP 26 NORTH, RANGE 5 WEST, SECTION 24, SEWARD MERIDIAN

WHEREAS, an application has been received from Phillip Weidner for a modification to the Fairview Inn beer garden conditional use permit under MSB 17.70 to remove the condition "No amplified music outside in the beer garden"; and

WHEREAS, a conditional use permit is required for the modification of an existing conditional use in accordance with the terms of the existing permit; and

WHEREAS, the Planning Commission has reviewed this application with respect to standards set forth in MSB 17.70.100 and 17.70.110; and

WHEREAS, the Fairview Inn has been in existence since 1921 and the beer garden was permitted in 1995; and

WHEREAS, the beer garden was permitted for operation during the months of May through September; and

WHEREAS, the Fairview Inn is located on the corner of Main Street and D Street in downtown Talkeetna; and

WHEREAS, the surrounding land uses consist of private residences, lodging, retail shops, tourist services, food vendors, and dining establishments; and

WHEREAS, the permit modification is consistent with the goals and policies of the Talkeetna Comprehensive Plan and the Matanuska-Susitna Borough Comprehensive Plan; and

WHEREAS, the applicant does not want to specify the number of events with amplified music that would be held in the beer garden; and

WHEREAS, there will not be any routinely schedule amplified music in the beer garden; and

WHEREAS, comments submitted state there should either be no amplified music or there should be limited hours; and

WHEREAS, the Borough has not received any noise complaints regarding amplified music at the Fairview Inn; and

WHEREAS, modifications to the conditional use permit will be compatible with and will preserve or not materially detract from the value, character and integrity of the surrounding area if there are conditions placed on the permit limiting the hours of operation and number of events that can be held in the beer garden with amplified music; and

WHEREAS, the owner and/or operator of the Fairview Inn will be required to comply with the maximum permissible sound level limits of MSB 8.52 - Noise, Amplified Sound, and Vibration; and

WHEREAS, the nearest church and school are located more than one-quarter of a mile from the Fairview Inn; and

WHEREAS, eliminating the condition of "No amplified music

outside in the beer garden" could be harmful to the public health, safety, convenience and welfare if safeguards are not put into place; and

WHEREAS, as a condition of approval, amplified music could be allowed in the beer garden with conditions for starting and ending times and number of events that allow amplified music; and

WHEREAS, with conditions in place, the modification to the conditional use permit should not be harmful to the public health, safety, convenience and welfare; and

WHEREAS, the beer garden is fenced and the only public access into the garden is through the Fairview Inn building; and

WHEREAS, no new structures are proposed with this permit modification; and

WHEREAS, conditions of approval address setbacks, lot area, buffers and other safeguards; and

WHEREAS, no new signage or lighting is proposed; and

WHEREAS, most of the beer garden area is covered in grass, however, a portion of it is covered with gravel, which may create some dust which will have to be controlled; and

WHEREAS, there are several residences and lodging facilities in the vicinity of the Fairview Inn that could be affected by the potential noise problems from the music in the beer garden; and

WHEREAS, the Talkeetna Townsite lots are small and very close together and amplified music from the beer garden could create a nuisance for the residents and guests at the lodging facilities; and

WHEREAS, there should not be any negative affects upon the properties in the area due to such factors as dust, obtrusive advertising and glare. With conditions, properties in the area should be protected from negative effects from amplified music in the beer garden; and

WHEREAS, traffic congestion occurs in the downtown area because of the narrow streets and because there is no perceived route to and through the downtown area or to parking areas; and

WHEREAS, traffic impacts should be limited because the amplified music will not be occurring on a daily basis and the beer garden is only permitted to operate during the months of May through September; and

WHEREAS, there should not be any negative effect on the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained; and

WHEREAS, measures are in place to reduce any negative effect upon adjacent and nearby properties, as the beer garden is fenced and locked; no new structures are being constructed; and the Fairview Inn is an established business; and

WHEREAS, there are 13 parking spaces being provided; and

WHEREAS, the parking spaces will be utilized year round, whereas, the beer garden is only allowed to operate seasonally during the months of May through September; and

WHEREAS, MSB 17.25.050 - Main Street Talkeetna District only requires two off-street parking spaces at the rear of the business fronting on Main Street; and

WHEREAS, comments were received regarding patrons parking and blocking the alley way; and

WHEREAS, adequate parking is being provided; and

WHEREAS, the immediate vicinity has low speed. Any increase in traffic that may be caused by this permit modification is not expected to create any traffic hazards; and

WHEREAS, access to the premises should not create an unreasonable traffic hazard; and

WHEREAS, removal of the amplified music condition should not overtax the existing road systems; and

WHEREAS, not all patrons of the Fairview inn arrive by vehicle. Some patrons arrive by foot from surrounding residences and lodging facilities; and

WHEREAS, traffic should not overtax existing road systems;
and

WHEREAS, other establishments on Main Street have had
outdoor music for special events, but not on a routine basis;
and

WHEREAS, with conditions in place, the permit modification
will be in character with the surrounding neighborhood; and

WHEREAS, staff collected accident data for one square mile
around the site for the years 2008 - 2009 and during that time
period there were two accidents in the area, of which one was
alcohol-related; and

WHEREAS, the Alcoholic Beverage Control Board (ABC) has no
record of violations by the Fairview Inn; and

WHEREAS, the applicant has not had a liquor license
suspended or revoked in the 12 months preceding the application;
and

WHEREAS, the applicant currently operates a beverage
dispensary at this location; and

WHEREAS, there has been no information submitted indicating
that the applicant is untrustworthy or unfit to conduct business
in the borough or that the applicant is a potential source of
harm to the public.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna
Borough Planning Commission finds this application does meet the

standards of MSB 17.70.100 and 17.70.110 and does hereby approve the conditional use for the removal of the condition "No amplified music outside in the beer garden" with the following original conditions and additional conditions to address the permit modification:

1. The owner and/or operator shall comply with all other applicable federal, state, and local regulations.
2. Thirteen (13) parking spaces shall be maintained.
3. The applicant shall maintain the fence in good repair and free of graffiti.
4. If the operation expands or alters, an amendment to the conditional use permit shall be required.
5. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 - Noise, Amplified Sound, and Vibration.
6. The beer garden shall only be operated annually during the months of May through September.


- NOW, THEREFORE, BE IT FUTHER RESOLVED that this is a final determination which may be appealed in accordance with MSB 15.39.140 by filing a written notice of appeal with the Borough Clerk within 21 days from the date this determination was issued. If an appeal is not filed as described in the preceding sentence, the right to appeal is forfeited.

.....

ADOPTED by the Matanuska-Susitna Borough Planning
Commission this 19th day of August, 2013.


JOHN KLAPPERICH, Chair

ATTEST:


MARY BRODIGAN, Planning Clerk

(SEAL)

YES: *Healy, Klapperich, Walder, Haller, Adams, and
Rauchenstein*
NO:

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

FORM CONTROL

1067

LIQUOR LICENSE

383

ISSUED

10/24/2022

2022 - 2023

LICENSE RENEWAL APPLICATION DUE
DECEMBER 31, 2023 (AS 04.11.270(b))

ABC BOARD

THIS LICENSE EXPIRES MIDNIGHT
FEBRUARY 28, 2024 UNLESS DATED BELOW

TYPE OF LICENSE: Beverage Dispensary

LICENSE FEE: \$2,500.00

1104

CITY / BOROUGH: Outside City Limits
Matanuska-Susitna Borough

This license cannot be transferred without permission
of the Alcoholic Beverage Control Board
☐ Special restriction - see reverse side

D/B/A: Fairview Inn LLC

22170 South D Street (Talkeetna)

Mail Address:

Fairview Inn, LLC

P.O. Box 701

Talkeetna, AK 99676

ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD

Jean M. Wilson

DIRECTOR

04-900 (REV 7/21)

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

From: [Hans Axelsson](#)
To: [Peggy Horton](#)
Subject: Re: Fairview Inn CUP Modification
Date: Friday, December 30, 2022 9:23:32 AM
Attachments: [#7 - Fire Marshal determination - Fairview Inn, Talkeetna.pdf](#)
[#1a - To Scale Site Plan.pdf](#)
[#1d - Pedestrian Circulation Patterns.pdf](#)
[#8 - Fairview Inn CUP Modification - Lease Acceptance.pdf](#)
[#1b & e - Signage and Parking.pdf](#)
[#1c - Entrances & Exits.pdf](#)
[#8 - Lease for Lots 18 & 19.pdf](#)
[MSB Letter 12.20.22.pdf](#)

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

Good morning Peggy,

Below are the answers to your questions. I've also attached corresponding documents to this email, please let me know if you have any questions.

Thank you and Happy New Year!

Hans

1. a. See attached copy.
- b. See attached map of sign locations. The Fairview Inn also has all the required posting as required by the State of Alaska Alcoholic Beverage Control Board and was most recently inspected and approved in December 2022 for compliance.
- c. See attached map. The two doors on the Fairview Inn's western side are locked. The two existing gates to the original beer garden are locked when the beer garden is closed.
- d. See attached map.
- e. As required by MSB 17.25.050, two off street parking spaces (measuring at least 9' x '18') will be provided. Two spaces measuring 10' x 25' at the rear of business at 22152 S. D Street. In addition to these parking spaces there are two additional parking spaces along the west side of the original beer garden's fence, measuring about 10' x 20' each. See attached map.
- f. The covered canopy deck measures 20' x 28'. The smaller deck is actually part of the outside bar for storage and serving and not a place customers sit, it contains approximately 220 square feet.
- g. Yes
2. The covered deck has lots of downward lights in the ceiling and there is a string of lights along the fence from the covered deck to the main building. The annexed area will not be open after dark and no lights are deemed necessary.
3. 3'
4. Wooden picket fence with flower boxes, see attached photo of similar fence.
5. No, there is an existing gate between the original and annexed beer garden that can be locked when the annexed beer garden closes.

6. No
7. See attached Fire Marshal's determination.
8. See, attached lease assignment to validate site control for Ronja, LLC and prior email correspondence.

On Wed, Dec 21, 2022 at 11:16 AM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Good Morning,

Yes, I believe this will be satisfactory.

Thank you,

Peggy Horton

Matanuska-Susitna Borough

Development Services Division

Planner II

907-861-7862

From: Hans Axelsson <axelsson.hans@gmail.com>

Sent: Wednesday, December 21, 2022 10:34 AM

To: Peggy Horton <Peggy.Horton@matsugov.us>

Subject: Re: Fairview Inn CUP Modification

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

Hi Peggy,

Thanks for sending us the comments, we're working on getting you a complete response. In

regards to item number 8, we would prefer not having to bother Phillip about signing another deed at this time, however we have another mechanism of site control by a lease assignment, see attached. Does this satisfy your concerns for item number 8?

Thank you,

Hans

On Tue, Dec 20, 2022 at 4:28 PM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Good Afternoon,

Please see the attached request for information letter.

Thank you,

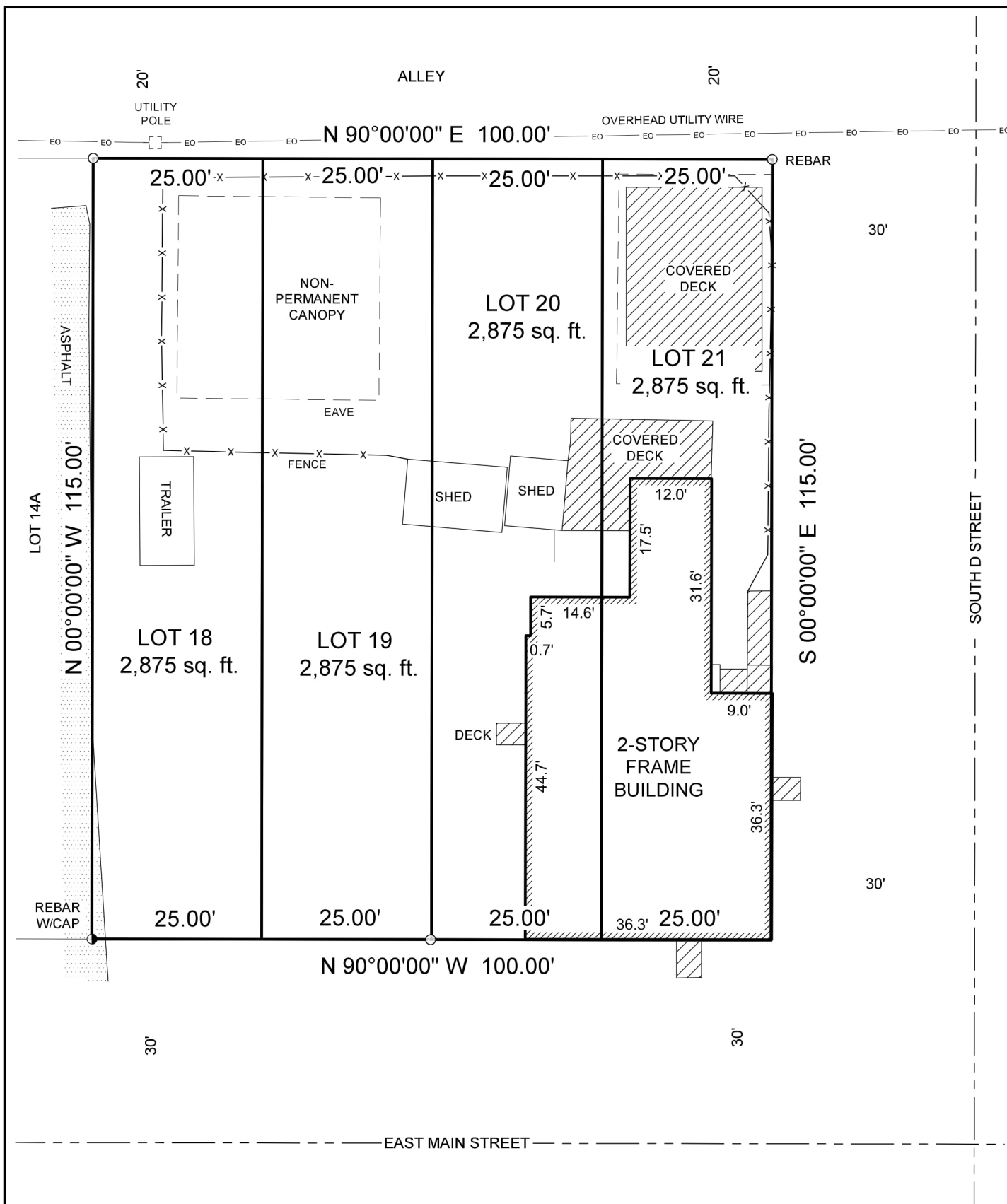
Peggy Horton

Matanuska-Susitna Borough

Development Services Division

Planner II

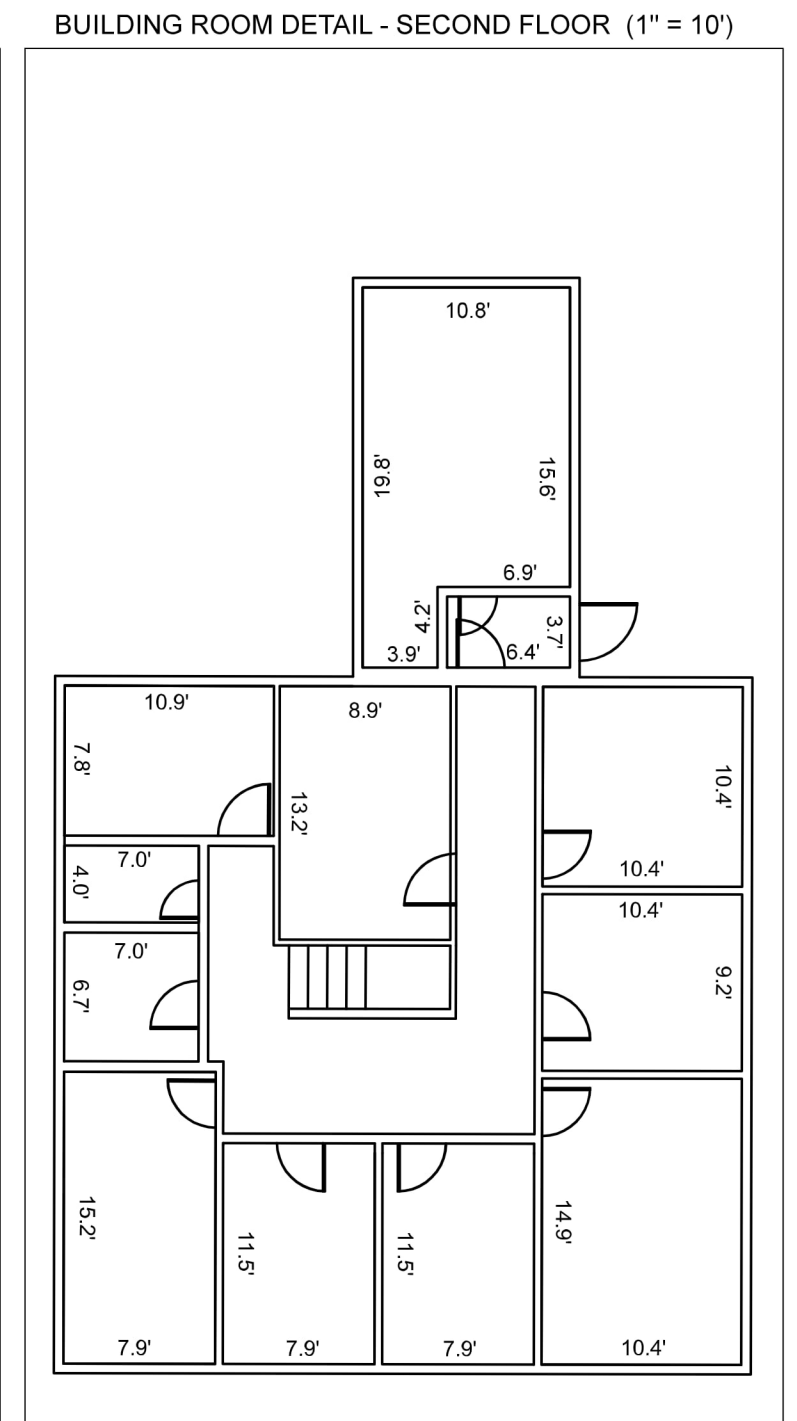
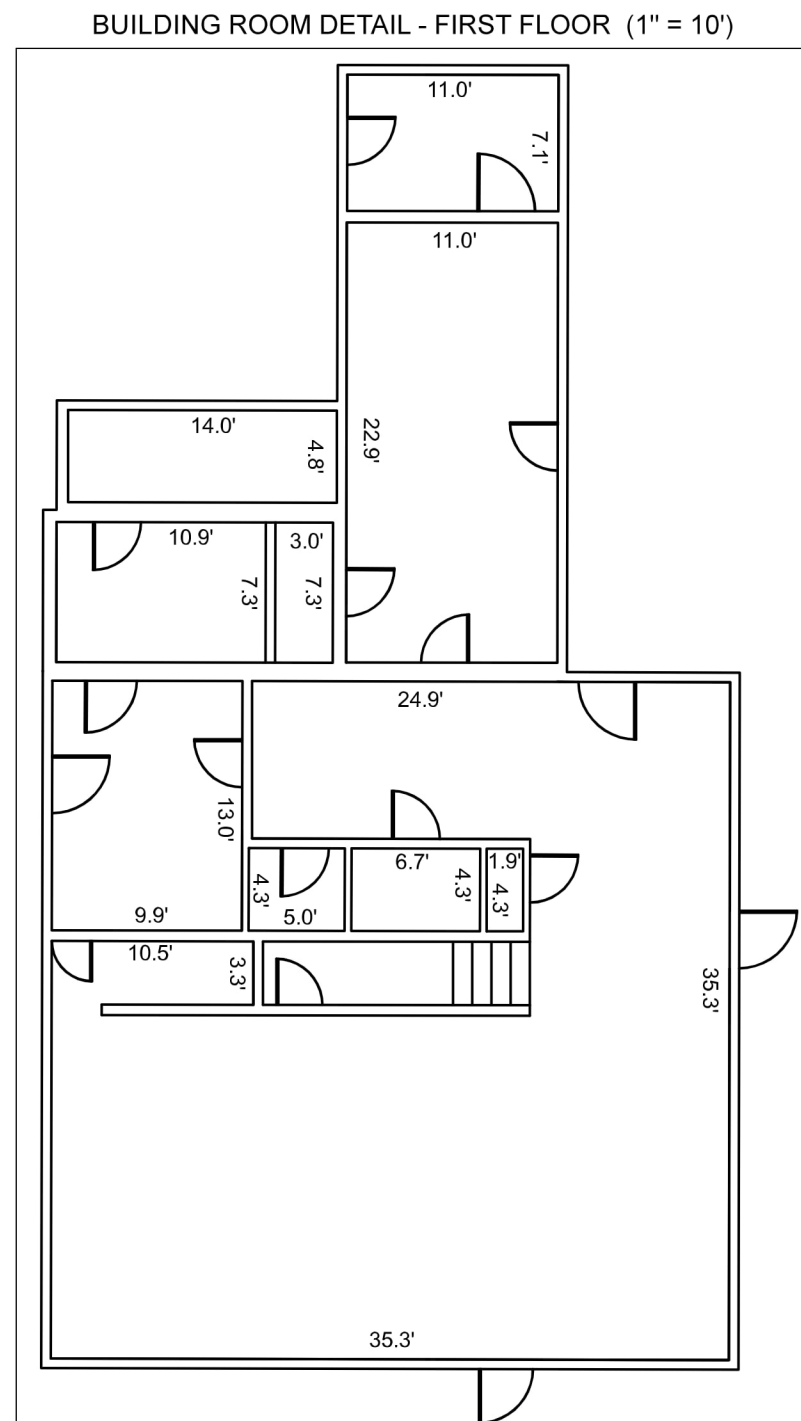
907-861-7862



EASEMENTS OF RECORD, OTHER THAN THOSE SHOWN ON THE RECORDED SUBDIVISION PLAT ARE NOT SHOWN HEREON.

THIS DOCUMENT DOES NOT CONSTITUTE A BOUNDARY SURVEY AND IS SUBJECT TO ANY INACCURACIES THAT A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE.

UNDER NO CIRCUMSTANCES SHOULD ANY OF THE DATA HEREON BE USED FOR CONSTRUCTION OF FENCES, IMPROVEMENTS, OR FOR ESTABLISHING PROPERTY BOUNDARIES.



AS-BUILT

I HEREBY CERTIFY THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTY:

LOT 18, 19, 20, & 21, BLOCK 12, TALKEETNA TOWNSITE
SUBDIVISION

TALKEETNA RECORDING DISTRICT, ALASKA AND THAT THE IMPROVEMENTS AS DEPICTED HEREON EXIST AS SHOWN IN RELATION TO THE PROPERTY LINES.

DATED THIS 23rd DAY OF AUGUST, 2022, AT ANCHORAGE,
ALASKA.

FIXED HEIGHT, LLC

C.O.A. 122554

Land Surveying Services
225 W 23rd Ave., Anchorage, AK 99503

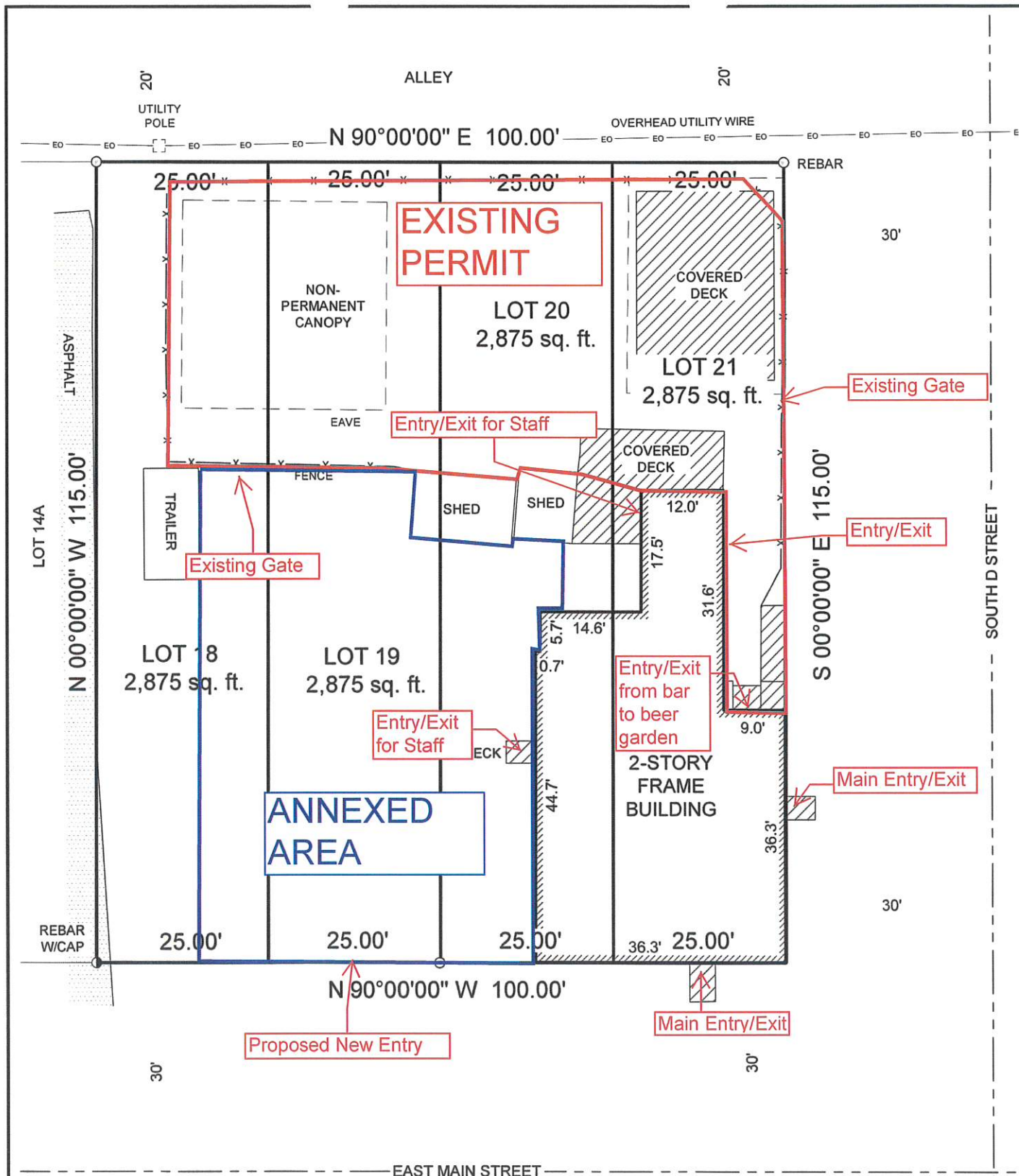
907 290 8949

WWW.FIXEDHEIGHT.COM

JOB # 22190

NO CORNERS SET THIS DATE

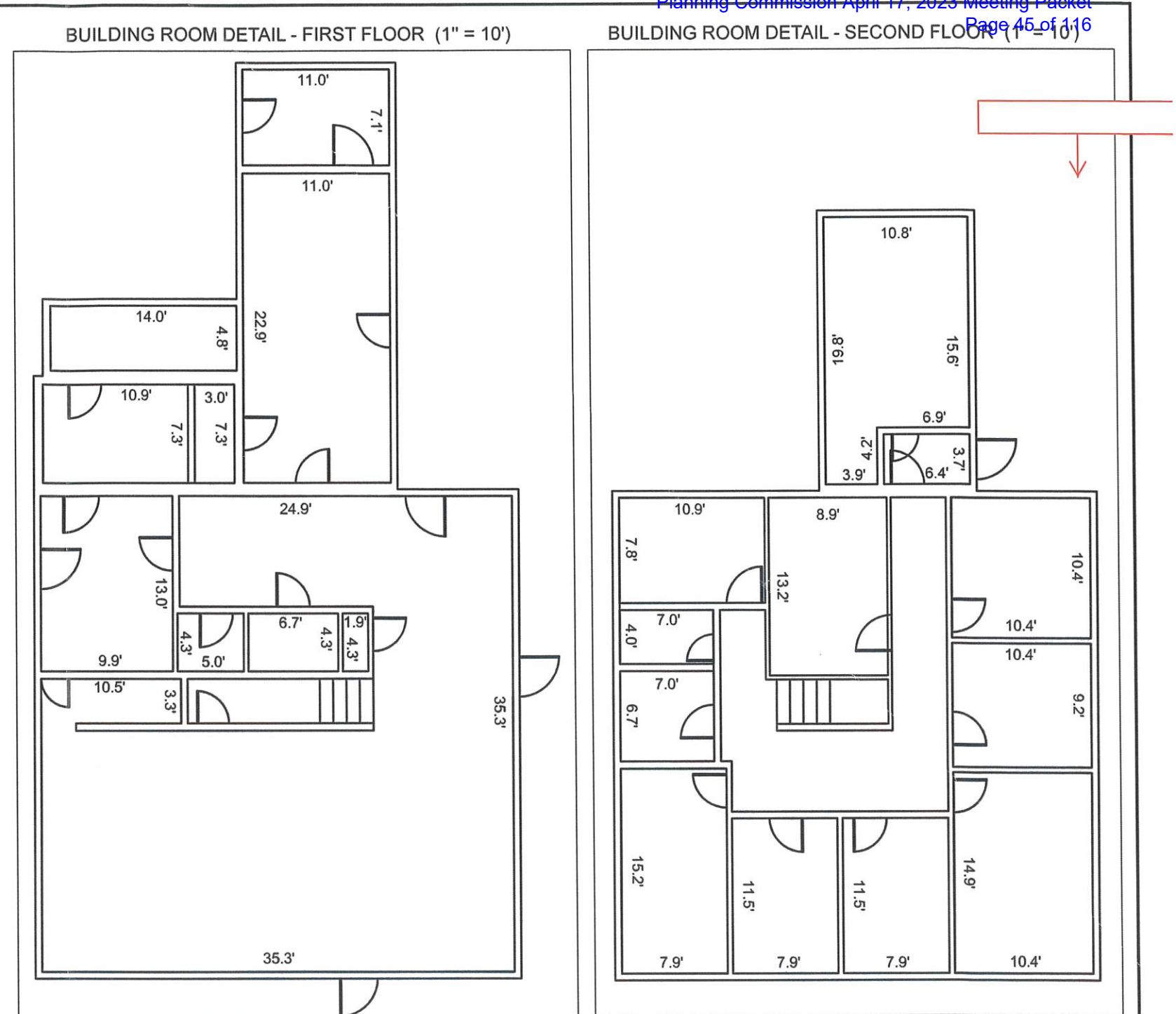
SCALE 1" = 20'



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C.O.A. 122554

Land Surveying Services
225 W 23rd Ave., Anchorage, AK

907.290.8949

WWW.FIXEDHEIGHT.COM

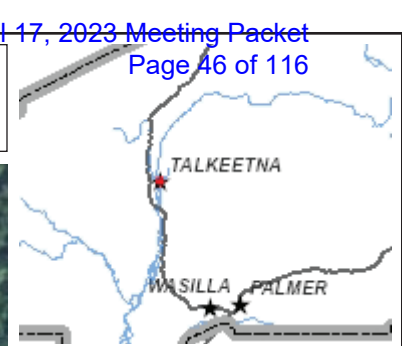
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NO CORNERS SET THIS DATE

SCALE 1" = 20'



Matanuska-Susitna Borough



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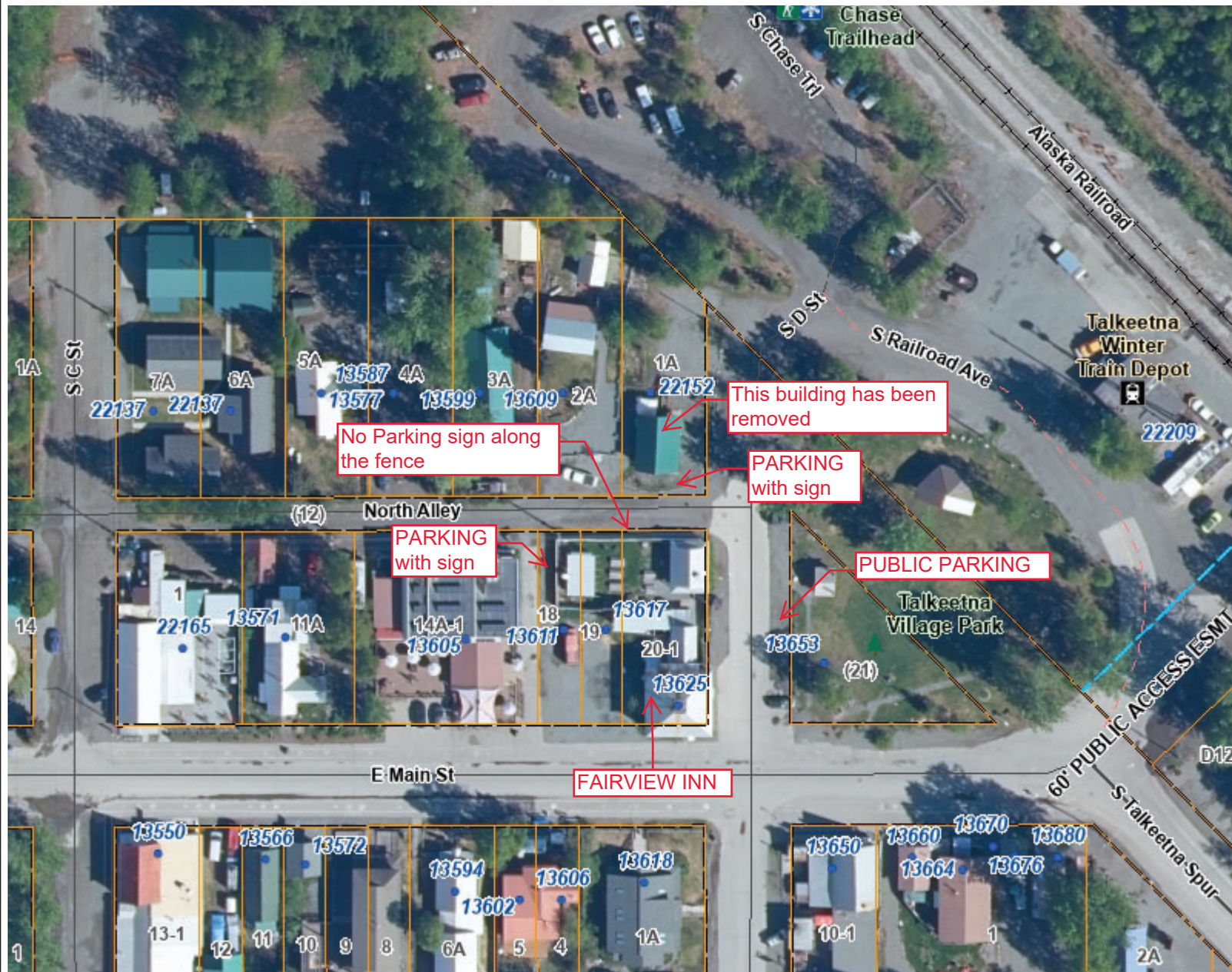
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1: 2,257



Notes

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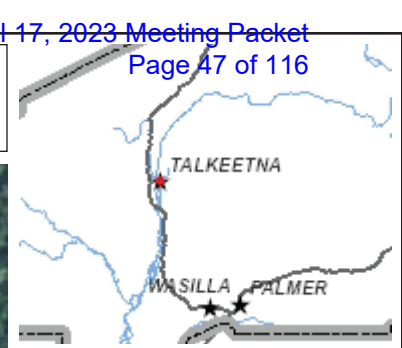
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Matanuska-Susitna Borough



Legend

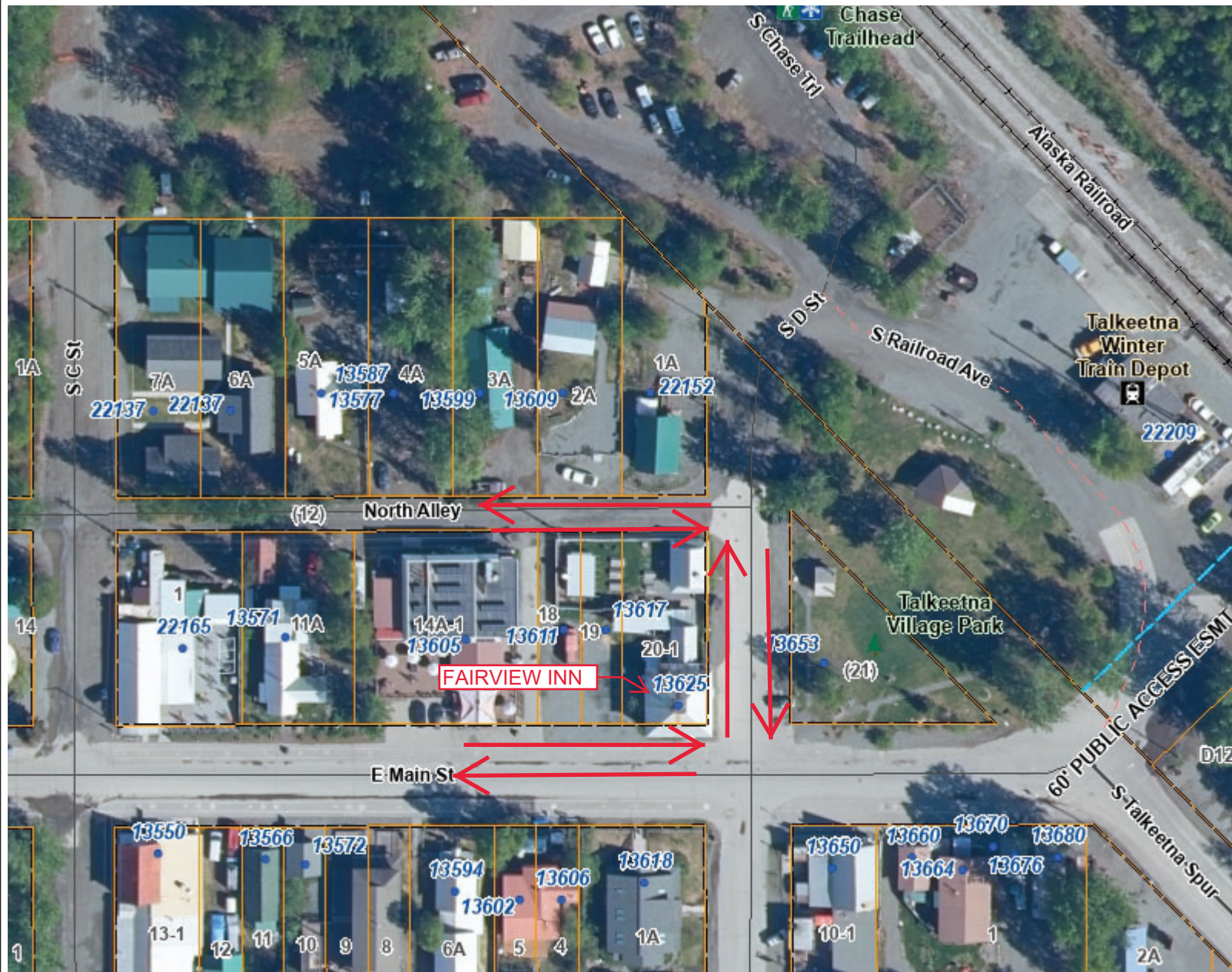
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Return to Ronja, LLC, Assignee #9.

FULL AND FINAL ASSIGNMENT AND ASSUMPTION OF GROUND LEASE

This Full and Final Assignment and Assumption of Ground Lease (this "**Agreement**") is made as of this 41st day of APRIL 2022 (the "**Effective Date**") by and between Phillip Paul Weidner, Weidner Family Limited Partnership, Denali Fairview Inn, Inc. an Alaska C-Corporation, and any entity that Phillip Paul Weidner owns or controls that has any interest or rights to the real and personal property identified herein (collectively referred to as the "Assignor") and Ronja, LLC, an Alaska limited liability company or its permitted assignee (the "Assignee").

Recitals

- A. Assignor represents that it can assign, in full, any and all rights and obligations it has in the certain 99 Year Bare Ground/Commercial Lease of Real Property,* dated April 13, 1998, (the "**Lease**") for real property and improvements within the real property known as Lot 18 & 19, Block 12, Talkeetna Townsite, and located respectively at 13611 & 13617 E. Main Street, Talkeetna, Alaska 99676 (the "Property") the Lease being for certain space and certain appurtenances as specifically described in the Lease.
* 1998-000786-0 TALKETNA REC. DIST.
- B. Assignor is selling its interest in certain assets of Assignor to Assignee pursuant to the terms of the Agreement of Purchase and Sale of Real Property; Liquor License No. 383; & Other Personal Property (the "**Sale Transaction**") entered into in connection with the execution and delivery of this Agreement. In connection with such Sale Transaction, Assignee has required that it receive the benefit of the tenancy granted to Assignor pursuant to the terms of the Lease.
- C. As part of the Sale Transaction, Assignor desires to assign to Assignee all of its right, title and interest as Tenant under the Lease and Assignee desires to accept such assignment and to agree to perform all of the obligations of the Tenant under the Lease, upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

Agreement

1. Recitals; Definitions. The recitals set forth above are incorporated herein by reference. Except as otherwise defined herein, all capitalized terms herein have the meanings ascribed to such terms in the Lease.

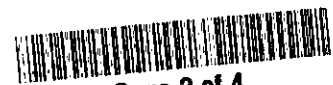
2. Assignment. Assignor hereby fully and permanently assigns and sets over to Assignee all of Assignor's right, title, interest, and claim in the Lease, including any Security Deposit delivered by Assignor under the Lease. Such assignment shall be effective on the Effective Date set forth above.
3. Assumption. Assignee hereby accepts the foregoing assignment, and hereby assumes Assignor's rights and obligations under the Lease.
4. Condition of Premises. Assignor represents and warrants that all rental payments are current. All agreements and terms as to conditions of property and premises and representations and warranties as to same are as set out in the initial Agreement of Purchase and Sale of Real Property; Liquor License No. 383.; And Other Personal Property of December 10, 2021 (Exhibit A) and remain in full force, effect and control.
5. Security Deposit. Assignor agrees that any security deposit, if any, required by the Lease shall be transferred to the benefit of Assignee.
6. Confirmation: Except as expressly modified by this Agreement, the Lease remains in full force and effect, and the parties hereby confirm the Lease as so modified. Capitalized terms used herein without definition shall have the meanings ascribed to them in the Lease.
7. No Defaults or Claims. The Assignor represents that there are no defaults or claims relating to the Property, the Lease, or in regard to any aspect of the Property.
8. Indemnity by Assignor. Assignor hereby agrees to indemnify, defend, and hold Assignee and the Property of Assignee harmless from and against any and all claims, demands, actions, causes of action, losses, liabilities, damages, costs and expenses suffered or incurred by or asserted against Assignee in connection with this Lease assignment. This indemnity is not intended to modify, limit, or diminish any indemnity obligations imposed upon Assignor under the terms of the purchase agreement governing the Sales Transaction.
9. Assignee's Address. Assignee's address for notice purposes under the Lease shall be as follows:

Ronja, LLC
PO Box 71634
Fairbanks, Alaska 99707
Email: axelsson.hans@gmail.com
10. Counterparts: This Agreement may be executed in one or more counterparts, and all such executed counterparts shall constitute the same agreement. Emailed or scanned signatures shall be binding on the parties.



11. Authority. The parties signing this Agreement individually represent and warrant that they have the authority to sign this Agreement on behalf of the party for whom they are executing this Agreement and to bind such party to this Agreement.
12. Miscellaneous. This Assignment is made and delivered in the State of Alaska and shall be construed under and governed by Alaska law. This Assignment may be executed in one or more counterparts, including by facsimile or other electronic form, and together the counterparts shall constitute one and the same agreement.

/s/Signatures to follow on next page.

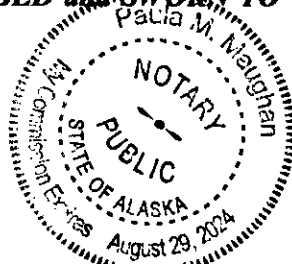


WITNESS WHEREOF, the parties have executed this Agreement as of the day referenced above.

ASSIGNOR:

By: Phillip P. Weidner 4/5/2022
Phillip P. Weidner

SUBSCRIBED and SWORN TO before me this 5th day of April 2022 by Phillip P. Weidner.



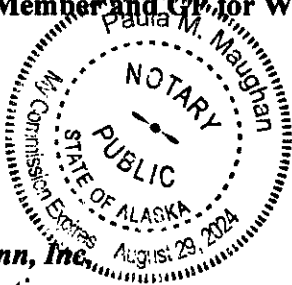
Paula M. Maughan
Notary Public for and in the State of Alaska
My Commission expires: 8.29.24

Weidner Family Limited Partnership

By: Aleutian Gander, LLC, GP

By: Phillip P. Weidner 4/5/2022
Phillip P. Weidner
Its: Sole-Member and GP

SUBSCRIBED and SWORN TO before me this 5th day of April 2022 by Phillip P. Weidner as Sole-Member and GP for Weidner Family Limited Partnership.

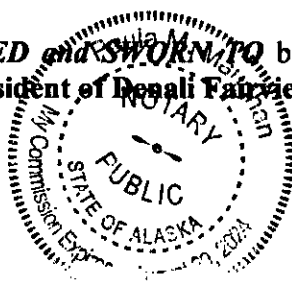


Paula M. Maughan
Notary Public for and in the State of Alaska
My Commission expires: 8.29.24

Denali Fairview Inn, Inc.
an Alaskan Corporation

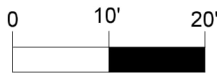
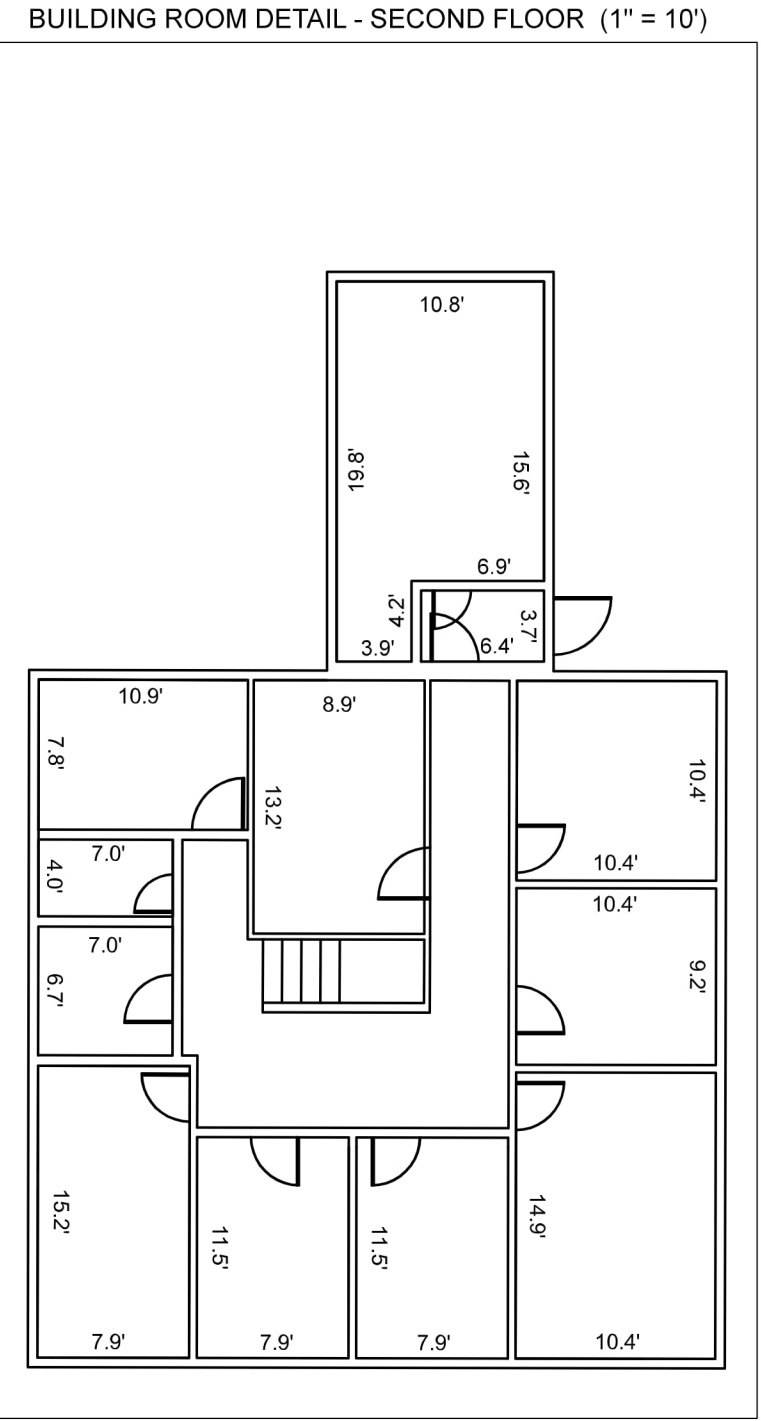
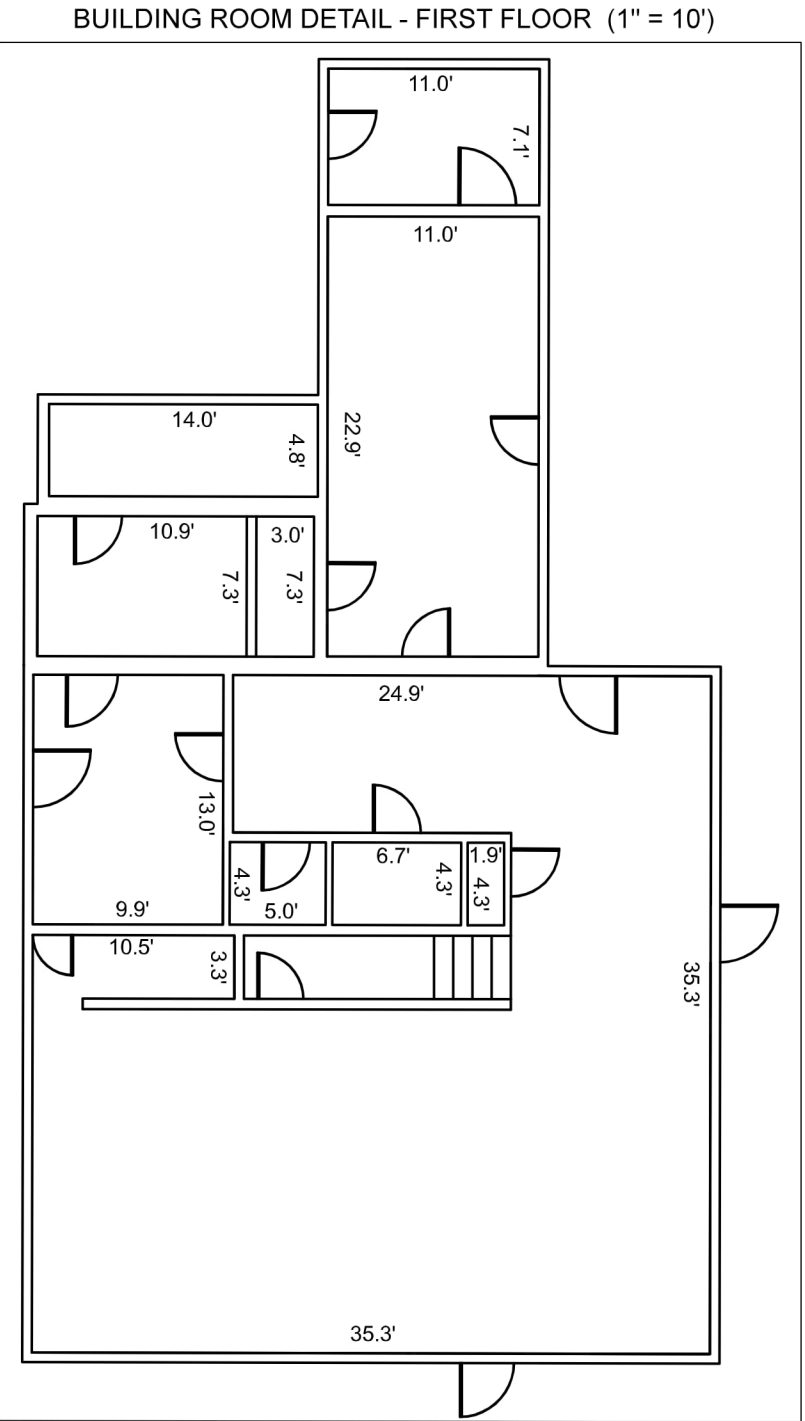
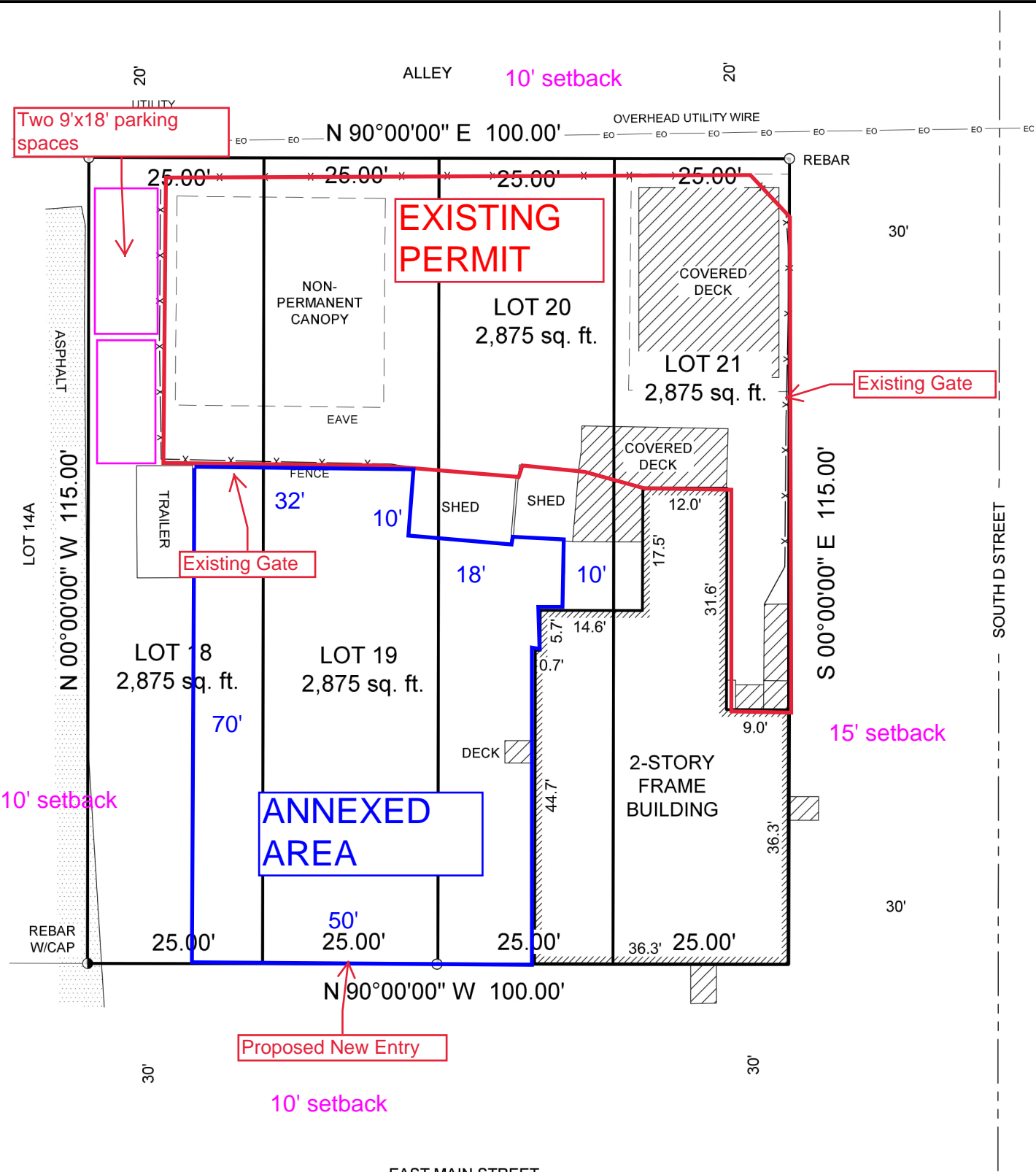
By: Phillip P. Weidner 4/5/2022
Phillip P. Weidner
Its: President

SUBSCRIBED and SWORN TO before me this 5th day of April 2022 by Phillip P. Weidner as President of Denali Fairview Inn, Inc.



Paula M. Maughan
Notary Public for and in the State of Alaska
My Commission expires: 8.29.24





EASEMENTS OF RECORD, OTHER THAN THOSE SHOWN ON THE RECORDED SUBDIVISION PLAT ARE NOT SHOWN HEREON.
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UNDER NO CIRCUMSTANCES SHOULD ANY OF THE DATA HEREON BE USED FOR CONSTRUCTION OF FENCES, IMPROVEMENTS, OR FOR ESTABLISHING PROPERTY BOUNDARIES.

AS-BUILT	
I HEREBY CERTIFY THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTY:	
LOT 18, 19, 20, & 21, BLOCK 12, TALKEETNA TOWNSITE SUBDIVISION	
TALKEETNA RECORDING DISTRICT, ALASKA AND THAT THE IMPROVEMENTS AS DEPICTED HEREON EXIST AS SHOWN IN RELATION TO THE PROPERTY LINES.	
DATED THIS 23rd DAY OF AUGUST, 2022, AT ANCHORAGE, ALASKA.	
FIXED HEIGHT, LLC	
Land Surveying Services 225 W 23rd Ave., Anchorage, AK 99503	907.290.8949 WWW.FIXEDHEIGHT.COM

Rick Benedict

From: Hans Axelsson <axelsson.hans@gmail.com>
Sent: Wednesday, February 1, 2023 10:47 AM
To: Rick Benedict
Subject: Re: Fairview Inn CUP Modification
Attachments: Gmail - Fire Marshal determination - Fairview Inn, Talkeetna.pdf; 22152 S D Street - Additional Parking.pdf; Fairview Inn - outdoor seating chart.pdf; 13625 E. Main Street As-built with additional drawings.....Redacted.pdf; No Parking sign #2 located at 13625 E Main Street - on the fence north side.jpg; No Parking sign located at 13625 E Main Street - on the fence north side.jpg; Parking sign located at 13625 E Main Street - on the fence west side.jpg; Parking Sign located at 22152 S. D Street.PNG

Follow Up Flag: Follow up
Flag Status: Flagged

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

Hello Rick,

It was nice talking to you the other day. Attached are the additional drawings indicating the increased number of parking spaces we discussed for a total of ten, two on 13625 E. Main Street and eight on 22152 S. D Street. Moving the parking away off Main Street should make things safer by reducing the conflict between vehicle traffic and the high numbers of pedestrians during the summer. The drawings also indicate the building setbacks on both properties and the dimensions of the annexed beer garden.

- Attached are photos of existing signs indicating available parking on 13625 E. Main Street and 22152 S. D Street, plus the No Parking signs on the fence along North Alley.

- Email and corresponding seating chart that the fire marshal reviewed is attached.

- The year-round use of the original beer garden will be in compliance with MSB 8.52 and we will apply for a temporary noise permit should it become necessary.

Thank you,

Hans

On Mon, Jan 30, 2023 at 10:06 AM Rick Benedict <Rick.Benedict@matsugov.us> wrote:

Good morning,

Please see the attached request for information letter.

Respectfully,

Rick Benedict – Planner II

Development Services Division

Matanuska-Susitna Borough

(907)861-8527 direct



Hans Axelsson <axelsson.hans@gmail.com>

Fire Marshal determination - Fairview Inn, Talkeetna

Rocheleau, Nathan L (DPS) <nathan.rocheleau@alaska.gov>

Thu, Dec 29, 2022 at 11:07 AM

To: Hans Axelsson <axelsson.hans@gmail.com>

Cc: "Harrop, Richard M (DPS)" <richard.harrop@alaska.gov>, "Josten, Steven H (DPS)" <steven.josten@alaska.gov>, "Mahoney, Isobelle L (DPS)" <isobelle.mahoney@alaska.gov>, "Nakano, Lloyd M (DPS)" <lloyd.nakano@alaska.gov>, "Morton, Jeff W (DPS)" <jeff.morton@alaska.gov>

Thank you for clarification. After reviewing your proposal and calculating the occupant load for both outdoor spaces your occupant loads would be as follows:

Fairview Inn Building (Bar Area Only) = 58 occupants**Annexed outdoor beer garden = 200 occupants****Existing outdoor beer garden = 246 occupants**

We will update our files for any future reference. If you have any further comments, questions or concerns please let us know.

Thank you,

Nathan L. Rocheleau, IAAI-CFI

Deputy Fire Marshal

Department of Public Safety

Division of Fire and Life Safety

5700 East Tudor Road

Anchorage, Alaska 99507

O: (907) 269-5506

F: (907) 269-5018

E: nathan.rocheleau@alaska.gov

From: Hans Axelsson <axelsson.hans@gmail.com>**Sent:** Thursday, December 29, 2022 10:10 AM**To:** Rocheleau, Nathan L (DPS) <nathan.rocheleau@alaska.gov>**Cc:** Harrop, Richard M (DPS) <richard.harrop@alaska.gov>; Josten, Steven H (DPS) <steven.josten@alaska.gov>; Mahoney, Isobelle L (DPS) <isobelle.mahoney@alaska.gov>; Nakano, Lloyd M (DPS) <lloyd.nakano@alaska.gov>; Morton, Jeff W (DPS) <jeff.morton@alaska.gov>**Subject:** Re: FW: Fire Marshal determination - Fairview Inn, Talkeetna

Hello Nathan,

Thank you for your quick response. Attached is a diagram of the proposed seating chart. The round and square tables would have 4 chairs each, while the two rectangular picnic tables seat six each. This figuaration would result in 128 seats in the original beer garden while the annexed area would have 96. We're leaving a wide walking path from the new proposed entry on Main Street through the existing gate to the original beer garden and out through the existing gate on D Street. Please let me know if you have any questions or concerns.

Thank you,

Hans

On Thu, Dec 29, 2022 at 9:30 AM Rocheleau, Nathan L (DPS) <nathan.rocheleau@alaska.gov> wrote:

Mr. Axelsson,

I was forwarded your question regarding occupant load calculations and have researched previous documentation in our files. An occupant load for the bar area was previously calculated back in March of 2015.

Fairview Inn Building (Bar Area Only) = 58 occupants

Annexed outdoor beer garden = More information required

Existing outdoor beer garden = More information required

We will need some additional information to complete occupant loads for the annexed and existing outdoor beer gardens. Please provide a diagram of proposed tables and chair seating and or let us know if this is standing room only.

Regards,

Nathan

Nathan L. Rocheleau, IAAI-CFI

Deputy Fire Marshal

Department of Public Safety

Division of Fire and Life Safety

5700 East Tudor Road

Anchorage, Alaska 99507

O: (907) 269-5506

F: (907) 269-5018

E: nathan.rocheleau@alaska.gov

From: Hans Axelsson <axelsson.hans@gmail.com>
Sent: Wednesday, December 28, 2022 12:30 PM
To: Nakano, Lloyd M (DPS) <lloyd.nakano@alaska.gov>
Subject: Fire Marshal determination - Fairview Inn, Talkeetna

You don't often get email from axelsson.hans@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Nakano,

I'm working with the Matanuska Susitna Borough on a conditional use permit, see attached MSB Letter. In #7 of the letter they are asking us to provide a Fire Marshal determination for maximum occupancy of the proposed annexed area, existing beer garden and the Fairview Inn. The Talkeetna Fire Department Chief, Mr. Eric Chappel informed us that this determination would have to be done by your office. Could your office please help us with this so we can move forward with the conditional use permit application.

The sizes of the three areas are as follows.

Fairview Inn building: 3,300 square feet

Annexed outdoor beer garden: 3,000 square feet

Existing outdoor beer garden: 3,700 square feet

I've also attached as-builts and other information I think will be helpful. Please let me know if you have any questions or concerns.

Best Regards,

Hans Axelsson, Fairview Inn



Hans Axelsson <axelsson.hans@gmail.com>

Fire Marshal determination - Fairview Inn, Talkeetna

Hans Axelsson <axelsson.hans@gmail.com>

Thu, Dec 29, 2022 at 10:10 AM

To: "Rocheleau, Nathan L (DPS)" <nathan.rocheleau@alaska.gov>

Cc: "Harrop, Richard M (DPS)" <richard.harrop@alaska.gov>, "Josten, Steven H (DPS)" <steven.josten@alaska.gov>, "Mahoney, Isobelle L (DPS)" <isobelle.mahoney@alaska.gov>, "Nakano, Lloyd M (DPS)" <lloyd.nakano@alaska.gov>, "Morton, Jeff W (DPS)" <jeff.morton@alaska.gov>

Hello Nathan,

Thank you for your quick response. Attached is a diagram of the proposed seating chart. The round and square tables would have 4 chairs each, while the two rectangular picnic tables seat six each. This figuration would result in 128 seats in the original beer garden while the annexed area would have 96. We're leaving a wide walking path from the new proposed entry on Main Street through the existing gate to the original beer garden and out through the existing gate on D Street. Please let me know if you have any questions or concerns.

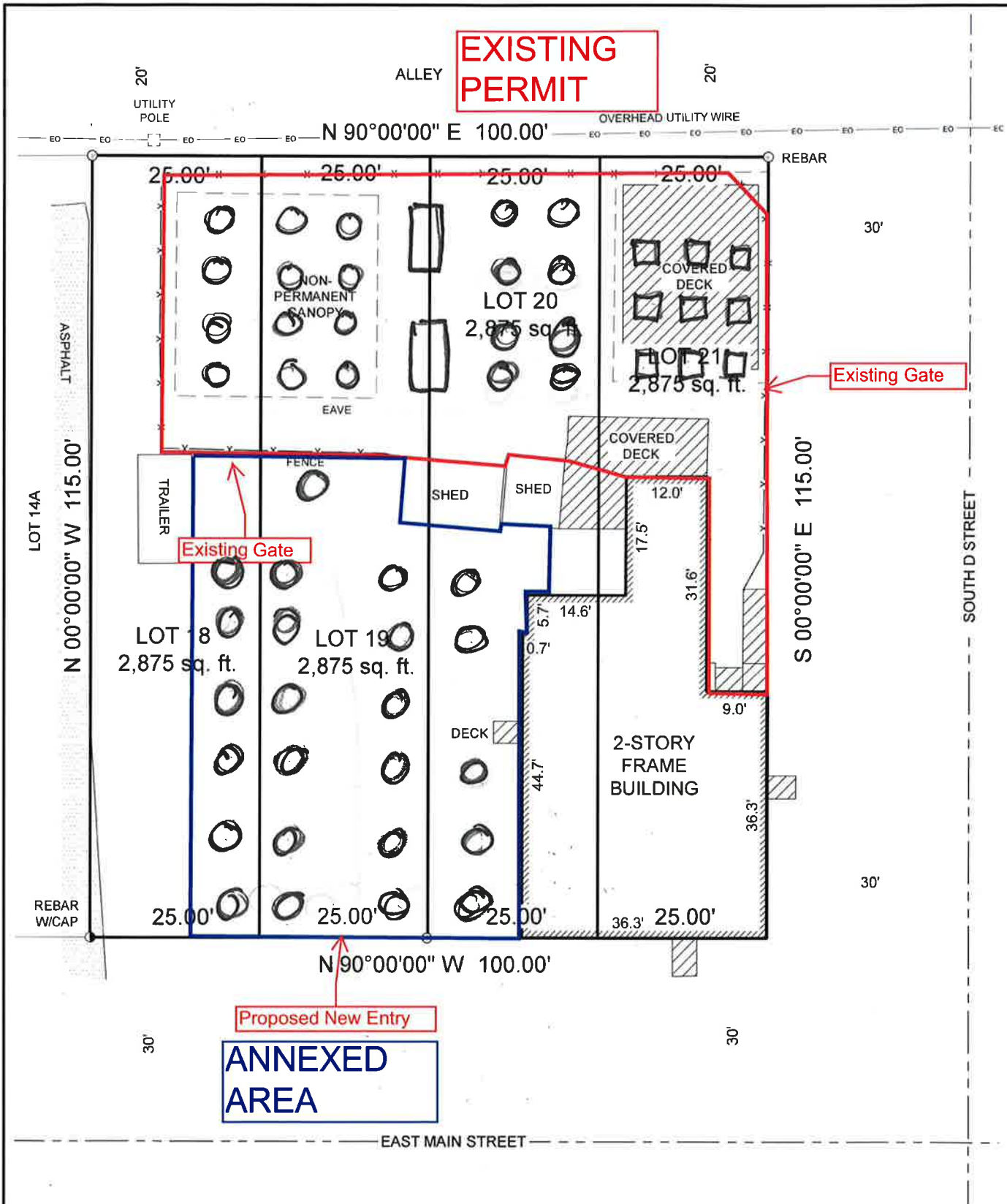
Thank you,

Hans

[Quoted text hidden]

**Fairview Inn - outdoor seating chart.pdf**

104K



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**PARKING FOR
FAIRVIEW INN
PATRONS ONLY**

Thank you!

From: [Hans Axelsson](#)
To: [Rick Benedict](#)
Subject: Re: Fairview Inn
Date: Sunday, February 12, 2023 6:28:38 PM
Attachments: [22152 S D Street - Additional Parking.pdf](#)

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

Hi Rick,

Attached is the revised drawing where we changed one of the parking spaces at 22152 S. D Street to be an ADA compliant van accessible space.

Thank you,

Hans

On Fri, Feb 10, 2023 at 3:24 PM Rick Benedict <Rick.Benedict@matsugov.us> wrote:

Good afternoon Hans,

I will be preparing the packet and getting the public notification process started. There's approximately an 8-week period from the point an application is determined complete until its introduction onto the Planning Commission agenda. Based on this information, introduction of the resolution for your CUP application will be made on April 14, 2023. The public hearing date will be set for May 1, 2023.

In most situations the Planning Commission will vote on the resolution at the time of the hearing. However, code does allow the commission 30 days to decide. Should all go well, a vote by the Planning Commission to approve your CUP application will occur on May 1, 2023.

Borough staff is particular with applicants concerning their applications for this reason. Our goal is to gather all pertinent information prior to the meeting in hopes of avoiding delays caused by incomplete applications.

I will have more information to share in the upcoming weeks regarding the public notification process. If you have any further questions before then, please feel free to reach out to me.

Respectfully,

Rick Benedict – Planner II
Development Services Division
Matanuska-Susitna Borough
(907)861-8527 direct

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

From: Hans Axelsson <axelsson.hans@gmail.com>
Sent: Friday, February 10, 2023 1:54 PM
To: Rick Benedict <Rick.Benedict@matsugov.us>
Subject: Fairview Inn

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

Hi Rick,

I'll make one of the parking spaces big enough to be ADA approved and I'll send you the updated drawing on Monday. Did I understand you correctly that we could have the permit approved by May 1st? The season is short so time is of essence.

Thank you,

Hans

NOTES

- 1. THIS FIELD SURVEY WAS CONDUCTED ON SEPTEMBER 21 2020. ALL MONUMENTS HAVE BEEN FOUND OR SET AS DESCRIBED HEREON.
- 2. ALL DIRECTIONS SHOWN ARE TRUE BEARINGS, AS ORIENTED TO THE BASIS OF BEARINGS.
- 3. THIS SURVEY DOES NOT CONSTITUTE A SUBDIVISION AS DEFINED BY AS 40. 15. 900 (5) (A).

UNSUBDIVIDED

LEGEND

- RECOVERED GLO BRASS CAP MONUMENT
- RECOVERED ALUMINUM CAP ON 5/8" REBAR
- RECOVERED 5/8" REBAR
- SET PLASTIC CAP ON 5/8"x30" REBAR
- MEASURED DATA
- RECORD PER PLAT (93-40)
- BLOCK



HANSON LAND SOLUTIONS
305 E. FIREWEED AVE.
PALMER, ALASKA 99645
(907) 746-7738
BUSINESS LICENSE #1525

RECORD
OF
SURVEY

A SURVEY OF
LOT 1A,
BLOCK 12 OF
TALKEETNA
TOWNSITE
LOTS 1A-7A
BLOCK 11,
LOTS 1A-7A
BLOCK 12
(PLAT 93-40)

TALKEETNA
RECORDING DISTRICT

LOCATED WITHIN
SE 1/4 SEC. 24,
T. 26N. R. 5W.
SM, AK

CONTAINING
0.16 ACRES
MORE OR LESS

SCALE: 1"=20' JOB: 20-273
DWN: SDN FILE: 20-273 RS
CK: CEH 09/24/20 01 OF 01

TALKEETNA TOWNSITE
LOTS 1A-7A BLOCK 11,
LOTS 1A-7A BLOCK 12
(PLAT 93-40)

12

4A

3A

2A

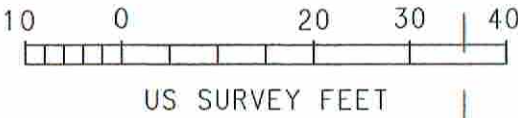
1A

0.16 ACRES±

10' setback

15' setback

Seven - 9' x 18' parking
spaces & one 8' x 18'
ADA approved van
accessible parking
space with a 8' wide
access isle



(100.00')
100.00'

BASIS OF BEARING

N90° 00' 00"E
(WEST)

150.00' (150.00')
10' setback

N74° 58' 11" W 255.65' (WEST)
(150.00')

S44° 11' 48"E
(N43° 51' W) 15' setback

68.60' (68.52')

165.03' (165.00')

50° 06' 25" W (NORTH)

115.61' (115.59')

50° 06' 33" W (NORTH)

S. D ST.
20'

S. RAILROAD AVE.

MARKINGS ILLEGIBLE

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PUBLIC HEARING LEGISLATIVE

Resolution No. PC 23-11

**A RESOLUTION OF THE MATANUSKA-SUSITNA
BOROUGH PLANNING COMMISSION
RECOMMENDING APPROVAL OF AN ORDINANCE
AMENDING MSB 17.30, CONDITIONAL USE
PERMIT FOR EARTH MATERIAL EXTRACTION
ACTIVITIES, BY CREATING A REGISTRATION
PROCESS FOR EARTH MATERIAL EXTRACTION
OF 2,001 TO 10,000 CUBIC YARDS ANNUALLY.**

(Pages 69 -110)

PUBLIC HEARING

This ordinance is consistent with Strategy 1E of the Economic Development Strategic Plan which states:

Strategy 1E: *Promote entrepreneurship and small business development.* The MSB and its community partners should encourage and foster small business development and growth-oriented entrepreneurship in the Borough.

DRAFT

CODE ORDINANCE

Sponsored by:
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 23-033**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.30, CONDITIONAL USE PERMIT FOR EARTH MATERIAL EXTRACTION ACTIVITIES, BY CREATING A REGISTRATION PROCESS FOR EARTH MATERIAL EXTRACTION OF 2,001 TO 10,000 CUBIC YARDS ANNUALLY.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of Subsection. MSB 17.30.020(E) is hereby amended to read as follows:

(E) Annual extraction of more than 2,000 cubic yards of earth materials on property that has not been granted a permit or pre-existing legal nonconforming status as of the date of the enactment of this chapter is required to obtain a conditional use permit, small gravel registration, or administrative permit.

Section 3. Amendment of Section. MSB 17.30.030 is hereby amended to read as follows:

17.30.030 TYPES OF PERMITS AND REGISTRATION AVAILABLE.

(A) There are two types of permits and one registration process available for earth materials extraction:

(1) Small gravel registration - a registration filed with the Planning Department that does not require public notification and shall be approved by the director upon finding that the requirements of MSB 17.30.039 have been met.

[(1)] (2) Administrative permit - a use permit approved by the director with public notification may be issued if the proposed development meets the minimum thresholds for an administrative decision.

[(2)] (3) Conditional use permit - a conditional use permit granted by the planning commission after a public hearing, when the proposed development goes beyond the minimum threshold for an administrative permit.

Section 4. Addition of Section. MSB 17.30.039 is hereby added to read as follows:

17.30.039 CRITERIA TO QUALIFY FOR A SMALL GRAVEL REGISTRATION.

(A) Registration is required prior to extracting greater than 2,000 cubic yards of earth material on any one parcel in a calendar year.

(B) Annual extraction exceeding 10,000 cubic yards shall not occur without first obtaining an

Administrative or Conditional Use Permit under this chapter.

(C) Small gravel registration may not be filed more than five times on any one parcel.

(D) The extraction site shall not be within one-half mile of any other small gravel extraction site registered under this section.

(E) Any person or entity is allowed one registration at a time with the Borough. This restriction also prohibits individuals and entities from obtaining a second registration where an individual exercises any control, management, or operational decision making authority for an entity which has a registration.

(F) The following operating standards apply to earth material sites operating under a small gravel registration:

(1) All extraction activities that cause noise, dust, or traffic, shall be limited to Monday through Friday, 8 a.m. to 6 p.m. and Saturday, 9 a.m. to 5 p.m. Operations shall not occur on Sunday;

(2) Only extraction and screening of gravel products is allowed, further processing such as crushing

or asphalt plants are prohibited;

(3) Extraction shall not occur within 100 feet of any waterbody, wetlands, or within 4 feet of the seasonal high water table;

(4) Slopes shall be graded to attain a maximum 50 percent slope or the natural stabilized angle of repose;

(5) Any hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated;

(6) All vehicular exits shall comply with standard Alaska Pollutant Discharge Elimination System requirements to minimize off-site vehicle tracking of sediments and discharges to storm water. Where sediment has been tracked-out from a site onto paved roads, sidewalks, or other paved areas outside of the site, remove the deposited sediment by the end of the same business day.

(7) Dust mitigation shall be performed as needed to minimize dust impacts to surrounding areas;

(8) The development may flatten topographical features to a useable surface, but shall not create a hole or depression in a manner that limits future

development potential.

(G) Borough staff shall be permitted to enter onto the property during normal business hours to monitor compliance with the requirements of this chapter.

Section 5. Amendment of Subsection. MSB 17.30.140(B) is hereby amended as follows:

(B) It is a violation to conduct commercial earth material extraction activities without a permit or registration issued under this chapter unless designated as an interim materials district or as a pre-existing legal nonconforming use in accordance with MSB 17.28 or MSB 17.30.025.

Section 6. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2023.

EDNA DeVRIES, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

CHAPTER 17.30: CONDITIONAL USE PERMIT (CUP) FOR EARTH MATERIALS EXTRACTION ACTIVITIES

Section

- 17.30.010 Intent and purpose**
- 17.30.020 Applicability**
- 17.30.025 Nonconforming uses**
- 17.30.030 Types of permits available**
- 17.30.035 Application procedures**
- 17.30.037 Material extraction below or within four feet of the seasonal high water table**
- 17.30.040 Criteria to qualify for an administrative permit**
- 17.30.050 Planning commission approval**
- 17.30.055 Required compliance with state and federal laws**
- 17.30.060 General standards for approval**
- 17.30.110 Amendment of conditional use permit**
- 17.30.120 Transfer of a conditional use permit**
- 17.30.130 Termination of permit**
- 17.30.140 Violations, enforcement, and penalties**
- 17.30.150 Appeal procedures**

17.30.010 INTENT AND PURPOSE.

(A) It is the intent of the Matanuska-Susitna Borough to recognize the value and importance of promoting the utilization of natural resources within its boundaries. The purpose of this chapter is to allow resource extraction activities while promoting the public health, safety, order, prosperity, and general welfare of the Matanuska-Susitna Borough through regulation of land use to reduce the adverse impacts of land uses and development between and among properties. It is the further

purpose of this chapter to promote compatible, orderly development. These purposes are accomplished by:

- (1) allowing for a public review process for earth materials extraction activities in the Matanuska-Susitna Borough;
- (2) enhancing the character and stability of residential, agricultural, business, commercial, and industrial areas, promoting the orderly and beneficial development of such areas by the owner/permittee in a manner that will not devalue the extraction site or neighboring properties for future beneficial uses upon completion of gravel extraction;
- (3) promoting diversified land use and economic opportunity;
- (4) encouraging the most appropriate uses of land;
- (5) enhancing the natural, manmade, and historical amenities of the Matanuska-Susitna Borough;
- (6) recognizing and preserving traditional uses of land within the Matanuska-Susitna Borough; and
- (7) protecting and enhancing the quality, peace, quiet and safety of the Matanuska-Susitna Borough neighborhoods.

(Ord. 05-124(SUB)(AM), § 2 (part), 2005)

17.30.020 APPLICABILITY.

- (A) This chapter applies to all private and public lands in the borough except where the use is prohibited by ordinance within a special land use district. Where a special land use district regulates earth materials extraction as a conditional use, the granting of a conditional use permit shall require compliance with this chapter. Where this chapter is in conflict with the conditional use permit conditions of the special land use district, the more restrictive conditions shall apply.
- (B) This chapter does not apply within the cities of Houston, Palmer, or Wasilla, or the Port MacKenzie Special Use District.
- (C) This chapter applies to commercial earth materials extraction activities where the principal activity of use of the property is the extraction of earth materials.
- (D) This chapter does not apply when earth material extraction activity is not intended for sale or barter.

(E) Annual extraction of more than 2,000 cubic yards of earth materials on property that has not been granted a permit or pre-existing legal nonconforming status as of the date of the enactment of this chapter is required to obtain a conditional use permit or administrative permit.

(F) *[Repealed by Ord. 11-153, § 13, 2011]*

(G) Extraction of 2,000 cubic yards or less annually on any one parcel does not require an administrative or conditional use permit. Where a site is exempt under this subsection the exemption is revoked if operations proceed within four feet of the seasonal high water table.

(H) This chapter shall not apply to earth material extraction activities on land owned by the state of Alaska that are in existence as of the date of adoption of the ordinance codified in this chapter except for such operations that extract materials within four feet of the water table. Where a site is exempt under this subsection the exemption is revoked if operations proceed to within four feet of the water table.

(Ord. 16-102, § 10, 2016; Ord. 12-096, § 3, 2012; Ord. 11-153, § 13, 2011; Ord. 08-043, §§ 2, 3, 2008; Ord. 07-130, § 2, 2007; Ord. 05-124(SUB)(AM), § 2 (part), 2005)

17.30.025 NONCONFORMING USES.

(A) At the date of adoption of the ordinance codified in this chapter, or amendments thereto, earth materials extraction activities that have been granted a permit or pre-existing legal nonconforming status are permitted to continue subject to the provisions of this section.

(B) *[Repealed by Ord. 11-153, § 14, 2011]*

(C) *[Repealed by Ord. 11-153, § 14, 2011]*

(D) Legal nonconforming extraction operations shall comply with MSB 17.28.067(A) through (D).

(E) Operations with pre-existing legal nonconforming status that extract material below or within four feet of the seasonal high water table shall conduct operations in accordance with the requirements outlined in MSB 17.30.037(D), except that MSB 17.30.037(D)(8)(b) through (d) shall not apply.

(F) Nonconforming status shall expire if material extraction or earth material processing activity ceases for longer than five years.

(Ord. 11-153, § 14, 2011; Ord. 05-124(SUB)(AM), § 2 (part), 2005)

17.30.030 TYPES OF PERMITS AVAILABLE.

(A) There are two types of permits available for earth materials extraction:

(1) *Administrative permit* – a use permit approved by the director with public notification may be issued if the proposed development meets the minimum thresholds for an administrative decision.

(2) *Conditional use permit* – a conditional use permit granted by the planning commission after a public hearing, when the proposed development goes beyond the minimum threshold for an administrative permit.

(Ord. 05-124(SUB)(AM), § 2 (part), 2005)

17.30.035 APPLICATION PROCEDURES.

(A) For all permits required under this chapter, the following shall be submitted to the department:

- (1) a completed application form provided by the department;
- (2) a site development plan in accordance with MSB 17.28.050 and 17.28.060;
- (3) the fee in the amount designated in MSB 17.99; and
- (4) reclamation plan in accordance with MSB 17.28.063.

(B) The director may reject any application which is incomplete or fails to meet the requirements of this section. The rejection shall be in writing and shall state the deficient items. Once the deficiencies have been corrected, the complete application will be processed.

(C) If the minimum criteria for an administrative permit can be met, the director will notify surrounding property owners in accordance with MSB 17.03, public notification, except that the notification area will be one-half mile. Within 30 days of acceptance of the application, the administrative permit will be issued with conditions to address concerns raised by neighboring property owners, and as deemed appropriate by the director, to protect the public health, safety and general welfare.

(D) *[Repealed by Ord. 11-153, § 15, 2011]*

(E) If the proposed development exceeds the minimum criteria for an administrative permit, a public hearing before the planning commission shall be conducted within 45 calendar days of the acceptance of a complete application in accordance with MSB 17.03, public notification, except that the notification area will be one-half mile. The applicant may waive the 45-day limit.

(F) The planning commission shall hear any interested parties and shall render a decision on the application for a conditional use permit within 30 calendar days from the date of public hearing, unless the applicant agrees to a time extension. In the granting of a conditional use permit, the planning commission shall state in writing the conditions of approval of the permit.

(Ord. 11-153, § 15, 2011: Ord. 05-124(SUB)(AM), § 2 (part), 2005)

17.30.037 MATERIAL EXTRACTION BELOW OR WITHIN FOUR FEET OF THE SEASONAL HIGH WATER TABLE.

(A) Extraction of material below or within four feet of the seasonal high water table requires a permit under this section except:

(1) material extraction in navigable water performed under the authority of the state or federal governments.

(B) Prior to application for a water table extraction permit, the following requirements shall be met:

(1) installation of a sufficient number of monitoring wells and test pits, as recommended by a qualified professional, to adequately determine groundwater flow direction, hydraulic gradient, water table and seasonal high water table elevation, and monitor groundwater quality upgradient and downgradient of the proposed activity on the property on which the activity will take place. Monitoring well and test pit locations must provide the qualified professional with adequate information to characterize the entire property that will be permitted for material extraction:

(a) Monitoring wells shall be installed, maintained, and decommissioned in accordance with 18 AAC 80.015.

(b) Well casing elevations shall be surveyed to a vertical accuracy of 0.01 feet by a registered land surveyor.

(c) Monitoring well logs and a report must be submitted to the Alaska Department of Natural Resources (ADNR) prior to time of application. The submittal to ADNR must comply with 11 AAC 93.140 by showing well construction parameters and information.

(2) collection of a sufficient number of representative groundwater samples, as recommended by a qualified professional, to determine baseline water quality.

(a) Baseline representative groundwater samples shall be collected biannually (either mid-summer and fall or fall and late winter) from monitoring wells, and at a minimum, be analyzed for arsenic, barium, cadmium, chromium, lead, mercury, selenium, silver, total

nitrite/nitrates, phosphates, total dissolved solids, fecal coliform bacteria, benzene, toluene, ethylbenzene, and xylenes by appropriate methods approved by the state. Additional analytes shall be included if recommended by a qualified professional and based on review of regulated potential sources of contamination within one-half mile of the boundary of the property on which the activity will take place;

(b) Representative groundwater samples shall be collected under supervision of a qualified professional using sampling methods and analytical methods as defined by a state-certified laboratory. Sampling methods shall include documentation to assure acquisition of representative samples.

(3) Determination of seasonal high water table elevation, groundwater flow direction, hydraulic gradient, and water table elevation for the site shall be measured under supervision of a qualified professional.

(4) A written report shall be completed by a qualified professional that makes a determination about the potential adverse effects to groundwater and surface water body elevation, groundwater and surface water quality, surrounding water users and adjacent properties. The determination shall be based on available data, interpretations of the data and knowledge of groundwater processes.

(5) The report shall be submitted with the conditional use permit application and shall:

(a) identify existing public water system sources (i.e., wells, springs, surface water intakes), as identified by the state, that are located within one-half mile of the boundary of the property on which the activity will take place;

(b) identify actual or presumed private drinking water wells located within one-half mile of the boundary of the property on which the activity will take place and include a copy of the available well logs. The qualified professional shall inspect ADNR well log records available for properties within one-half mile of the boundary of the property on which the activity will take place;

(c) identify public drinking water source capture areas less than or equal to the distance of the two-year-time-of-travel isochron as identified or approved by the state, located within one-half mile of the boundary of the property on which the activity will take place;

(d) identify existing regulated potential sources of contamination within at least one-half mile of the boundary of the property on which the activity will take place;

(e) contain maps at appropriate scales presenting the results of the well search, the setbacks required by subsection (D)(8) of this section, and illustrating wetlands and water

bodies; at least one map shall show identified potential sources of contamination;

(f) include the water table elevation monitoring data, groundwater sampling analytical results, monitoring well logs and records of any test pits, and a discussion of the seasonal high water table determination;

(g) evaluate subsurface hydrologic conditions and identify potential adverse effects that may occur as a result of material extraction. The evaluation of the hydrologic conditions shall include identifying confining layers; and

(h) The report and all data relied upon in creation of the report shall be provided to the borough and shall be available to the public for inspection and review by members of the public.

(6) A monitoring plan shall be completed by a qualified professional with appropriate action levels requiring additional investigation and monitoring to assess potential adverse effects to groundwater or surface water.

(a) The monitoring plan shall include a field sampling plan; and

(b) The plan shall contain all well construction and development details.

(C) In addition to the application requirements for a conditional use permit for earth materials extraction, the application for a water table extraction permit shall include:

(1) a description of the proposed extent and depth of material extraction beneath the seasonal high water table.

(2) a written report that meets the requirements of subsection (B) of this section, a monitoring plan, and a spill prevention, control, and countermeasures plan as required by this section.

(3) a fee in the amount designated by the assembly in accordance with this chapter.

(4) a certificate of general liability insurance with limits not less than \$1,000,000 per occurrence/\$1,000,000 aggregate for operations involving less than 40 acres and \$2,000,000 per occurrence/\$2,000,000 aggregate for operations involving 40 acres or larger. Insurance shall insure liability for bodily injury and property damage and be written on the Insurance Services Office form number CG0001 12 07 or a form as broad as CG0001 12 07. The certificate of insurance shall include 30 days' notice of cancellation to the borough. The borough shall be named on the applicant's general liability policy as an additional insured and the applicant shall waive their rights of subrogation against the borough. Such insurance shall remain in full force and effect in the specified amounts for the duration of the permit period. Insurance coverage must include liability for providing comparable alternate sources of drinking water to all

impacted parties served by any private or public water system adversely affected as a result of the activity.

(5) a certificate of pollution liability insurance with limits of \$1,000,000 per occurrence/\$1,000,000 aggregate including third party bodily injury and property damage and cleanup costs. If the responsible party's pollution liability (environmental) insurance is written on a claims-made form, the responsible party shall provide insurance for a period of three years after expiration or termination of the permit. The policy(ies) shall evidence a retroactive date, no later than the effective date of the conditional use permit.

(D) Operating standards for extraction within or below four feet of the seasonal high water table are as follows:

(1) Implement a monitoring plan that meets the requirements of this chapter. If existing wells will provide sufficient data, no additional wells are required;

(2) Implement the spill prevention, control and countermeasures plan in accordance with Environmental Protection Agency's requirements for above ground storage tank operations regardless of the quantity of petroleum products on site;

(a) Fuel storage containers larger than 50 gallons shall be contained in impermeable berms and basins capable of retaining 110 percent of the storage capacity;

(b) Fuel storage containers 50 gallons or smaller shall not be placed directly on the ground, but shall be stored on a stable impermeable surface;

(c) Locate above ground storage tanks farthest from the path of groundwater flow to private and public water systems and farthest from state-approved drinking water source capture areas, and outside the setbacks for all drinking water sources;

(d) Equipment operating within the area of excavation shall be maintained to minimize leaks of petroleum fluids. Equipment that releases petroleum fluids to the environment shall be repaired as soon as practical. The responsible party or owner shall contain the leaks immediately on discovery; and

(e) In the event of a reportable release of regulated contaminants, notification shall include the director and shall occur concurrently with the state and federal agencies, if applicable.

(3) Groundwater flow direction, hydraulic gradient, and groundwater table elevation for the subject parcel shall be measured at least monthly during active extraction. Monitoring wells must be maintained or replaced with equivalent monitoring wells.

(4) Collect groundwater samples biannually prior to seasonal excavation startup and within two weeks of seasonal shutdown from the down-gradient and cross-gradient monitoring wells. Sample collection shall be conducted in accordance with sampling methods defined by a state certified laboratory.

(a) Representative groundwater samples shall be analyzed, at a minimum, for benzene, toluene, ethylbenzene, xylenes, and total dissolved solids, by methods approved by a certified laboratory as well as any analyte identified in the water quality monitoring data with a concentration within 15 percent of the applicable water quality standards established by state regulation. Groundwater sample analysis shall include testing for analytes that may indicate water quality changes including, but not limited to, pH, conductivity, nitrates, sulfates, sodium, calcium, magnesium, bicarbonate, and potassium.

(b) Analytical sampling results and water elevation monitoring data shall be retained for two years following completion of reclamation activities and shall be provided to the director upon request.

(i) If the monitoring data indicates that a maximum contaminant level set under 18 AAC 80 has been exceeded, or if the water level measurements indicate a shift, beyond natural variability, in the elevation of the water table, the owner or responsible party shall report that result to the department within 48 hours of notification.

(c) A qualified professional shall annually submit a report to the department that includes:

(i) a table of monitoring results;

(ii) water quality sample analytical results in a table that includes the appropriate maximum contaminant levels established under 18 AAC 80; and

(iii) water table elevation monitoring data.

(5) Operations shall not breach or extract material from a confined aquifer or a confining layer beneath a perched aquifer currently used as a drinking water source.

(a) If evidence suggests a confined aquifer or confining layer has been breached, or if groundwater or surface water elevation changes rapidly or beyond natural variation, the director shall be notified within 24 hours.

(i) A hydrologic assessment, conducted by a qualified professional, to determine the affected area and the nature and degree of effects and a description of potential repair or mitigation options shall be submitted to the director within 14 calendar days of notification;

(ii) Repair or mitigation sufficient to address identified effects shall be initiated as soon as practical, not to exceed 45 calendar days from the date the assessment is received by the director;

(6) Proof of insurance as required by subsection (C)(4) of this section to mitigate impacts arising from the extraction activity shall be maintained until completion and acceptance of reclamation activities.

(7) Operations should be conducted in accordance with the current publication of the State of Alaska's User Manual Best Management Practices for Gravel Pits.

(8) Operations shall maintain the following setbacks:

(a) sixty-five feet from the property line, except where operations encompass contiguous parcels and extraction within four feet of the seasonal high water table is proposed across adjoining lot lines;

(b) five hundred feet from the nearest downgradient drinking water source;

(c) three hundred fifty feet from the nearest cross-gradient drinking water source; and

(d) two hundred feet from the nearest upgradient drinking water source.

(i) Minimum separation distances shall not apply to drinking water sources constructed after a permit to extract material below the water table has been issued.

(Ord. 11-153, § 16, 2011)

17.30.040 CRITERIA TO QUALIFY FOR AN ADMINISTRATIVE PERMIT.

(A) To qualify for an administrative permit, all of the following criteria must be met:

(1) *[Repealed by Ord. 16-102, § 11, 2016]*

(2) extraction activities subject to the permit shall not exceed:

(a) twenty-four months. A one-time extension of six months may be granted administratively upon written request from the applicant; provided, that all conditions of the permit have been met; or

(b) annual volume of 7,000 cubic yards (one cubic yard equals one and one-half tons) or less; and

(3) any proposed batch plant use shall not exceed 24 months.

(B) The director may also set basic conditions of approval for issuance of the administrative permit, as appropriate for the area in which the development is sited, for the following:

(1) setbacks (no less than minimum setback requirements as established in MSB 17.55; however, may be increased as appropriate for existing surrounding development);

(2) visual screening, noise mitigation, lighting restrictions and roads/access restrictions as appropriate for surrounding development and in accordance with development standards referenced in MSB 17.28.060, site development standards; and

(3) road maintenance may be required by permittee.

(Ord. 16-102, § 11, 2016; Ord. 05-124(SUB)(AM), § 2 (part), 2005)

17.30.050 PLANNING COMMISSION APPROVAL.

(A) *[Repealed by Ord. 16-102, § 12, 2016]*

(B) The commission may set conditions of approval for issuance of the conditional use permit, as appropriate for the area in which the development is sited, for the following:

(1) setbacks (no less than minimum setback requirements as established in MSB 17.55; however, may be increased as appropriate for existing surrounding development);

(2) visual screening, noise mitigation, lighting restrictions and roads/access restrictions as appropriate for surrounding development and in accordance with development standards referenced in MSB 17.28.060, site development standards;

(3) road maintenance may be required of the permittee; and

(4) length of time of operation and location of batch plants.

(Ord. 16-102, § 12, 2016; Ord. 05-124(SUB)(AM), § 2 (part), 2005)

17.30.055 REQUIRED COMPLIANCE WITH STATE AND FEDERAL LAWS.

(A) All applicants for permits for earth materials extraction are required to demonstrate compliance with state and federal law. Prior to final approval of the permit, the applicant or agent shall provide written documentation of compliance with the following:

- (1) mining license as required by the Alaska State Department of Revenue, pursuant to A.S. 43.65;
- (2) mining permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land;
- (3) reclamation plan as required by ADNR, pursuant to A.S. 27.19;
- (4) notice of intent for construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Department of Environmental Conservation (DEC) pursuant to the Alaska Pollutant Discharge Elimination System (APDES) requirements; and
- (5) United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, if material extraction activity is to take place within wetlands, lakes and streams.

(B) In addition to the requirements in subsection (A) of this section, all activity shall be conducted in compliance with state or federal regulations governing the items listed below. Written documentation of compliance with these regulations is not required. Complaints received by the borough of violations of requirements within this section will be forwarded to the appropriate agency for enforcement.

(1) *Air quality.*

- (a) EPA air quality control permit is required for asphalt plants and crushers.
- (b) ADNR burn permit is required for brush or stump burning. Combustibles shall be stockpiled separate from noncombustibles, and burn permit requirements shall be followed.
- (c) ADEC dust control and air quality regulations pertaining to burning activities shall be followed.

(2) *Water quality.*

- (a) EPA or ADEC regulations controlling spills, spill reporting, storage and disposal of oil, anti-freeze and hydrocarbons.

(3) *Use and storage of hazardous materials, waste and explosives.*

- (a) EPA regulations controlling use of hazardous materials shall be followed.

(b) Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (FBATFE) regulations shall be followed when storing or using explosives.

(C) Failure to comply with any of the requirements in subsections (A) and (B) of this section is a violation of the permit, and is subject to enforcement pursuant to MSB 17.30.140.

(IM 07-289, page 2 (part), presented 11-13-07; Ord. 05-124(SUB)(AM), § 2 (part), 2005)

17.30.060 GENERAL STANDARDS FOR APPROVAL.

(A) In granting an administrative permit or a conditional use permit, the director or commission must make the following findings:

- (1) that the use is not inconsistent with the applicable comprehensive plan;
- (2) that the use will preserve the value, spirit, character, and integrity of the surrounding area;
- (3) that the applicant has met all other requirements of this chapter pertaining to the use in question;
- (4) that granting the permit will not be harmful to the public health, safety and general welfare; and
- (5) that the sufficient setbacks, lot area, buffers or other safeguards are being provided to meet the conditions listed in MSB 17.30.050(B).

(Ord. 05-124(SUB)(AM), § 2 (part), 2005)

17.30.110 AMENDMENT OF CONDITIONAL USE PERMIT.

(A) A conditional use permit may be amended by application to the department and approval by the planning commission. The applicant shall provide the department an update of all information required in the original permit, shall describe the proposed changes in detail, and shall provide copies of any additional state and federal permits which the amendments may require. The notice and hearing provisions of this chapter shall apply to an amendment to the permit.

(Ord. 05-124(SUB)(AM), § 2 (part), 2005)

17.30.120 TRANSFER OF A CONDITIONAL USE PERMIT.

(A) A permit may be transferred subject to the conditions of MSB 17.60.180.

(Ord. 05-124(SUB)(AM), § 2 (part), 2005)

17.30.130 TERMINATION OF PERMIT.

(A) A permit shall terminate under this chapter subject to the conditions in MSB 17.60.190.

(Ord. 05-124(SUB)(AM), § 2 (part), 2005)

17.30.140 VIOLATIONS, ENFORCEMENT, AND PENALTIES.

(A) Unless otherwise specified, any violation of this chapter is an infraction.

(B) It is a violation to conduct commercial earth material extraction activities without a permit issued under this chapter unless designated as an interim materials district or as a pre-existing legal nonconforming use in accordance with MSB 17.28 or MSB 17.30.025.

(C) It is a violation to operate with a permit issued under this chapter but in violation of any criteria or condition which was necessary for the issuance of the permit.

(D) Enforcement of the provisions of this chapter and associated penalties shall be consistent with the terms and conditions of MSB 1.45.

(Ord. 11-153, § 17, 2011; Ord. 05-124(SUB)(AM), § 2 (part), 2005)

17.30.150 APPEAL PROCEDURES.

(A) The provisions of MSB 15.39 govern appeals from a decision of the planning commission granting, denying, modifying, or revoking a conditional use permit under this chapter. The provisions of MSB 15.39 govern an appeal of a planning department enforcement action or decision.

(Ord. 05-124(SUB)(AM), § 2 (part), 2005)

Corinne Lindfors

From: Emily Forstner <forstner@mtaonline.net>
Sent: Thursday, March 30, 2023 6:34 PM
To: MSB Planning Commission
Subject: gravel ordinance

Hello,

It has come to my attention the the gravel ordinance ORD 22-131 is back in the hands of the planning commission, due for a vote in May. I would like to voice my opposition.

I am concerned with the amendments and the ordinance. It does not include public hearings, nor does it protect water. As I understand it, the ordinance and amendments does nothing to insure that multiple pits wouldn't be allowed along neighborhood roadways longer than .5 miles. This a particular concern for me since there is already one gravel pit in my neighborhood. I would certainly not want two.

More importantly, what is the push for this ordinance? What is wrong with the current code? Is the current code keeping house and business construction down? If so, is there evidence for that need? Might we see the summary of that study? Or is it just a feeling that we are missing out by not having more gravel pits?

So, I again, write to the powers to be. I am against this idea. I was against it in twice before so I am a little confused why we are talking about this again.

Respectfully,
Emily Forstner

Corinne Lindfors

From: Herb Bischoff <herbbischoff@gmail.com>
Sent: Friday, March 31, 2023 10:48 AM
To: MSB Planning Commission
Subject: PROPOSED GRAVEL PIT LEGISLATION (OR 23-033)

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

Dear Planning Commission members:

Despite no know problem with the current permitting process, and with an apparent conflict of interest, Assemblyman Tew is again proposing legislation to put large size gravel pits next to homes without public input. Many people and local groups are opposed to the idea of increasing by five times the size of gravel pits that can go in next to homes with no permit, no input from or notification to residents and without consideration for significant impacts on surrounding property owners. The Planning Commission should be opposed to this ordinance as well. This legislation does not promote decent livability in the Mat-Su Borough.

Thank you,

Herb Bischoff
907-355-0624
Palmer, AK

Corinne Lindfors

From: Mayfield <mayfield@mtaonline.net>
Sent: Friday, March 31, 2023 11:19 AM
To: MSB Planning Commission
Subject: Resolution 23-11 Gravel Extraction without notice to neighbors

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

Dear Mat-Su Borough Planning Commission:

Why are we again being asked to comment on increasing the allowance for gravel extraction with no notice to property owners? This is a HUGE waste of your time, the Borough's time, and the public's time. There is currently an ordinance that allows 2,000 yards of gravel extraction with no notice that is working perfectly well. There is NO need to spend all of this time and money continuously revisiting increasing the amount of allowed gravel. There is no reason given for the "need" for this when the current ordinance is working. Please this time, please consider the homeowners of the valley, and shut this down. Please do not approve this.

- 1) There is a potential for property value decreases for those homeowners whose properties are adjacent to a pit. This increases taxes for everyone else. This also can cause irreparable harm to the homeowners, especially those who may have been in their homes for many years and were expecting to be able to use the value of their home in their retirement.
- 2) 1000 dump trucks a year on many of the roads would cause immense damage. Some subdivision roads were already poorly constructed and in desperate need of repair. Yet, this ordinance would allow trucks on these roads with no consequence.
- 3) These large trucks, on neighborhood roads during summer, when children are outside playing could pose danger.
- 4) Gravel pits cause noise and air pollution. This not only reduces the monetary value of a home, but it also reduces the quality of life of a person or a family who bought a home with the faith and understanding that they would be allowed to enjoy their property and that the Borough would not arbitrarily take away their rights. We can hear the gravel from over a mile away. By allowing this to happen the Borough Planning Commission is allowing special interests more control over property than individual homeowners.
- 5) There are properly permitted gravel pits all over the Valley. Allowing these other pits to function, you have reduced the value of the properly permitted pits. These people made a good faith effort to follow the laws. The devaluing of their property doesn't seem equitable.
- 6) Water. Our water is precious. Allowing these larger pits to be put in without any determination of water table location with the possibility they could contaminate the water, or cause harm to water levels of the underground reservoirs on which hundreds or even thousands of residents rely, is ill advised.

Thank you.

I hope the Planning Commission does the right thing and votes not to approve this.

Sincerely
Sarah Mayfield
1421 S Vermillion Drive
Palmer, AK 99645
907.521.8475

Corinne Lindfors

From: Jim <spencerj@mtaonline.net>
Sent: Monday, April 3, 2023 8:46 AM
To: MSB Planning Commission
Subject: Gravel Ordinance OR23-033

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

Dear Planning Commission:

I understand that the Assembly has not yet taken a final decision regarding the proposal to expand unpermitted gravel pits. So, please be aware:

Last summer I purchased an expensive piece of lake front property in the borough, just north of Wasilla City.

It is highly likely to be negatively impacted by an adoption of this new ordinance as there is currently a very small gravel excavation just outside the subdivision.

My plan was to build a nice long-term home on this property, hopefully starting this summer. The tax revenue in just one year is likely to outweigh any gain the borough coffers would experience from the life of such a gravel pit expansion.

Just know, *if this ordinance passes, I will NOT be building that home*. I cannot take the chance that my property values will decrease by the existence of such an eye-sore.

There are plenty of places, far away from developed property, to gather gravel. This is certainly NOT necessary!

IT IS TIME TO END THIS PROPOSAL, ONCE AND FOR ALL!

From a hopeful future resident (and 34 year past resident),

Jim Spencer

Corinne Lindfors

From: Barbara LaGrone <blagrone48@yahoo.com>
Sent: Monday, April 3, 2023 10:19 AM
To: MSB Planning Commission
Subject: OR23-033

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

I would like to state my opposition to the passage of OR23-033. The public is basically excluded from the process, with no recourse to a plan that would negatively impact any homeowner. The current permit process is adequate, and there is no reason to change these requirements. I do not think an assembly member who might profit from this legislation should be proposing this ordinance. In conclusion, I am asking the assembly to deny Ordinance OR23-033.

Barbara LaGrone
1365 E Inverness Drive
Wasilla AK 99654
resident since 1995

Corinne Lindfors

From: skiphenley@alaskan.com
Sent: Monday, April 3, 2023 10:44 AM
To: MSB Planning Commission
Subject: OR23-033

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

Assemblyman Tew can submit idiotic proposals all he wants but he is **WRONG** in this one. Strong opposition is at hand and there is no true sense to overturning the current safeguards to expand gravel pits anywhere in the entire borough. Without these safeguards that could destroy home values, increase truck traffic in subdivision non-commercial roads and build gravel pits with unchecked slopes that would be a danger to anyone, including young people who would accept these as a challenge to climb with snow machines, ATVs or even dirt bikes.

The safeguards in place MUST stay in place for the safety provided and to protect the home values established.

Sincerely,

John B. Henley II
300 S. Jerome Dr.
Wasilla, Alaska 99654

(BRENTWOOD SUBDIVISION)

Corinne Lindfors

From: skiphenley@alaskan.com
Sent: Monday, April 3, 2023 11:02 AM
To: MSB Planning Commission
Subject: Re: OR23-033

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

Added to the safeguards: Currently, TEW would stop any guards to the water table contamination as well as all the other things that go with totally unchecked gravel pits ANYWHERE in the entire borough. Obviously, he has not thought this whole thing through. Perhaps our assembly should put in a new ordinance to build a sewage treatment plant next to his house? No rules against it, anyone on the Assembly can propose what ever they wish as often as they wish.

Skip Henley

From: "skiphenley" <skiphenley@alaskan.com>
To: "msb planning commission" <msb.planning.commission@matsugov.us>
Sent: Monday, April 3, 2023 10:43:39 AM
Subject: OR23-033

Assemblyman Tew can submit idiotic proposals all he wants but he is WRONG in this one. Strong opposition is at hand and there is no true sense to overturning the current safeguards to expand gravel pits anywhere in the entire borough. Without these safeguards that could destroy home values, increase truck traffic in subdivision non-commercial roads and build gravel pits with unchecked slopes that would be a danger to anyone, including young people who would accept these as a challenge to climb with snow machines, ATVs or even dirt bikes.

The safeguards in place MUST stay in place for the safety provided and to protect the home values established.

Sincerely,

John B. Henley II
300 S. Jerome Dr.
Wasilla, Alaska 99654

(BRENTWOOD SUBDIVISION)

Corinne Lindfors

From: James Christie <jchristie@mac.com>
Sent: Monday, April 3, 2023 11:50 AM
To: MSB Planning Commission
Subject: Public comment in opposition to OR 23-0333
Attachments: QhI9wO-PC_Public_Comment_Form_2 copy.pdf

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

I write in opposition to proposed OR-23-033. This legislation is essentially the same as was proposed last year (22-131), and I believe similar legislation was rejected in the past. Permitting a five-fold increase of the size and scope of gravel pit operations in the Valley is not in the best interests of the community or the Borough and appears designed to elevate the financial interests of a select few over the welfare of the residents. The proposal would result in additional traffic, congestion, noise, and diminution in property values. My family has owned our property in Big Lake since the 1960s and the quiet enjoyment of our land is a fundamental right of all Borough residents. Allowing the gravel pit operation on Belarde and Lakeshore to increase five-fold in size would significantly offend the interests of Borough residents and landowners and should be rejected. I urge a "no" vote on OR-23-033.

Corinne Lindfors

From: Ben Schoffmann <pastorben@c3anchorage.com>
Sent: Monday, April 3, 2023 9:45 AM
To: MSB Planning Commission
Subject: NEW PROPOSED GRAVEL PIT LEGISLATION (OR 23-033)

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

I am again writing in opposition to the proposed changes. It is disappointing that this proposal keeps coming up after the significant opposition it has already received. This is not something the public wants as it destroys property value of those who invested under the existing regulations and is an affront to neighbors and quality of life for far more people than those few who would benefit. Please do not pass this new legislation.

Regards,
Albert B Schoffmann
6780 W Wellington Dr
Wasilla, AK 99623

Sent from Mail for Windows

From: [Bill Bocast](#)
To: [MSB Planning Commission](#)
Cc: [Jane Erie](#); [Nancy Blake](#); moketew@gmail.com
Subject: Gravel Pits and required waterfront setback
Date: Tuesday, April 4, 2023 12:39:36 PM

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

Dear Planning Commission members,

I'm sorry to see the Gravel Pit issue resurfacing. This was a bad idea, with an increasing population, most of whom depend on water wells. We are a bedroom community for Anchorage, consisting of numerous subdivisions. Our planning should reflect an effort to maintain quality of life here in the Valley.

We need protections against someone being able to turn any property into a gravel pit with no community input.

In a similar vein, I urge you to put your efforts into protecting our lake and river shorelines with setback requirements. Requiring a drainage plan developed by a professional engineer would also reduce problems down the road.

I live in District 5, so Mr. Kendig represents our area on the Borough Planning Commission. Have the non-conforming properties develop a remediation plan, rather than eliminating all setback requirements.

Thank You for your consideration

William F Bocast
4059 S Andrea Dr
Wasilla AK 99623

From: dgilley@gci.net
To: [MSB Planning Commission](#)
Subject: OR23-033
Date: Monday, April 3, 2023 2:31:35 PM

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

I am against the ordinance. The homeowners in the area need to have a voice in the decision not to mention the concerns for water, air and noise pollution, plus safety and road damage. I also believe that the legislators who can benefit from the passing the ordinance, should be dismissed from voting. Thank you Karen Gilley Crimson View

From: [Kristi Seymour](#)
To: [MSB Planning Commission](#)
Cc: [Stephanie Nowers \(brownie barn\) Nowers](#)
Subject: OR-23-033
Date: Wednesday, April 5, 2023 3:41:33 PM

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

Hello,

This is my third correspondence about this issue. I DO NOT SUPPORT this legislation. I am opposed to the idea of increasing any gravel pit by five times the size of current gravel pits that can go in next to homes, with no permit, no input from or notification to residents, and without consideration for significant impacts on surrounding property owners. Gravel pits remove virtually all the natural vegetation, topsoil and subsoil to get to the aggregate. This leads to a loss of existing wildlife and biodiversity. They are an eyesore. The land is not rehabilitated. They also cause environmental issues for air quality with the dust particles being in the air, the diesel fumes and dust from uncovered dump trucks. Gravel pits affect the water and the silt can be poisonous. The lights from evening work can be incredibly disruptive for the quality of life of those living near such a pit. .

Regards,

Kristi Seymour

Homeowner, Business Owner, Tax payer

Kristi Seymour, LPC, MBA
Mountain River Counseling
<http://www.mountainrivercounseling.org>
Cell 435. 817. 0812
Fax 866. 307. 0709

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From: [N. Rick Meyer](#)
To: [MSB Planning Commission](#)
Subject: Fw: OR -23-033
Date: Tuesday, April 4, 2023 1:11:34 PM

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

From: N. Rick Meyer <raom50@msn.com>
Sent: Monday, April 3, 2023 10:41 AM
To: msb.planning.commission@matsu.gov <msb.planning.commission@matsu.gov>
Subject: OR -23-033

What part of NO does Mokie not get ? What a waste of time and money. Please do not support the passage of this. Thank you. N.Rick Meyer...Wasilla.

Submit Via Email

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION
PUBLIC COMMENT FORM

A copy of this public comment message will be provided to
THE PLANNING COMMISSION

Public opinion messaging allows you to send a message to all members of the Planning Commission. If you have any questions, please call (907) 861-7851.

- The email button above only works if you are using Adobe Reader or Acrobat. There are several other ways to submit after you fill out this form and save it.
 - Email: attach it to an email to MSB.Planning.Commission@matsugov.us
 - Hand Deliver or Mail: The form may be printed and delivered to the Planning Commission Clerk's Office, Planning Department, 350 E. Dahlia Avenue, Palmer, AK 99645.

Title (Mr. Mrs. Ms.): Mr.	First Name: Reginald	Initial: J	Last Name: Christie	Suffix Jr. Sr. II: III
Mailing Address (Address, City, State, and Zip): 12400 Hopa Cir, Anchorage AK 99515 (subject property: NHN Big Lake, Lot A7, T17N R4W Sec 25)				
Phone: (907) 274-4621	Group or Affiliation, if any:			Date: April 3, 2023
SUBJECT: Resolution No: PC-OR-23-033				
I support the Resolution: <input checked="" type="checkbox"/> I oppose the resolution: <input type="checkbox"/> I recommend amendment: <input type="checkbox"/>				

OTHER SUBJECT:
OR23-0333

MESSAGE:

I write in opposition to proposed OR-23-033. This legislation is essentially the same as was proposed last year (22-131), and I believe similar legislation was rejected in the past. Permitting a five-fold increase of the size and scope of gravel pit operations in the Valley is not in the best interests of the community or the Borough and appears designed to elevate the financial interests of a select few over the welfare of the residents. The proposal would result in additional traffic, congestion, noise, and diminution in property values. My family has owned our property in Big Lake since the 1960s and the quiet enjoyment of our land is a fundamental right of all Borough residents. Allowing the gravel pit operation on Belarde and Lakeshore to increase five-fold in size would significantly offend the interests of Borough residents and landowners and should be rejected. I urge a "no" vote on OR-23-033.

Corinne Lindfors

From: Denita G <denita.rust@gmail.com>
Sent: Monday, April 3, 2023 12:35 PM
To: MSB Planning Commission
Subject: (OR23-033)

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

I am writing in regards to the proposed changes to gravel pit requirements by Mr.Tew. I find it absurd he is trying to push forward despite the overwhelming public response in objection to his proposal.

Please know that this proposed change is damaging to both residents (pollution, traffic, home values, water supply, etc), in addition to lost financial transactions to the Borough that would otherwise occur.

I ask that you end this sad saga and listen to the people who have built our lives and communities here. I don't know how Mr.Tew finds his continued push acceptable, but am hoping you will find a way to help enlighten him by standing up for the residents and Borough.

Many thanks,
Denita Gotowicki
1071 N Amber Dr, Wasilla, AK 99623

Corinne Lindfors

From: dgilley@gci.net
Sent: Monday, April 3, 2023 2:31 PM
To: MSB Planning Commission
Subject: OR23-033

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

I am against the ordinance. The homeowners in the area need to have a voice in the decision not to mention the concerns for water, air and noise pollution, plus safety and road damage. I also believe that the legislators who can benefit from the passing the ordinance, should be dismissed from voting. Thank you Karen Gilley Crimson View

From: timpenny@gci.net
To: [Lonnie McKechnie](#); [MatSu Borough Assembly](#); [MatSu Borough Assembly](#); [MatSu Borough Assembly](#); [Dolores McKee](#); [MatSu Borough Assembly](#); [MatSu Borough Assembly](#); [Dmitri Fonov](#); [Ron Bernier](#); [Edna DeVries](#); [MSB Planning Commission](#)
Subject: OR 23-033
Date: Friday, April 7, 2023 11:12:05 AM

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

To All Concerned Mat-Su Borough Government
Entities:

MSB Planning Commission, PCR 23-11
Doug Glenn District 1
Rick Allen District 2
CJ Koan District 3
Michael Rubeo District 4
William Kendig District 5
Wilfred Fernandez District 6
Curt Scoggin District 7

MSB Assembly, OR 23-033
Tim Hale District 1
Stephanie Nowers District 2
Dee McKee District 3
Rob Yundt District 4
Mokie Tew District 5
Dmitri Fonov District 6
Ron Bernier District 7

We continue to oppose OR 23-033 for the following reasons:

by increasing the yardage by a factor of ten, or 1,000 trucks per year = 2,000 round trips
by circumventing the permitting process
by eliminating the public notice and comment period
by eliminating zoning limitations for commercial operations
by devaluing local private and public properties
by eliminating protections for air quality, water table contamination, road degradation
by increasing danger of heavy equipment traffic and attendant noise pollution

We are in agreement with the Talkeetna Community Council position: (condensed)
"We continue to oppose changing the threshold for a CUP or administrative permit for earth materials extraction for a number of reasons: The current permitting processes and level of 2,000 cubic yards have been effective and present no current problems within our community. It is reasonable regulation that benefits both residents and developers. Second, there is no evidence that raising the level to 10,000 cubic yards

would have the effect of lowering the price of gravel for the end consumer. Nor have there been significant complaints from within the industry that the regulatory process that currently exists is cumbersome.

The CUP is an important process that protects both community members and contractors. It allows for a process to take place where a contractor can present a plan for extraction to the public and various stakeholders can weigh in with their concerns about potential impacts. The effected parties can then get together to discuss ways to mitigate any negative impacts, which results in a more predictive and positive outcome for everyone involved.

The CUP also protects the environment and ensures that certain minimum environmental standards are followed and adhered to. Lowering the standard would have the effect of drastically increasing conflicts in neighborhoods and communities where extraction would be taking place, as well as having negative impacts to the environment."

Sincerely,

Penny C. Johnson
Timothy R. Johnson
L1 & L8, B2
Talkeetna River Subd.
Talkeetna, AK 99676

From: "Timothy Johnson" <timpenny@gci.net>
To: "lonnie mckechne" <lonnie.mckechne@matsugov.us>, "Karol Reise" <Karol.Reise@matsugov.us>, "TimHaleDistrict1" <TimHaleDistrict1@gmail.com>, "Stephanie Nowers" <StephanieNowersDistrict2@gmail.com>, "dee mckee" <dee.mckee@matsugov.us>, "robyundtmsb" <robyundtmsb@gmail.com>, "mokietew" <mokietew@gmail.com>, "fonov" <fonov@matsugov.us>, "ron bernier" <ron.bernier@matsugov.us>, "edna devries" <edna.devries@matsugov.us>
Sent: Tuesday, February 28, 2023 3:15:32 PM
Subject: OR 22-131

2/28/23 3:15 p.m.

To the Mat-Su Borough Assembly, Planning Commission, and Mayor

I oppose OR 22-131 for the following reasons:

by increasing the yardage by a factor of ten, or 1,000 trucks per year = 2,000 round trips
by circumventing the permitting process

by eliminating the public notice and comment period
by eliminating zoning limitations for commercial operations
by devaluing local private and public properties
by eliminating protections for air quality, water table contamination, road degradation
by increasing danger of heavy equipment traffic and attendant noise pollution

Sincerely,

Penny C Johnson
Lot 1, Blk2 & Lot 8, Blk 2
Talkeetna River Subd.
Talkeetna, AK 99676

By:
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 23-11**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING MSB 17.30, CONDITIONAL USE PERMIT FOR EARTH MATERIAL EXTRACTION ACTIVITIES, BY CREATING A REGISTRATION PROCESS FOR EARTH MATERIAL EXTRACTION OF 2,001 TO 10,000 CUBIC YARDS ANNUALLY.

WHEREAS, resource development is one of the primary activities in the State of Alaska, and the Matanuska-Susitna Borough should be encouraging development and use of our natural resources; and

WHEREAS, MSB 17.30 regulates earth materials extraction activities within the Borough; and

WHEREAS, the stated purpose of MSB 17.30 is to recognize the value and importance of promoting the utilization of natural resources within its boundaries and to allow resource extraction activities while promoting the public health, safety, order, prosperity, and general welfare of the Matanuska-Susitna Borough through regulation of land use to reduce the adverse impacts of land uses and development between and among properties. It is the further purpose of msb 17.30 to promote compatible, orderly development; and

WHEREAS, creating a simple registration process, with standards, will allow small gravel operations to occur without the need for a costly permitting process, while protecting the public health, safety, and welfare; and

WHEREAS, by lowering costs of development, materials prices will be lower, which will benefit everyone in our community as we continue to experience the highest population growth rate in Alaska.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends approval of Assembly Ordinance 23-033.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this -- day of --, 2023.

WILLIAM KENDIG, Chair

ATTEST

KAROL RIESE, Planning Clerk

(SEAL)

YES:

NO:

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: April 6, 2023

TO: Planning Commissioners

FROM: Alex Strawn, Planning and Land Use Director

SUBJECT: Tentative Future PC Items

Upcoming PC Actions

Quasi-Judicial

- Talkeetna Connection – Marijuana Retail Facility; 24N04W29D002 (Staff: Peggy Horton)
- Dime Bag – Marijuana Retail Facility; 6298B01L002 (Staff: Peggy Horton)
- Green Go, LLC – Marijuana Cultivation Facility; 17N01W11A020 (Staff: Rick Benedict)
- The Aardvark – Alcoholic Beverage Dispensary; 1454000L001 (Staff: Peggy Horton)
- Durham School Services – Core Area CUP; 7954000L002 & 8913000L009A (Staff: Peggy Horton)
- Smoke Out Point – Marijuana Retail Facility; 2209B02L001A (Staff: Peggy Horton)
- Harmon Schrock – Earth Materials Extraction; 18N01W15B010 (Staff: Peggy Horton)
- Jewels Acres – Earth Materials Extraction; 6469B02L006 (Staff: Peggy Horton)
- Luiten on Big Lake – Variance; 6285000T001A (Staff: Peggy Horton)
- Feather Lake – Geographic Naming; 17N03W07 and 17N04W12 & 13 (Staff: Peggy Horton)
- Langman Lake – Geographic Naming; 20N07W02 & 21N07W36 (Staff: Peggy Horton)
- Natsede'aayi – Geographic Renaming from Lion Head; 20N10E32 & 33 (Staff: Peggy Horton)
- Coffee Spire – Geographic Naming; 33N07W17 (Staff: Peggy Horton)
- Mocha Spire – Geographic Naming; 33NW07W20 (Staff: Peggy Horton)
- Craft Cannabis Cabin – Marijuana Retail Facility; 1842B01L007 (Staff: Rick Benedict)

Legislative

- Historic Preservation Plan (HPP) (Staff: Gerrit Vebeek)
- Municipal Separate Storm Sewer System (MS4) (Staff: Kim Sollien)
- Bike and Pedestrian Plan (Staff: Kelsey Anderson)
- MSB Borough-Wide Comprehensive Plan (Staff: Kelsey Anderson)
- Glacier View Comprehensive Plan Update (Staff: Leda Borys)
- Coordinated Human Services Transportation Plan (Staff: Kim Sollien)
- Metropolitan Planning Organization (MPO) Formation (Staff: Kim Sollien)
- Corridor Studies (Staff: Kim Sollien)
- Long-Range Transportation Plan Scoring Criteria and Project List Update (Staff: Kim Sollien)
- Public Transit Plan (Staff: Kim Sollien and Maija DiSalvo)
- Facilities Plan (Staff: Gerrit Verbeek)
- Transportation Improvement Program (TIP23) (Staff: Brad Sworts)