



## MATANUSKA-SUSITNA BOROUGH WATERBODY SETBACK ADVISORY BOARD MINUTES

**REGULAR MEETING**

**5:00 P.M.**

**March 5, 2025**

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

The Waterbody Setback Advisory Board's regular meeting was held on Wednesday, March 5, 2025, at 350 E. Dahlia Avenue, Palmer, Alaska. Chair Bill Kendig called the meeting to order at 5:00 p.m.

Members present; #7 – Matthew LaCroix, Kendra Zamzow, C.J. Koan, Bill Klebesadel, Bill Kendig, Jeanette Perdue, Carl Brent, Tim Alley @ 5:09

Members absent/excused; #2 – Bill Haller

**II. APPROVAL OF AGENDA**

CJ Koan moved to approve the agenda. The motion was seconded by Carl Brent. The agenda is approved without objection.

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by CJ Koan.

**IV. APPROVAL OF MINUTES: Regular Meeting: February 26, 2025**

CJ Koan moved to approve the minutes. The motion was seconded by Jeanette Perdue. The February 26, 2025 minutes were approved without objection.

**V. AUDIENCE PARTICIPATION**

There being no persons to be heard Audience Participation was closed without objection.

**VI. STAFF REPORT**

Alex Strawn, Planning and Land Use Director, introduced the Borough Attorneys, Erin Ashmore and John Aschenbrenner.

**VII. ITEMS OF BUSINESS**

- A. Draft Ordinance – A DRAFT ORDINANCE TO BE PRESENTED TO THE ASSEMBLY AMENDING MSB 17.55 TO ALLOW STRUCTURES TO BE CONSTRUCTED WITHIN 75 FEET OF A WATERBODY, SO LONG AS CERTAIN ENGINEERING STANDARDS TO PROTECT WATER QUALITY ARE APPLIED**

Tim Alley moved to approve Section 12 (17.02.050 Additional Required Standards For Specific Circumstances). The motion was seconded by CJ Koan.

Tim Alley moved an amendment to 17.02.050 (A)(3) to add an a and b that states “(a) two feet from the bottom of any basin or swale to the seasonal high water table or; (b) maintain existing undisturbed vegetated surface as the bottom of the basin or swale and no standing water during high-water periods of the year from April 1-September 30; and” the motion was seconded by Bill Klebesadel. Discussion ensued.

The amendment passed without objection.

Kendra Zamzow moved to add “Current runoff pollution mitigation measures or” throughout Section 12. The motion was seconded by Tim Alley.

The motion passed without objection.

Bill Klebesadel moved to approve section 12 as amended. The motion was seconded by CJ Koan.

The motion passed without objection.

Tim Alley moved an amendment to remove the text after “chapter” in Section 12 (E). The motion was seconded by Kendra Zamzow.

The motion passed without objection.

Tim Alley moved to approve the changes in Section 13 (17.65.020 (B)). The motion was seconded by Bill Klebesadel.

The motion passed without objection.

The Attorneys suggested changing Adjacent to adjoining.

Kendra moved an amendment to change adjacent to adjoining. The motion was seconded by CJ Koan.

The Attorneys withdrew their suggestion.

Kendra withdrew her amendment.

Matt LaCroix moved an amendment to change the language in Section 13 (B) to “a variance from the waterbody setback requirement in MSB 17.55.020(A) may not be granted if the location of the proposed structure is;” and delete (1) and (2) and change (a) and (b) to (1) and (2). The motion was seconded by Tim Alley.

The amendment passed without objection.

The Main motion passed as amended without objection.

Bill Klebesadel moved to approve the changes as shown in the staff revision in Section 14 (17.80.020 Legal Nonconforming Structures). The motion was seconded by Carl Brent.

The motion passed without objection.

Matt Lacroix moved an amendment to remove “Are legal non-conforming structures” in Section 14 (A) 1 (a). The motion was seconded by Carl Brent.

The amendment passed without objection.

Matt LaCroix moved a secondary amendment to add “Provided they are not enlarged or altered after the date of adoption of this sub-paragraph”. The motion was seconded by Kendra Zamzow.

The secondary amendment passed without objection.

CJ Koan moved to accept the date change. The motion was seconded by Kendra Zamzow.

The motion passed without objection.

Tim Alley moved an amendment to change “The effective date of this Section” to “The effective date of this Paragraph”. The motion was seconded by CJ Koan.

The amendment passed without objection.

Bill Klebesadel moved to allow all future construction to be built within 45-75 feet as long as they follow the pollution mitigation measures. The motion was seconded by Tim Alley.

Break @ 6:30 back at 6:40

Matt LaCroix, Kendra Zamzow, and Carl Brent objected to the motion.

The motion passed with Bill Klebesadel, CJ Koan, Tim Alley, Jeanette Perdue, and Bill Kendig in favor and Matt LaCroix, Kendra Zamzow, and Carl Brent opposed.

Tim Alley moved to accept the change to the definition of riparian buffer as shown in the Staff revision. The motion was seconded by CJ Koan.

The motion passed without objection.

Tim Alley moved to approve Section 15 (17.125.010 Definitions) as amended. The motion was seconded by Matt LaCroix.

The motion passed without objection

We returned to Kendra’s motion that had been postponed at the last meeting. Kendra moved to add an F to Section 7 (17.55.020 Waterbody Setbacks for Structures.) that states “buildings may be located closer than 75 feet to non-anadromous streams less than two feet in width provided they meet all state, federal, and borough regulatory standards and receive a land use permit.” The motion was seconded by Tim Alley.

The motion failed with Bill Klebesadel and Kendra Zamzow in favor and CJ Koan, Bill Kendig, Jeanette Perdue, Tim Alley, Matt LaCroix, and Carl Brent Opposed.

**B. Draft Resolution - A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH WATERBODY SETBACK ADVISORY BOARD RECOMMENDING CHANGES TO MSB 17.55 – SETBACK AND SCREENING EASEMENTS, MSB 17.02 – MANDATORY LAND USE PERMIT, AND MSB 17.65 - VARIANCES**

Tim Alley moved to remove the word existing from Number 1 (Path to compliance). The motion was seconded by Bill Klebesadel.

Discussion ensued.

The motion passed without objection.

Tim Alley moved to revise number 2 to say “to maintain the current 75-foot setback for buildings adjacent to flowing water.” and create a new number 3 for commercial and industrial, saying, “We recommend the current 75-foot setback be applied to commercial and industrial development.” The motion was seconded by CJ Koan. The motion passed without objection.

Bill Klebesadel moved to remove “during the summer months” from number 8. Tim Alley seconded the motion.

The motion passed without objection.

Kendra Zamzow moved to adopt the resolution as amended. The motion was seconded by Bill Klebesadel.

Tim Alley moved an amendment to add a new number 9 that states, “It is recommended that a minimum 45-foot waterbody setback be maintained with no path to compliance for structures illegally built within 45 feet of a waterbody setback.”

The motion was seconded by Kendra Zamzow.

The amendment passed without objection.

The Main motion passed without objection.

#### VIII. AUDIENCE PARTICIPATION

Rod Hanson

#### IX. BOARD MEMBER COMMENTS

Matt Lacroix – No comment

Carl Brent – No comment

Bill Klebesadel – No comment

Tim Alley – Pretty big change. Make sure everyone looks over what Alex prepares before the next meeting so we can get this thing finished up.

Kendra Zamzow – No comment

Bill Kendig – No comment

CJ Koan— No comment

#### X. ADJOURNMENT

The meeting was adjourned at 7:45 p.m.

Bill Kendig

*FOR* Bill Kendig, Chair

ATTEST:

Lacie Olivieri

Lacie Olivieri, Clerk

Date: 3/12/25