



North Lakes Community Council

3060 Lazy Eight Ct #2 PMB 449
Wasilla, AK 99654

January 21, 2025

Waterbody Setback Advisory Board
via MatSu Borough Planning Department
msb.planning@matsugov.us

Subject: Community Council Comments on proposed code changes for Waterbody Setbacks in the Matanuska Susitna Borough

Board Members,

The North Lakes Community Council (NLCC) very much appreciates the opportunity provided by the Waterbody Setback Advisory Board (WSAB) to review and comment on the proposed code changes and draft recommendations. We witnessed the extensive work you put into this topic since August of 2023 and the objectiveness of your deliberations. It is clear to us you worked hard to strike an appropriate balance between the freedoms afforded to property owners and the need to protect the environment we all enjoy as residents of the Borough.

The importance of this issue in the North Lakes Community:

There are approximately 10,000 residents living within the NLCC boundaries. Within our boundaries alone, there are a total of (15) lakes and a total of 426 individual properties with lake frontage. Of those properties, 92 (22%) are undeveloped (reference attachment). There are also a number of creeks and streams within our boundaries, many of which are important habitats for juvenile salmon and other fish and waterfowl species. We can only imagine the number of property owners that will ultimately be affected by setback requirements across the entire Borough!

NLCC review process:

Our process began with a presentation from the MSB Planning Director at our November 21, 2024 NLCC Membership Meeting. The Director provided a high level summary of the history and compliance status; an overview of the WSAB membership and review process; and a summary of the WSAB recommendations. This was a typical monthly membership meeting and was attended by approximately 28 people, a small percentage of whom reside adjacent to a waterbody.

In early December, the NLCC Board sent copies of the MSB Planning Department presentation, the draft resolution, and links to the WSAB web page to our Mailchimp email subscribers (about 350 people). We also posted the same information on several local neighborhood Facebook group pages. Our request was for residents to review and become familiar with the proposed changes and to provide feedback to the NLCC or directly to the MSB Planning department.

We gathered additional input from area residents at our December 19, 2024 NLCC Membership meeting.

Lastly, we reached out to Matt LaCroix (WSAB Member) in early January and he provided us with helpful summary information - which we also sent out to our Mailchimp subscribers and posted to the neighborhood Facebook groups.

Unfortunately, we were unable to reach out directly to the 426 lakefront property owners in our NLCC boundaries. Like other Community Councils, we do not have the resources or direct access to email or mailing addresses for these Borough residents. While we may have reached a few of them, we fear that many lakefront property owners and residents are simply uninformed of the existing setback requirement or the proposed changes.

The nature of feedback received from area residents:

The feedback we received was mixed and touched on the following themes:

- appreciation for an increased focus on environmental / habitat protection of our waterbodies.
- concern with increased government compliance requirements on private properties.
- appreciation that commercial properties (not just private properties) will be required to adhere to setback requirements.
- confusion about the requirements for leaving riparian buffers.
- frustration with the number of properties “grandfathered” in and allowed variances.
- confusion about the process of coming into compliance for existing properties that are less than 75 feet, but more than 45 feet from the waterbody.
- questions about the permitting process and restrictions for clearing and grading within 75 feet setback.
- frustration with the lack of enforcement to this point, and questioning the strategy for lakefront development oversight and enforcement.
- questions about when people will be notified, particularly if they are not in compliance.

The NLCC has a responsibility to pass along and properly characterize the feedback we receive from residents in our area and we believe the items listed above do so.

Additionally, the NLCC Board as a whole has concerns about transparency and the public outreach process. We are particularly concerned about the outreach and engagement of those most affected; the lakefront property owners.

Recommendations:

The NLCC recommends that the Waterbody Setback Board;

- A. take deliberate steps to increase the transparency and visibility of proposed changes to Borough residents;
- B. implement a process to assure full understanding and an opportunity for feedback from the MSB Assembly prior to finalizing and taking action on an Ordinance for code changes;
- C. conduct additional public outreach to lakefront property owners prior to a public hearing in front of the MSB Assembly

The following specific steps are suggested to implement these recommendations:

1. In the spirit of transparency, the WSAB should provide public access to all comments received as a result of this latest review process. This information could be cataloged and available through a link on the WSAB web page.
2. The WSAB and MSB Planning Staff should prepare a response to the feedback received and, also in the spirit of transparency, provide a link on the WSAB web page.
3. An initiative should be undertaken to provide an FAQ (Frequently Asked Questions) document on the WSAB web page.
4. The WSAB should schedule a non quasi-judicial briefing to the MSB Assembly as soon as practical. This would not be a public hearing for adoption of the ordinance, but rather a status update. The purpose of this briefing is to inform and answer questions that Assembly Members might have. It is also an opportunity for the Assembly to provide any “steering” for consideration. Such a process would lessen the likelihood of a disconnect at a future public hearing and decision on the Ordinance.
5. After the briefing to the MSB Assembly, there should be a public notice outreach to all MSB lakefront property owners. This should be in the form of a hard-copy mailout to those property owners and a period of time for them to provide feedback. We realize this would be a significant mailout to thousands of Borough property owners.
6. Provide separate written notice to all lakefront property owners that the MSB knows is currently out of compliance with setback requirements, or will be as a result of code changes.
7. After the receipt of public input, from the members of the public who are most directly affected, the ordinance should then be finalized and a quasi-judicial public hearing scheduled with the MSB Assembly.

In closing, we hope these suggestions are helpful. Our objective is to help assure transparency and help position the Assembly Members to ultimately make decisions fully understanding the perspective of lakefront property owners.

Sincerely,

A handwritten signature in blue ink that reads "Rod D. Hanson". The signature is fluid and cursive, with the first name "Rod" being the most prominent.

Rod D. Hanson
President, North Lakes Community Council
board@nlakes.cc

cc: NLCC Board Members board@nlakes.cc

Attached: Lakefront Properties within NLCC Boundaries

NLCC Lakefront Properties				
As of 12/18/24				
No.	Name		Total	Undeveloped
1	Wasilla Lake	*	26	3
2	Upper Wasilla Lake	*	59	5
3	Mud Lake	*	19	5
4	Cottonwood Lake	*	51	12
5	Finger Lake	*	103	31
6	Kings Lake		10	6
7	Anderson Lake		52	8
8	Dry Lakes #1		4	1
9	Dry Lake #2		3	3
10	Niklason Lake		46	7
11	Cornelius Lake		20	5
12	Gooding Lake		12	4
13	Boyd Pond		1	0
14	Wolf Lake	*	10	0
15	Hart Lake	*	10	2
	TOTAL		426	92
	Percent Developed		78%	
	Percent Undeveloped		22%	
*	These numbers are only those properties in the NLCC boundaries. These lakes have additional properties in adjoining Community Council areas.			