

AGENDA

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD
AGENDA**

REGULAR MEETING

1:00 P.M.

JANUARY 7, 2016

The *borough staff recommendations* related to petitions being considered by the platting board will be available at least five days prior to the scheduled consideration. It is the responsibility of the petitioner to review the recommendations prior to consideration.

The Platting Division shall transcribe official actions of the board. Conversation, discussion and testimony will be recorded and saved on tape.

Access and ability to have needed information from the tapes (ex. appeals) will be made available to the petitioner by the Platting Division upon request.

All decisions as to approval or disapproval of a subdivision, vacation, elimination, public use easement, variance, right-of-way, or airport acquisition plat by the platting board shall be final unless a *petition for reconsideration* is submitted to the Platting Division within fifteen days of the date of the written *notification of platting board action*, or an appeal filed with the board of adjustments and appeals in accordance with MSB 15.39.

PUBLIC HEARING PROCEDURES

1. Chair states item to be addressed.
2. **Public Hearing Notices:** Secretary states number of public hearing notices sent out, date sent, and responses thereto.
3. **Staff Report:** The Platting Technician gives an overview of the project for the platting board and the public.
4. **Chair opens the public hearing:** The Chair may ask petitioner to give a short overview prior to public input.
5. **Public Testimony:** Members of the public are invited to sign in and testify before the board. Board members may have questions for the person testifying. Testimony is limited to three (3) minutes. The time limit may be extended at the discretion of the Chairman.
6. **Public hearing is closed by the chair.** No further public input is appropriate.
7. **Petitioner Comments:** Petitioner, or his/her representative, comes before the board to discuss staff recommendations and compliance with Title 43 and other applicable regulations. Testimony is limited to five (5) minutes. The time limit may be extended at the discretion of the Chairman.
8. **Motion, Discussion & Vote:** Motion is made and seconded by board members. No further unsolicited input from petitioner is appropriate.

Platting board discusses motion and votes; four affirmative votes are necessary for approval of the proposed action. Decisions are final, unless reconsidered by the platting board or appealed to board of adjustments and appeals.

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD AGENDA**

PLATTING BOARD

Jay Van Diest, Chairman
Tait Zimmerman, Vice Chairman
Stan Gillespie
Jordan Rausa
Marty Van Diest, Alt #1
Gregory Pugh, Alt #2
District #2, Vacant
District #6, Vacant
District #7, Vacant



PLATTING DEPARTMENT
TBA, Platting Officer
Peggy Horton, Platting Technician
Amy Otto-Buchanan, Platting Technician
Cheryl Scott, Platting Technician
Sloan Von Gunten, Platting Div. Specialist

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

**JANUARY 7, 2016
ASSEMBLY CHAMBERS
REGULAR MEETING
1:00 P.M.**

1. CALL TO ORDER

- A. Roll Call and Determination of Quorum (by Administrative Specialist)
- B. Pledge of Allegiance
- C. Approval of the Agenda

2. APPROVAL OF MINUTES

- A. December 17, 2015

3. UNFINISHED BUSINESS

4. PUBLIC HEARINGS

- A. **NORTHGATE ALASKA** (owners/petitioners): The request is to create four lots from Tract A-1, Finger Lake Addition #3, Plat No. 88-5, to be known as **NORTHGATE**, containing 10.875 acres +/- . Lot 2 is a flag lot, allowed under MSB 43.20.300(D). Petitioner is requesting the vacation of the 15' wide Screening Easement to dedicate 20' of right-of-way for N. Keith Street. Located within NW ¼ NW ¼ Sec 33, T18N, R01W, S.M. AK, lying east of N. Keith Street and south of E. Bogard Road. Community Council: North Lakes, Assembly District: #6: Barbara Doty. Continued from the October 15, 2015 Platting Board Meeting.
- B. **HANSINI, LLC** (owners/petitioners): The request is to subdivide parcel 1, MSB 40 acre exemption, 2012-65-EXM @ 2012-017830-0 into a 32 lot, two-phase master plan to be known as **VAIL ESTATES ADDITION 2**, containing 39.98 acres +/- . Located within W ½ NW ¼ SW ¼ Sec 15, T18N, R01E, S.M. AK, lying west of E. Wolf Creek Road and north of N. Tahoe Drive. Community Council: Fishhook, Assembly District: #6: Barbara Doty
- C. **TERRY OLSON** (owners/petitioners): The request is to divide Lot 1, Block 1, Rancho Santa Fe Estates (Plat #2004-213) into 5 lots to be known as **OLSON ESTATES**, containing 46.91 acres +/- . Access is via E. Santa Fe Circle, a private road. Located within E ½ Sec 26, T19N, R01EW, S.M. AK, lying north of E. Santa Fe Circle and east of

N. Palmer-Fishhook Road. Community Council: Fishhook, Assembly District: #6:
Barbara Doty

- D. **STATE OF ALASKA DEPT. OF NATURAL RESOURCES** (owners/petitioners): The request is to obtain preliminary approval for the state to offer up to 30 Remote Recreational Cabin Sites (RRCS) for staking, the area to be known as **MONUMENT CREEK RRCS**, containing 5,180.00 acres +/- . Each staking area will be between 10-20 acres and access will be by fly-in or boat only. Additional legal access to, within, and through the project area is via travel across unreserved state owned land, along section line easements, or other easements reserved in conveyance to third parties. Located within Sec 01-06, 11 & 12, T19N, R08E and Sec 06 & 07, T19N, R09E and Sec 33 & 35, T20N, R08E, S.M. AK, lying south of the Matanuska River. Community Council: Out of Area, Assembly District: #1: Jim Sykes
- E. **MATANUSKA SUSITNA BOROUGH** (owners/petitioners): The request is to create a plat of Government Lot 3 to comply with the State of Alaska requirement that the land be surveyed so the borough can receive patent to the land through the Municipal Entitlement Process, to be known as **ASLS 2014-24**, containing 30.89 acres +/- . Located within SW ¼ Sec 19, T20N, R08E, S.M. AK, lying north of Mile 91 N. Glenn Highway. Community Council: Glacier View, Assembly District: #1: Jim Sykes. Continued from the Abbreviated Plat Hearing of the Platting Officer December 2, 2015.
- F. **KURT & JEANNETTE NEWCOMB** (owners/petitioners): The request is to subdivide Parcel A of MSB Waiver 2000-94-PWm, recorded at Book 1080, Page 181, into 4 lots to be known as **TIDEWATER ESTATES**, containing 9.58 acres +/- . Located within SW ¼ SW ¼ Sec 02, T16N, R02W, S.M. AK, lying south of S. Hayfield Road. Community Council: Knik-Fairview, Assembly District: #5: Dan Mayfield

5. MISCELLANEOUS

A. Work Session on proposed amendments and changes to Title 43.

6. RECONSIDERATIONS/APPEALS

7. PERSONS TO BE HEARD

8. PLATTING OFFICER COMMENTS

9. BOARD COMMENTS

In order to be eligible to file an appeal from a decision of the Platting Board, a person must be designated an *interested party* pursuant to MSB 15.39.010. The procedures governing appeals to the Board of Adjustment & Appeals are contained in MSB 15.39.010-250, which is available on the borough Internet home page located at (www.matsugov.us), or at various libraries within the borough.

MINUTES

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on December 17, 2015, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 8:30 A.M. by the Chairman, Ms. Diana Sorensen.

1. CALL TO ORDER**A. ROLL CALL AND DETERMINATION OF QUORUM (by Administrative Specialist)**

Platting Board members present and establishing a quorum:

- Mr. Jay Van Diest, District #1
- Ms. Diana Sorensen, District #2 (Chairman)
- Mr. Stan Gillespie, District #3
- Mr. Jordan Rausa, District #4 (**Absent**)
- Mr. Tait Zimmerman, District #5 (Vice Chair)
- Vacant, District #6
- Vacant, District #7
- Mr. Marty Van Diest, Alternate 1
- Mr. Gregory Pugh, Alternate 2

Staff in attendance:

- Ms. Sloan Von Gunten, Platting Division Administrative Specialist
- Mr. Paul Hulbert, Platting Officer
- Ms. Peggy Horton, Platting Technician
- Ms. Amy Otto-Buchanan, Platting Technician
- Ms. Cheryl Scott, Platting Technician

B. THE PLEDGE OF ALLEGIANCE

- The pledge of allegiance was led by Mr. Zimmerman.

C. APPROVAL OF THE AGENDA

The Chairman, Diana Sorensen inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

2. APPROVAL OF MINUTES

The Chairman, Diana Sorensen inquired if there were any changes to the minutes.

- Under Substantial Item #6 & #7 correct the numbering in the sentence.

GENERAL CONSENT: The minutes for December 3, 2015, were approved without objection.

3. UNFINISHED BUSINESS**4. PUBLIC HEARINGS**

5. MISCELLANEOUS

A. Election of Officers for 2016 (Chairman & Vice Chairman)

MOTION:

- Mr. Gillespie nominated Mr. Jay Van Diest as the Platting Board Chair.
- Mr. Gillespie moved to close the nominations, seconded by Mr. Zimmerman

VOTE:

- The Platting Board approved Mr. Jay Van Diest to be the Chairman for the Platting Board. Mr. Jan Van Diest abstained.

MOTION:

- Mr. Gillespie nominated Mr. Tait Zimmerman as the Platting Board Vice Chairman.
- Mr. Gillespie moved to close nominations, seconded by Jay Van Diest.

VOTE:

- The Platting Board approved Mr. Tait Zimmerman to be the Vice Chairman for the Platting Board. Mr. Tait Zimmerman abstained.

B. Work Session on proposed amendments and changes to Title 43.

Peggy Horton (Platting Technician)

- Gave an overview on the Title 43 work session packet.

Diana Sorensen suspended the Rules for the work session

DISCUSSION:

- Went over the Substantial listing that the platting staff provided.

SUBSTANTIAL ITEM #3 CORRECTIONS:

- The Platting Board agreed in adding, removing, and changing the wording in substantial #3 staff write up corrections.

SUBSTANTIAL ITEM #7:

- The Platting Board agreed in removing and changing the wording in substantial #7 staff write up.

SUBSTANTIAL ITEM #8:

- The Platting Board agreed in adding, removing, and changing the wording in substantial #8 staff write up.

SUBSTANTIAL ITEM #9:

- The Platting Board agreed in removing the wording in substantial #9 staff write up.

TIME: 9:51 A.M.

CD: 1:20:20

BREAK

TIME: 10:02 A.M.

CD: 1:31:58

DISCUSSION:

- Went over the Substantial listing that the platting staff provided.

SUBSTANTIAL ITEM: 10:

- The Platting Board agreed in adding, removing, and changing the wording in substantial #10 staff write up.

SUBSTANTIAL ITEM #11:

- The Platting Board is not going to change substantial #11 at this time. The Platting Board will continue Substantial Item #11 at the next platting board meeting.

TIME: 10:58 A.M.

CD: 2:27:39

6. RECONSIDERATIONS/APPEALS

7. PERSONS TO BE HEARD

Eileen Probasco (MSB Planning Director)

- Thanked the platting board for their service for this year.
- Gave an update on the platting officer's job position as Paul Hulbert is retiring.

8. PLATTING OFFICER COMMENTS

- This is Paul's last platting board hearing as he is retiring at the end of the month.
- Thanked the board in serving with them.
- The Secretary reminded the platting board that the next meeting will be at 1:00 p.m. with the new time change made from the assembly.
- The platting staff will keep on working on the code write-up.

9. BOARD COMMENTS

- The Platting Board voiced their appreciation for Mr. Paul Hulbert.
- The Platting Board voiced their appreciation for Ms. Diana Sorensen.
- Ms. Sorensen thanked the board for a good year serving the board.

Adjourned 11:12 A.M.

CD: 02:40:21

Diana Sorensen, Chairman

Sloan Von Gunten, Platting Division
Administrative Specialist

DRAFT

4A

**STAFF REVIEW AND RECOMMENDATIONS
PUBLIC HEARING
JANUARY 7, 2016**

PRELIMINARY PLAT: **NORTHGATE/
15' WIDE SCREENING EASEMENT VACATION**

LEGAL DESCRIPTION: **SEC 33, T18N, R01E, SEWARD MERIDIAN, AK**

PETITIONERS: **NORTHGATE ALASKA**

SURVEYOR/ENGINEER: **ALASKA LAND SURVEYING CO, LLC/
MARK HANSON, PE**

ACRES: 10.875 ± **PARCELS:** 4

REVIEWED BY: **AMY OTTO-BUCHANAN** **CASE: 2015-154 & 155**

REQUEST: The request is to create four lots from Tract A-1, Finger Lake Addition #3, Plat No. 88-5, Section 33, Township 18 North, Range 01 East, SM AK, to be known as NORTHGATE, containing 10.875 + acres. Petitioner is requesting the vacation of the 15' wide Screening Easement to dedicate 20' of right-of-way for N. Keith Street.

Platting Board approved a continuance to January 7, 2016 at the October 15, 2015 Board meeting (Notification of Action, dated October 20, 2015). Petitioner is requesting a continuation to the March 3, 2016 Platting Board to resolve specific issues.

Exhibits

Email from petitioner requesting continuation	Exhibit A – 1 pg
Vicinity Map, Aerial Photo & Bare Earth Imagery	Exhibit B – 3 pgs
Notification of Action, dated October 20, 2015	Exhibit C – 1 pg

Platting staff recommends approval of the request for continuation to the March 3, 2016 Platting Board.

Amy Otto-Buchanan

From: Dale Hammitt <dalehammitt@yahoo.com>
Sent: Tuesday, December 22, 2015 6:54 PM
To: Amy Otto-Buchanan
Subject: Re: Northgate Alaska Subdivision

Hi Amy--- I would like to have our platting hearing moved to March 3. I appreciate your help and all the grace that you have shown. Thank-you for your help.

Dale

From: Amy Otto-Buchanan <Amy.Otto-Buchanan@matsugov.us>
To: Dale Hammitt <dalehammitt@yahoo.com>
Sent: Tuesday, December 22, 2015 8:49 AM
Subject: RE: Northgate Alaska Subdivision

Dale: March 3rd is the first Platting Board in March. Board meetings are now at 1pm. Please confirm that you want to continue this case until March 3, 2016. Thanks. A.

From: Dale Hammitt [<mailto:dalehammitt@yahoo.com>]
Sent: Thursday, December 17, 2015 8:31 PM
To: Amy Otto-Buchanan
Cc: Thomas M. Kirchner
Subject: Re: Northgate Alaska Subdivision

Hi Amy---I am asking for a continuance of our platting hearing, for our Northgate Alaska subdivision--- Fronteras School Property, to be moved to early March. Let me know that date

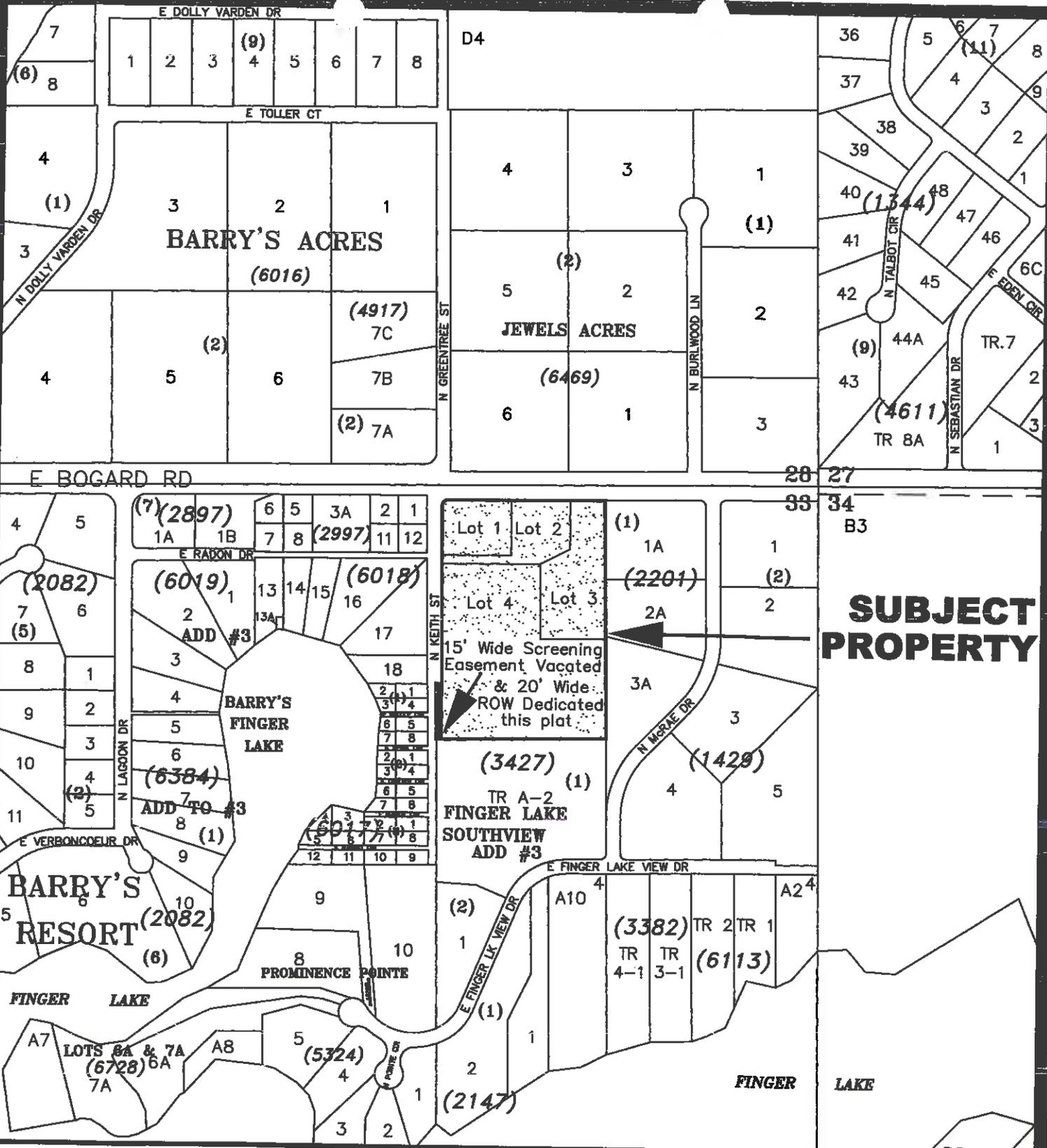
Thank-you
Dale Hammitt
406-697-0271

From: Dale Hammitt <dalehammitt@yahoo.com>
To: Amy Otto-Buchanan <amy.otto-buchanan@matsugov.us>
Cc: Thomas M. Kirchner <thomas.kirchner.als@gmail.com>; Dale Hammitt <dalehammitt@yahoo.com>
Sent: Thursday, October 1, 2015 12:18 PM
Subject: Northgate Alaska Subdivision

Hi Amy---I am asking for a continuance of our platting hearing, for our Northgate Alaska subdivision--- Fronteras School Property, to be moved to January 7, 2016.

Thank-you so much for all your help!!!

Dale Hammitt



**SUBJECT
PROPERTY**

VICINITY MAP

FOR PROPOSED NORTHGATE SUBDIVISION
 LOCATED WITHIN
 SECTION 33, T18N, R01W, SEWARD MERIDIAN,
 ALASKA

WASILLA 07 MAP

EXHIBIT B

(4917)

JEWELS ACRES

(6469)

N GREENTREE ST

N BURLWOOD LN

E BOGARD RD

(2997)

E RADON DR

N KEITH ST

TR A-1

(2201)

(2)

Fronteras Spanish Immersion Charter School

(6018)

S18N01E WA07

FINGER LAKE

SOUTHVIEW

ADD #3

(1)

ENIKOLE CIR

ESPIKE CIR

ECARTER CIR

EMARGE CIR

(6017)

ERABBIT CIR

N KEITH ST

(3427)

(2429)

E FINGER LAKE VIEW DR

E FINGER LAKE VIEW DR

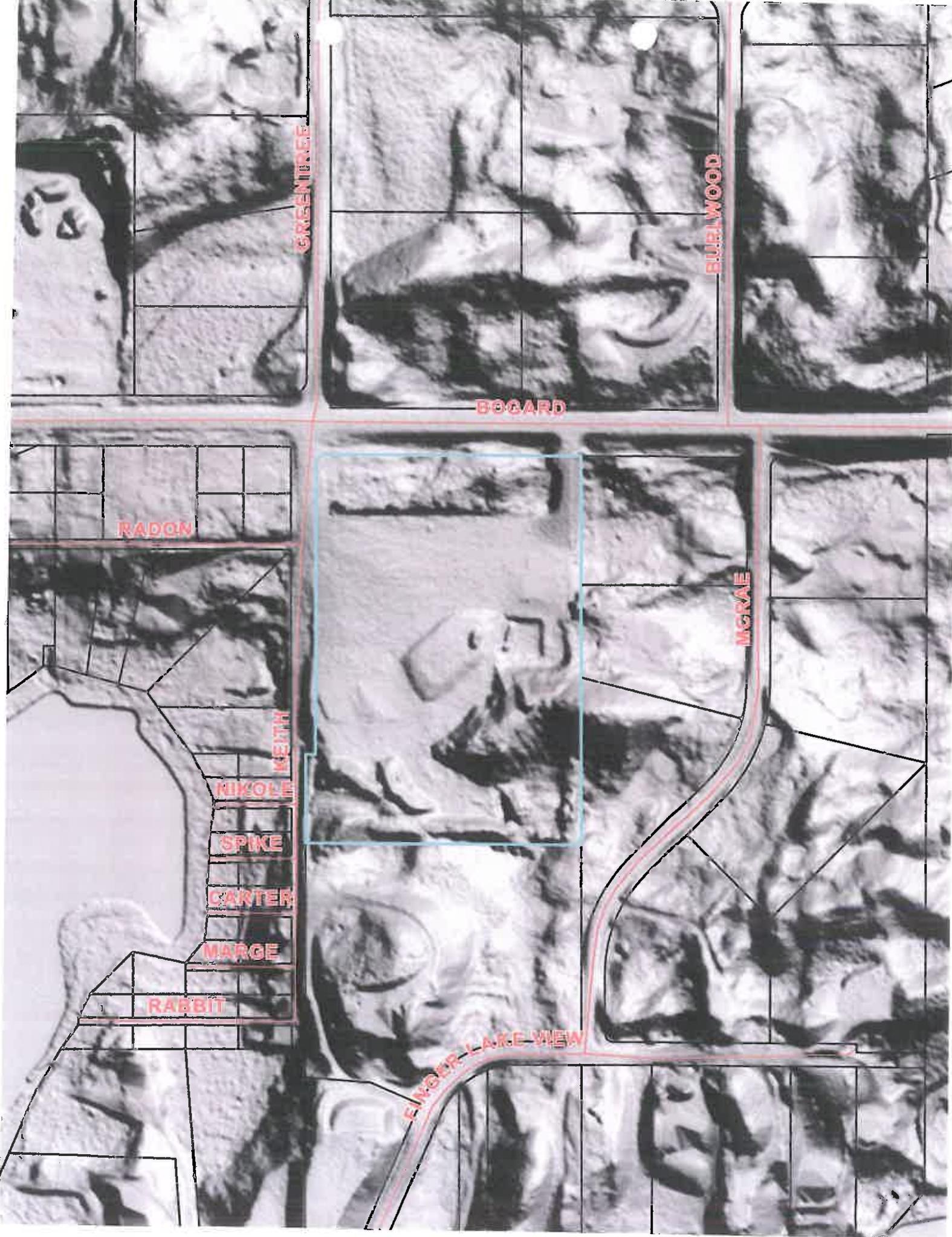
(2)

240

(3382)

TR 2

TR 1





MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Platting Division

350 East Dahlia Avenue • Palmer AK 99645

Phone (907) 861-7874 • Fax (907) 861-8407

October 20, 2015

NOTIFICATION OF ACTION

Northgate Alaska
2991 N. Tait Street
Wasilla, AK 99654

RE: NORTHGATE

CASE: 2015-154

Action taken by the Platting Board on October 15, 2015 is as follows:

THE PRELIMINARY PLAT FOR NORTHGATE IS CONTINUED TO JANUARY 7, 2016.

ALL DECISIONS AS TO APPROVAL OR DISAPPROVAL BY THE PLATTING BOARD OR OFFICER SHALL BE FINAL UNLESS APPEALED TO THE BOARD OF ADJUSTMENT AND APPEALS, MSB 15.39. A PETITION WHICH IS TABLED BY THE BOARD SHALL BE DEEMED DENIED UNLESS THE APPLICANT BRINGS THE MATTER BACK BEFORE THE BOARD WITH ALL CONDITIONS MET WITHIN THE TIME ALLOWED BY THE BOARD OR BY LAW.

If this is in reference to a plat application, recordation at the appropriate District Recorder's Office of the plat is required before any transfer of title can occur. Should you have any questions or require a copy of the minutes of the meeting, please feel free to contact this office.

Kindest regards,

Ms. Diana Sorensen
Platting Board Chairman

cc:
DCP/ENG

Alaska Land Surveying Co, LLC
PO Box 394
Palmer, AK 99645

Charlotte Olito
2725 N. Lagoon Drive
Wasilla, AK 99654

EXHIBIT C

OWNERSHIP CERTIFICATE

I HEREBY CERTIFY THAT NORTHGATE ALASKA IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED AND NORTHGATE ALASKA HEREBY ADOPT THIS PLAN OF SUBDIVISION BY ITS FREE CONSENT, DEDICATE ALL RIGHTS OF WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

DATE: _____, 2015

SIGNER'S NAME AND TITLE
NORTHGATE ALASKA
2991 N TALT STREET
WASILLA, ALASKA 99654

NOTARY ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 2015,
FOR _____ NAME AND TITLE _____

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

PLANNING AND LAND USE DIRECTOR'S CERTIFICATE

I CERTIFY THAT THIS SUBDIVISION PLAN HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE PLAN HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION NUMBER _____, DATED _____, 2015 AND THAT THIS PLAN HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, IN WHICH THE PLAT IS LOCATED.
_____, 2015

PLANNING & LAND USE DIRECTOR
ATTEST:

PLATTING CLERK

TAX CERTIFICATE

I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS THROUGH: _____, 20 _____ AGAINST THE PROPERTY INCLUDED IN THE SUBDIVISION SHOWN HEREON HAVE BEEN PAID.

DATE _____ MAT-SU BOROUGH TAX COLLECTION OFFICIAL

TAX CERTIFICATE

I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS THROUGH: _____, 20 _____ AGAINST THE PROPERTY INCLUDED IN THE SUBDIVISION SHOWN HEREON HAVE BEEN PAID.

DATE _____ MAT-SU BOROUGH TAX COLLECTION OFFICIAL

GENERAL NOTES:

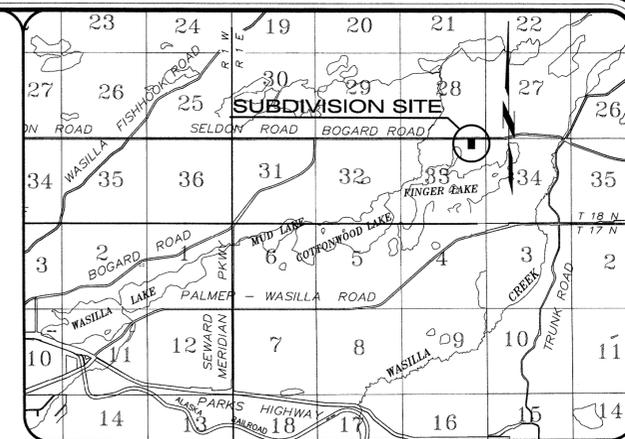
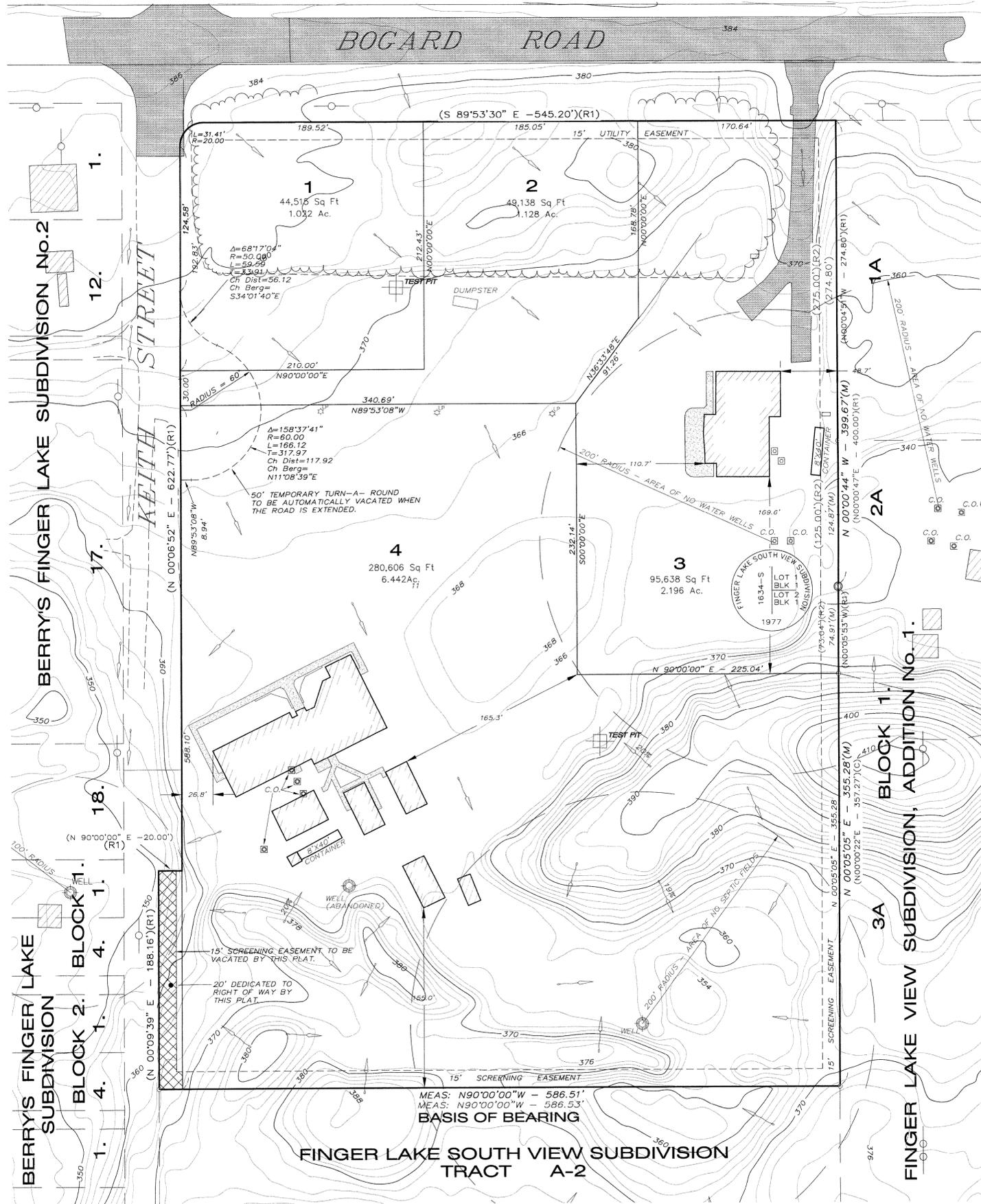
- 1) ALL DIMENSIONS SHOWN ARE MEASURED OR CALCULATED DIMENSIONS UNLESS NOTED OTHERWISE.
- 2) THERE MAY BE FEDERAL, STATE, AND LOCAL REQUIREMENTS GOVERNING LAND USE. IT IS THE RESPONSIBILITY OF THE INDIVIDUAL PARCEL OWNER TO OBTAIN A DETERMINATION WHETHER SUCH REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN HEREON.
- 3) ALL SEPTIC SYSTEMS FOR THE LOTS SHOWN HEREON ARE TO BE ON-SITE. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS SUCH SYSTEM IS LOCATED, CONSTRUCTED, AND EQUIPPED IN ACCORDANCE TO THE REQUIREMENTS, STANDARDS, AND RECOMMENDATIONS OF THE STATE OF ALASKA, DEPARTMENT OF ENVIRONMENTAL CONSERVATION, WHICH GOVERNS THOSE SYSTEMS.
- 4) ACCESS TO LOTS 1 & 2 SHALL BE FROM KEITH STREET ONLY, THERE SHALL BE NO DIRECT ACCESS ONTO OR OFF OF E. BOGARD ROAD.
- 5) EASEMENTS:
M.E.A. BLANKET EASEMENT
M.T.A. BLANKET EASEMENT

SURVEYOR CERTIFICATE:

I, THOMAS M. KIRCHNER, LS 5713, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS THE SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND MONUMENTS SHOWN ON THE PLAT ACTUALLY EXIST AS DESCRIBED, AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



DATE: 8-28-2015



VICINITY MAP

SCALE 1" = 1 MILE

LEGEND

FOUND SURVEY MONUMENTS:

- ⊕ FOUND MONUMENT SET BY OTHERS: 2" DIA. ALUMINUM CAP
- 1-1/4" DIA. YELLOW PLASTIC CAP (YPC) ON 5/8" DIA. REBAR. SET BY DENALI NORTH, UNLESS OTHERWISE DESCRIBED.
- 1" DIA. IRON PIPE

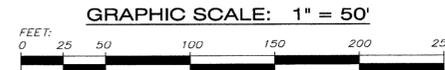
SET SURVEY MONUMENTS:

- ⚡ SET PRIMARY MONUMENT THIS SURVEY: 3-1/4" ALUMINUM CAP ON 2" DIA. ALUMINUM PIPE 30" LONG.

- SET SECONDARY MONUMENT WITH 1-1/2" DIA. YELLOW PLASTIC CAP (YPC) PLACED ON 5/8" DIA. REBAR 30" LONG SET AT ALL LOT CORNERS, UNLESS STATED ABOVE OR SHOWN OTHERWISE.

(#00-000) RECORDING OFFICE PLAT NUMBER, OR SERIAL RECORDING NUMBER FROM WHICH RECORD BEARING AND/OR DISTANCE WAS TAKEN.

- (M) MEASURED VALUE THIS SURVEY
- (P) PROPORTIONED VALUES
- (C) CALCULATED VALUES
- (R1) RECORD VALUES PER FINGER LAKE SOUTH VIEW SUBDIVISION, ADDITION No. 3; PLAT # 88-5.
- (R2) RECORD VALUES PER FINGER LAKE SOUTH VIEW SUBDIVISION, ADDITION No. 1; PLAT # 81-148.



A PLAT OF
NORTHGATE SUBDIVISION
FINGER LAKE SUBDIVISION, ADDITION No. 3 (PLAT 88-5)
LOCATED WITHIN
NE 1/4, NE 1/4, SECTION 33, TOWNSHIP 18 NORTH, RANGE 01 WEST,
SEWARD MERIDIAN, ALASKA
MAT-SU BOROUGH PALMER RECORDING DISTRICT, ALASKA
CONTAINING 10.875 Ac. MORE OR LESS

OWNER: NORTHGATE ALASKA
2991 N TALT STREET
WASILLA, ALASKA 99654

SURVEYOR: ALASKA LAND SURVEYING CO., L.L.C.
P.O. BOX 397
PALMER, ALASKA 99645

SHEET 1 OF 1

DRAWN BY: T.M.K. **SCALE:** 1" = 100' **DATE:** 28 AUGUST 2015 **PROJECT NO.:** 15103.01/4186

PRELIMINARY

ALASKA LAND SURVEYING CO., L.L.C.

\\sls-server\sls-public\ALS-Projects0_MAT-SU\4186 Northgate Subdivision\15103-01-4186 Subdivision[Dwg]_SBM_COMBINED_17-JULY.dwg 8/28/2015 10:40:49 AM ADT

4B

**STAFF REVIEW AND RECOMMENDATIONS
PUBLIC HEARING
JANUARY 7, 2016**

PRELIMINARY PLAT: **VAIL ESTATES ADDITION 2 MASTER PLAN**
LEGAL DESCRIPTION: **SEC 15, T18N, R1E, SEWARD MERIDIAN, AK**
PETITIONER: **HANSINI, LLC**
SURVEYOR/ENGINEER: **COTTINI LAND SURVEYING/HOLLER ENGINEERING**
ACRES: **39.98** **PARCELS: 33**
REVIEWED BY: **CHERYL SCOTT** **CASE: 2015-187**

REQUEST

The request is to create a two-phase Master Plan of 33 lots from NW ¼ SW ¼ Section 15, to be known as Vail Estates Addition 2. Access will be from N. Tahoe Drive and E. Wolf Creek Rd.

EXHIBITS:

VICINITY MAPS	EXHIBIT A	2 pages
AERIAL MAP	EXHIBIT B	1 page
SOILS	EXHIBIT C	21 pages

COMMENTS:

CODE COMPLIANCE	EXHIBIT D	2 pages
COMMUNITY DEVELOPMENT PLANNING	EXHIBIT E	1 page
CULTURAL RESOURCES	EXHIBIT F	1 page
MTA	EXHIBIT G	1 page
ENSTAR	EXHIBIT H	1 page
GCI	EXHIBIT I	1 page
	EXHIBIT J	2 pages

DISCUSSION

Location: This property is located within NW ¼ SW ¼ Section 15, Township 18 North, Range 1 East, Seward Meridian, Alaska, lying north of Aspen Ridge Estates Phase 2 and west of Vail Estates Phase 1 & 2. Lot sizes range from 40,050 sq.ft. (0.919 acres) to 99,738 sq.ft. (2.290 acres).

Access: North Tahoe Drive and East Wolf Creek Road will provide access to this subdivision. North Tahoe Drive, within Aspen Ridge Estates is a 50' wide right-of-way and East Wolf Creek Road, within Vail Estates is a 60' right-of-way, currently both terminate in a 50' & 60' radius temporary cul-de-sac. They are both maintained by the Borough but will need to be reclaimed and constructed to Borough residential standard. The petitioner is dedicating 60' wide rights-of-way within this parcel as required by MSB 43.20.055(A)(3), to provide access to all the lots being created and providing a stub road to the section line easement on the west side, the future Engstrom Road.

Road Construction: Holler Engineering's report stated existing non-frost susceptible (NSF) base soils will serve well for a road base and the property has abundant quantities of material which could be mined if needed (**Exhibit C**). Roads can be constructed with a maximum grade of less than 6% and in cut and fill areas, plans include benching along ditch lines out to the right-of-way edge, so no slope maintenance easements will be required. Each proposed lot will have reasonable access point and private drives can be constructed with maximum grades under 15%. The engineer stated about 2,700' of residential street construction is required. The developer may elect to upgrade all streets to residential sub-collector standards to better facilitate eventual paving. Staff notes the petitioner plans to pave the roads within the subdivision. Also, staff notes the plat shows that within the property, the right-of-way curve for N. Tahoe Dr. is designed with radii of 350', which is the horizontal geometry standard for residential subcollector roads. North Beaver Creek Circle's centerline radius of 225' meets the standards of A04.4(c) for residential streets.

Staff also notes 33 lots are being created within this 2 Phase Master Plan, 18 lots in the first phase and 15 lots in the second phase. Average Daily Trips (ADT) is calculated at 6 trips per day, per dwelling unit. $33 \times 6 = 198$ trips. Residential streets, according to the Subdivision Construction Manual (SCM) shall be designed to carry no more volume of traffic than 200 ADT for a single access. Residential Subcollector streets shall be designed to carry no more than 500 ADT for a single access. A14.2(a) states that if the (proposed) road provides access to unsubdivided parcels, which if subdivided, may change the street classification in the future to a higher class of street, the Public Works Department may recommend to the Platting Board that the right-of-way width for a higher classification street be provided. Department of Public Works has not responded to this platting action.

Staff notes that legal and physical road access to the 18 lots in Phase 1 is via the road system in Vail Estates Phase 1 & 2 with contributing lots in Vail Estates Add #1 with a total of 94 lots accessing North Vail Drive. Staff recommends and the developer agrees that with the first phase recording, legal and physical access be provided to North Tahoe Drive within Phase 2 of Aspen Ridge Estates.

1. The SCM also provides a standard for intersection angle. A13.4 states streets should intersect at an angle as close to 90° as possible for a minimum of 100' from the intersection centerline, but in no event at an angle less than 70°. Staff notes the distance from the intersection centerline of N. Beaver Creek Circle and N. Tahoe Drive is 97.94' before beginning a 225' radius curve; therefore does not meet the standard of 100'. However, the angle of this intersection is 90 degrees so the 2.06' has no impact on visibility.

Topography/Drainage: Topographic information is shown on the preliminary plat and Mr. Holler presented a narrative description in the useable area report (**Exhibit C**). Drainage arrows are provided on the map attached to the soils report. Proposed culverts and infiltration points are also shown. Due to modest re-grading which will be undertaken for road construction, the plan will likely be subject to some field modification and improvement during construction. Multiple rock-filled infiltration points along the roads are planned, and coupled with the open soil types will provide mitigation to address runoff within the property. Mr. Holler stated road construction will not impact drainage for adjacent properties, and a minimal amount of runoff will leave the site. Overall area drainage will not be affected by the construction, and it did not appear that any significant concentrated surface flow presently runs of the site.

Soils: Mr. Holler provided a useable area report with 16 test hole logs (**Exhibit C**). Groundwater was encountered in only two of the test holes. Based on the available soil testing, topography and water table information, MSB Code definitions and his observations at the site, the engineer stated each of the proposed lots will contain over 10,000 sq ft of contiguous useable septic area and an additional 10,000 sq ft of useable building area.

Comments:

MSB Code Compliance stated this property is located within a Zone X flood hazard area. Staff notes a zone X are areas determined to be outside the .2% annual chance floodplain. (**Exhibit D**)

MSB Community Development has no objection and states no borough-owned land is affected by this subdivision. (**Exhibit E**)

MSB Planning has not comment. (**Exhibit F**)

MSB Cultural Resources has no objection (**Exhibit G**)

MTA has no objections/comments. (**Exhibit H**)

Enstar has no comments, recommendations, or objections. (**Exhibit I**)

GCI has approved and signed off on the plat. (**Exhibit J**)

No other borough departments, outside agencies or members of the public have commented.

CONCLUSION

The preliminary plat Vail Estates Addition 2 Master Plan is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.015 Preliminary Plat. This project is proposing to create 33 lots in 2 phases with access from N. Tahoe Drive within Aspen Ridge Estates and E. Wolf Creek Road within Vail Estates. The proposed roads are designed to residential and residential subcollector standards. A professional engineer provided useable area determination. He stated the lots will have useable building and useable septic area as required in MSB 43.20.280. The engineer also provided a drainage plan showing the location of proposed culverts and infiltration points.

RECOMMENDATIONS

Recommended motion: “I move to approve the Master Plan of Vail Estates Addition 2, located within Section 15, Township 18 North, Range 1 East, Seward Meridian, Alaska contingent on staff recommendations:”

1. Pay postage and advertising fee.
2. Construct N. Tahoe Drive and E. Wolf Creek Road, leading up to the subdivision, and the interior roads to residential standard (residential subcollector standard for paving). Submit construction cost estimate, schedule pre-construction meeting with Capital Projects Engineer,

pay inspection fee, and obtain Notice to Proceed prior to any construction. During construction, a licensed civil engineer must inspect the construction activities, and provide inspection reports following the “No Engineer Left Behind” guidelines.

3. The temporary cul-de-sacs need to be reclaimed and constructed to Borough Residential Standards. Driveways on cul-de-sac need to be reconstructed.
4. Provide legal and physical access from North Tahoe Drive within Aspen Ridge Estates Phase 2 to East Wolf Creek Road within Vail Estates Addition 2 with first phase being recorded.
 - a. The phase that is not platted into lots will include a public use easement and the road constructed to 85% completion.
5. Obtain the borough’s final acceptance of all the public improvements required in the subdivision; or enter into a subdivision agreement prior to plat recordation.
6. Provide slope easements outside of right-of-way, if necessary.
7. Submit final phase plats in full compliance with Title 43.
8. Submit an affidavit from any holders of beneficial interest, if any, to be recorded with each phase plat per 43.15.053(A).
9. Submit recording fee for each phase plat, payable to the State of Alaska, DNR.
10. Provide updated Certificate to Plat executed within 90 days, prior to recording each phase plat per MSB 43.15.053(E).
11. Taxes and special assessments must be current prior to recording each phase plat, per MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.

FINDINGS

1. The plat of Vail Estates Addition 2 Master Plan is consistent with AS 29.40.070 Platting Regulations; and MSB 43.15.015 Preliminary Plat.
2. A professional engineer stated each lot will have 10,000 sq ft of contiguous useable septic area and 10,000 sq ft of useable building area.
3. There were no objections from any borough departments, outside agencies, or members of the public.
4. The SCM also provides a standard for intersection angle. A13.4 states streets should intersect at an angle as close to 90° as possible for a minimum of 100’ from the intersection centerline, but in no event at an angle less than 70°. Staff notes the distance from the intersection centerline of N.

Beaver Creek Circle and N. Tahoe Drive is 97.94' before beginning a 225' radius curve; therefore does not meet the standard of 100'. However, the angle of this intersection is 90 degrees so the 2.06' has no impact on visibility.

5. This 2 phase Master Plan is creating 33 lots. Average Daily Trips (ADT) is calculated at 6 trips per day, per dwelling unit. $33 \times 6 = 198$ trips. Residential streets, according the Subdivision Construction Manual (SCM) shall be designed to carry no more volume of traffic than 200 ADT for single access. This subdivision has two points of access to adjoining rights-of-way; N. Tahoe Drive and E. Wolf Creek Road, with the connection being made when each phase is recorded. Staff recommends and the developer agrees that legal and physical road access from E. Wolf Creek Road to N. Tahoe Drive be provided on the first phase recording. The phase that is not platted into lots will create a public use easement and the road constructed to 85% completion.
6. The plat shows that within the property, the right-of-way curves are designed with radii of 350' and 225', which is the horizontal geometry standard for residential and residential subcollector roads.
7. North Tahoe Drive is a 50' wide right-of-way within Aspen Ridge Estates and East Wolf Creek Road is a 60' wide right-of-way within Vail Estates; sufficient access per MSB 43.20.055(A)(3).
8. The developer intends on paving the roads within the subdivision.

A29

B5

B3

E SS WALTON CIR
(PRIVATE DRIVEWAY)

50' SECTION LINE EASEMENT

**SUBJECT
PROPERTY**



D4

D5

VAIL EST PH 2 (7395) (4)

6 5 4 3 2 1

50' ROW ESM

N CRESTED BUTTE DR

PHASE 1 F. WOLF CREEK RD

(7395)

11 10 9 8 10 9 8 7 6

N VAIL DR

(1)

(7335)

4 5 6 7 1 2 3 4 5 (3)

PHASE 2

E STEAMBOAT CIR

2 VAIL ESTATES PH 1 (2)

1 1 2 3 4 5 6 (7335)

D3

3

1 2 3 4 5 6 7 1 2 3 4 5 6 7

(5870)

2 (5756)

N VAIL DR

(4)

(5)

E ASPEN RIDGE RD

PHASE 2

PHASE 3

WOLFE LAKE

7 6 5 4 3 4 5 6 7 8 9 10 11 12

ASPHEN RIDGE ESTATES (5870)

(2)

(8)

(6)

(6)

1 2 3 4 5 6 7 8 9 10 11 12 13

1 2 3 4 5 6 7 8 9 10 11

E ASPEN RIDGE RD PHASE 1 9

E BRECKENRIDGE DR

1 2 3 4 5 6 (1) 10 11

(5687)

(7)

(7)

1 2 3 4 5 6 7 8 9

16

15

21

22

B1

VICINITY MAP

FOR PROPOSED VAIL ESTATES ADDITION 2
MASTER PLAN LOCATED WITHIN
SECTION 15, T18N, R1E
SEWARD MERIDIAN, ALASKA

WASILLA 01 MAP

EXHIBIT A

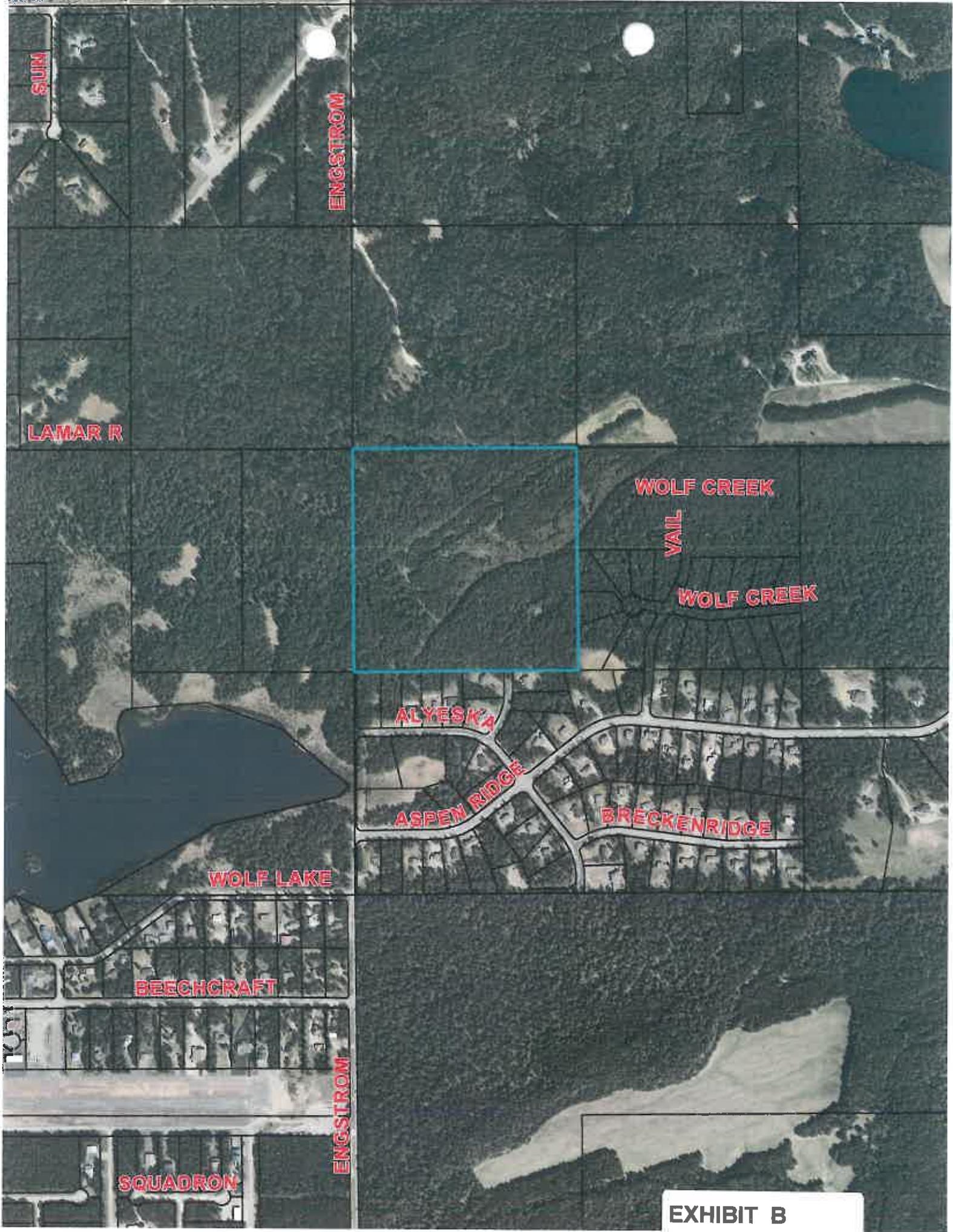


EXHIBIT B



HOLLER ENGINEERING

Water, Wastewater & Soils Consulting

3375 N Sams Dr. Wasilla, Alaska 99654 • 376-0410

November 18, 2015

Paul Hulbert
MSB Platting Officer
350 East Dahlia Avenue
Palmer, Alaska 99645

RECEIVED

NOV 23 2015

PLATTING

Re: Vail Addition #2; Useable Areas, Roads & Drainage Plan. HE Project # 14011

Dear Mr. Hulbert:

At the request of Hansini LLC, we have performed a soils investigation and related preliminary design work for the referenced proposed subdivision. The project will create 33 new lots from an existing 40 acre parcel. Our soils investigation included logging 16 new testholes, review of the provided topography information and observing conditions at the site. See the attached testhole location, drainage and topography map for details.

Topography. The property is relatively level with gradual slopes throughout its northern half. The southern half is more hilly, with rolling grades and minor bluffs. The lowest area is near the southeast corner, adjacent to a low/wet area to the southeast. Most other areas have minimal grade with minor ridge and valley features. Overall, grades are generally directed to the southeast. A few minor areas have slopes over 25%, however in most cases do not rise more than 10'. The provided topography shows a total elevation differential for the parcel of approximately 46'.

Soils & Vegetation. One area atop the shallow bench area was apparently previously cleared for use as a field many years ago, and has substantial second growth trees. Undeveloped portions of the parcel retain native mature birch, spruce and aspen trees with various smaller brush and grass. Receiving soils logged in the 16 testholes were consistently sands and gravels with varying trace amounts of silt. The holes encountered 1' to 4.5' of loess silt topsoils with a thin organic layer near the surface. No percolation tests were required. Copies of the 16 soils logs are attached to this submittal.

Groundwater. Groundwater was encountered in test hole 34 and test hole 35, both adjacent to the lowest area. Water was encountered at depths of 9.5' and 12.5', and the area expected to have <8' groundwater table is shown on the attached map. A perforated pipe was installed in test hole 34 to allow monitoring, however the hole was done during the high water season and even a substantial rise in the level would not materially affect useable area.

Useable Areas. The proposed lots have some limitations on areas defined by MSB code as *useable septic area* or *useable building area*. Septic area is limited by lotlines, low areas with shallow groundwater, as well as areas with steep slopes and associated setbacks. For building area, lotline setbacks, utility and ROW setbacks will be limiting factors. However, in each case the lots contain enough area to meet the useable area requirements. Based on the available soils testing, topography & water table information, MSB Code definitions, and our observations at the site, ***each of the proposed lots will contain over 10,000 square feet of contiguous useable septic area. Each proposed lot will also contain an additional 10,000 square feet of useable building area.***

Preliminary Drainage Plan. Drainage arrows were provided on the attached map to show drainage along the proposed road and general drainage patterns in the area. Proposed culverts and infiltration points are also shown, and flow calculations are attached. Due to modest re-grading which will be undertaken for road construction, the plan will likely be subject to some field modification and improvement during construction. Based on prior experiences, during construction the low grades and gravelly/sandy soils typically will adequately control erosion. Multiple rock-filled infiltration points along the roads are planned, and coupled with the open soil types will provide mitigation to address runoff within the property. Road construction will not impact drainage for adjacent properties, and a minimal amount of runoff will leave the site. Overall area drainage will not be affected by the construction, and it did not appear that any significant concentrated surface flow presently runs off the site.

Road Construction. The proposed plat will require construction of about 2,700' of *residential* streets, 2 intersections, 1 temporary and 1 permanent cul-de-sacs. The developer may elect to upgrade all streets to *residential sub-collector* standards to better facilitate eventual paving. Existing NSF base soils will serve well for a road base, and the property has abundant quantities of material which could be mined if needed. Road topping materials have been stockpiled onsite in an area outside of the proposed ROW. Based on initial modeling, all roads can be designed and constructed with a maximum grade of less than 6%. In cut and fill areas, plans include benching along ditchlines out to the ROW edge, so no slope maintenance easements will be required. Construction details in all areas will meet shape requirements in the SCM/NELB for *residential subcollector* or *residential* streets and cul-de-sacs. Each proposed lot will have a reasonable access point and private drives can be constructed with maximum grades under 15%.

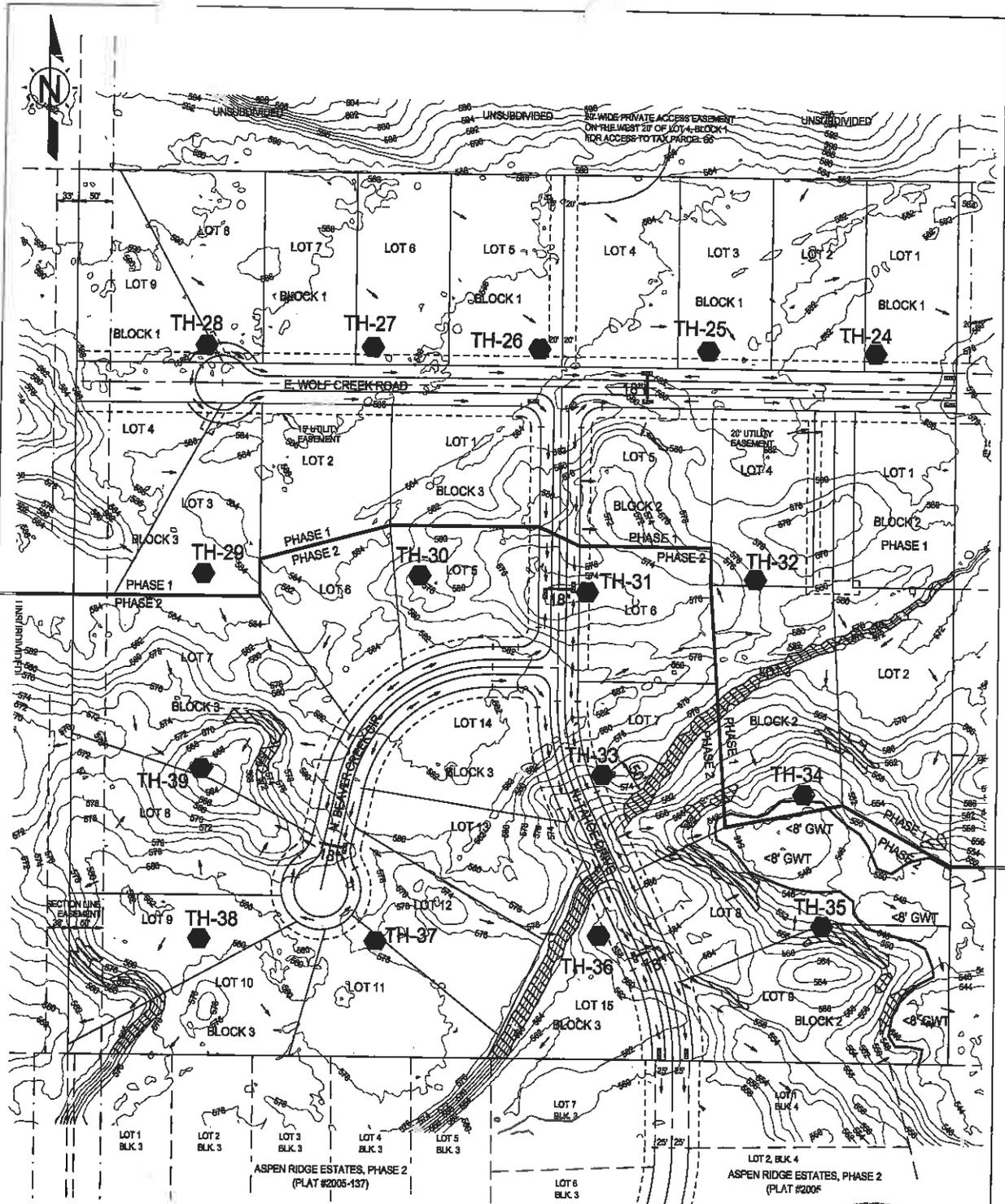
Please feel free to call with any questions you may have.

Sincerely,

Curtis Holler, PE

c: PBJJ w/attachments



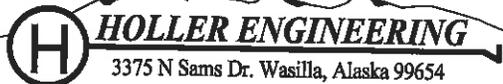


Notes:

1. Arrows denote apparent drainage patterns.
2. TH locations approx., base drawing & topo provided by others.
3. Hatched areas are +25% grade.
4. = 5'x5'x15' rock infiltration point.



**Vail Estates Addition 2
Topography, Drainage and Testhole Map**



3375 N Sams Dr. Wasilla, Alaska 99654

Job # 14011 Scale: 1"=150' 11-18-15



HOLLER ENGINEERING

3375 N Sams Dr. Wasilla, Alaska 99654 376-0410

Seal



SOILS LOG / PERCOLATION TEST

TEST HOLE # 24 of 39

Performed For: Hansini, LLC

Legal Description: TP C5 S15 T18N R1E SM

Depth, feet	Soil Type	Notes	Site Plan
1	UL, DARK, ROOTS		<p>See attached testhole & topo map</p> <p style="text-align: center;">↑ N ↓</p>
2	ML, BROWN-OLIVE COLOR.		
3			
4	SP-GP. ROCK TO 10", FEW		
5	TO 14"		
6			
7			
8			
9			
10			
11			
<p>WAS GROUNDWATER ENCOUNTERED? <u>No</u></p> <p>IF YES, AT WHAT DEPTH? <u>N/A</u></p> <p>DEPTH AFTER MONITORING? <u>N/A</u></p>			Slope

PERCOLATION TEST					
Reading	Date	Gross Time	Net Time	Depth to Water	Net Drop
N/A visual analysis only					

NO GWT

- PERCOLATION RATE _____ (min/inch) PERC HOLE DIAMETER _____

- TEST RUN BETWEEN _____ FT AND _____ FT DEPTH

- COMMENTS: Testhole for subdivision only, for any other use contact Holler Engineering

- PERFORMED BY: C. Holler

DATE: 10-29-2014



HOLLER ENGINEERING

3375 N Sams Dr. Wasilla, Alaska 99654 376-0410

Seal



SOILS LOG / PERCOLATION TEST

TEST HOLE # 25 of 39

Performed For: Hansini, LLC

Legal Description: TP C5 S15 T18N R1E SM

Depth, feet

Soil Type

1	OL, ROOTS
2	ML, OLIVE-BROWN COLORED
3	ST-GP. CLEAN SAND, SMALL ROCKS/GRAVEL w/ROCK TO 6", FEW TO 10"
4	
5	
6	
7	
8	
9	
10	
11	
12	NO GWT
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	

Slope

Site Plan

See attached testhole & topo map



WAS GROUNDWATER ENCOUNTERED?

No

IF YES, AT WHAT DEPTH?

N/A

DEPTH AFTER MONITORING?

N/A

Slope

PERCOLATION TEST

Reading	Date	Gross Time	Net Time	Depth to Water	Net Drop
N/A visual analysis only					

- PERCOLATION RATE _____ (min/inch) PERC HOLE DIAMETER _____

- TEST RUN BETWEEN V FT AND _____ FT DEPTH

- COMMENTS: Testhole for subdivision only, for any other use contact Holler Engineering

- PERFORMED BY: C. Holler

DATE: 10-29-2014



HOLLER ENGINEERING

3375 N Sams Dr. Wasilla, Alaska 99654 376-0410

Seal



SOILS LOG / PERCOLATION TEST

TEST HOLE # 26 of 39

Performed For: Hansini, LLC

Legal Description: TP C5 S15 T18N R1E SM

Depth, feet

Soil Type

1	OL
2	ML
3	
4	SP-GP. ROCK TO 10", FEW TO 13"
5	
6	
7	
8	
9	
10	
11	
12	NO GWT
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	

Slope

Site Plan
See attached testhole & topo map



WAS GROUNDWATER ENCOUNTERED?
 - No
 IF YES, AT WHAT DEPTH?
 - N/A
 DEPTH AFTER MONITORING?
 - N/A

Slope

PERCOLATION TEST

Reading	Date	Gross Time	Net Time	Depth to Water	Net Drop
N/A visual analysis only					

- PERCOLATION RATE _____ (min/inch) PERC HOLE DIAMETER _____
 - TEST RUN BETWEEN FT AND FT DEPTH

- COMMENTS: Testhole for subdivision only, for any other use contact Holler Engineering

- PERFORMED BY: C. Holler

DATE: 10-29-2014



HOLLER ENGINEERING

3375 N Sams Dr. Wasilla, Alaska 99654 376-0410

Seal



SOILS LOG / PERCOLATION TEST

TEST HOLE # 28 of 39

Performed For: Hansini, LLC

Legal Description: TP C5 S15 T18N R1E SM

Depth, feet	Soil Type
1	DL ML, BROWN COLOR
2	
3	SP W/GP VARIES SP-GP.
4	ROCK TO 6", FLOW TO 10" CLEAN.
5	
6	
7	
8	
9	
10	
11	
12	NO GWT
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	

Slope

Site Plan

See attached testhole & topo map

↑
N
↓

WAS GROUNDWATER ENCOUNTERED?
- No

IF YES, AT WHAT DEPTH?
- N/A

DEPTH AFTER MONITORING?
- N/A

Slope

PERCOLATION TEST					
Reading	Date	Gross Time	Net Time	Depth to Water	Net Drop
N/A visual analysis only					

- PERCOLATION RATE _____ (min/inch) PERC HOLE DIAMETER _____

- TEST RUN BETWEEN FT AND FT DEPTH

- COMMENTS: Testhole for subdivision only. for any other use contact Holler Engineering

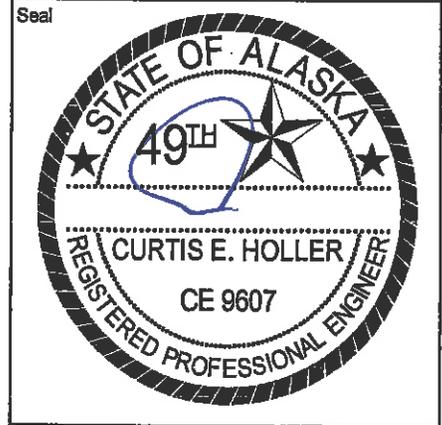
- PERFORMED BY: C. Holler

DATE: 10-29-2014



HOLLER ENGINEERING

3375 N Sams Dr. Wasilla, Alaska 99654 376-0410



SOILS LOG / PERCOLATION TEST

TEST HOLE # 29 of 39

Performed For: Hansini, LLC

Legal Description: TP C5 S15 T18N R1E SM

Depth, feet	Soil Type
0 - 1	OL, ROOTS
1 - 2	ML
2 - 3	SP-GP. ROCK TO 10", FEW TO 12", CLEAN.
3 - 4	
4 - 5	
5 - 6	
6 - 7	
7 - 8	
8 - 9	
9 - 10	
10 - 11	
11 - 12	
12 - 13	NO GWT
13 - 14	
14 - 15	
15 - 16	
16 - 17	
17 - 18	
18 - 19	
19 - 20	
20 - 21	
21 - 22	

Slope

Site Plan

See attached testhole & topo map

↑
N
↓

WAS GROUNDWATER ENCOUNTERED?
- No

IF YES, AT WHAT DEPTH?
- N/A

DEPTH AFTER MONITORING?
- N/A

Slope

PERCOLATION TEST					
Reading	Date	Gross Time	Net Time	Depth to Water	Net Drop
N/A visual analysis only					

- PERCOLATION RATE _____ (mln/inch) PERC HOLE DIAMETER _____

- TEST RUN BETWEEN FT AND FT DEPTH

- COMMENTS: Testhole for subdivision only, for any other use contact Holler Engineering

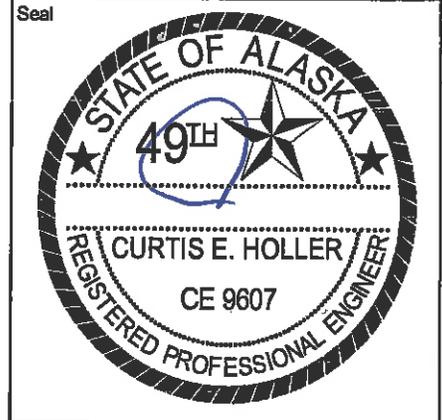
- PERFORMED BY: C. Holler

DATE: 10-29-2014



HOLLER ENGINEERING

3375 N Sams Dr. Wasilla, Alaska 99654 376-0410



SOILS LOG / PERCOLATION TEST

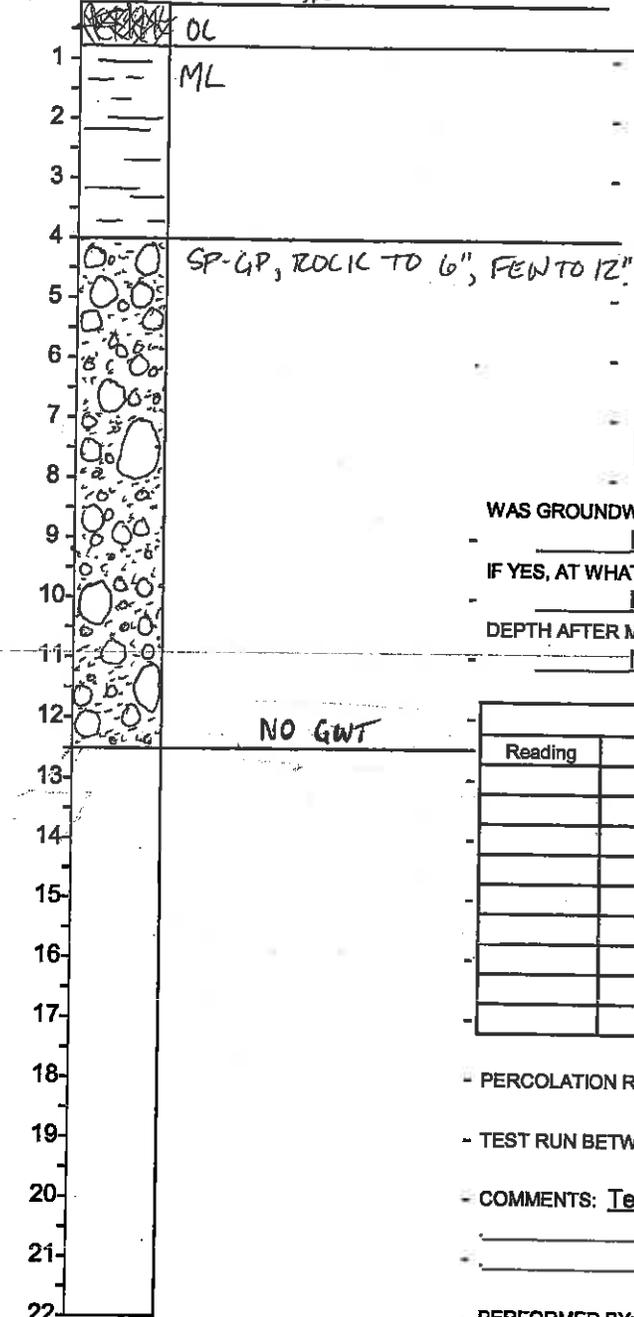
TEST HOLE # 30 of 39

Performed For: Hansini, LLC

Legal Description: TP C5 S15 T18N R1E SM

Depth, feet

Soil Type



Slope

Site Plan

See attached testhole & topo map

N ↑

WAS GROUNDWATER ENCOUNTERED?

- No

IF YES, AT WHAT DEPTH?

- N/A

DEPTH AFTER MONITORING?

- N/A

Slope

PERCOLATION TEST

Reading	Date	Gross Time	Net Time	Depth to Water	Net Drop
N/A visual analysis only					

- PERCOLATION RATE _____ (min/inch) PERC HOLE DIAMETER _____

- TEST RUN BETWEEN FT AND FT DEPTH

- COMMENTS: Testhole for subdivision only, for any other use contact Holler Engineering

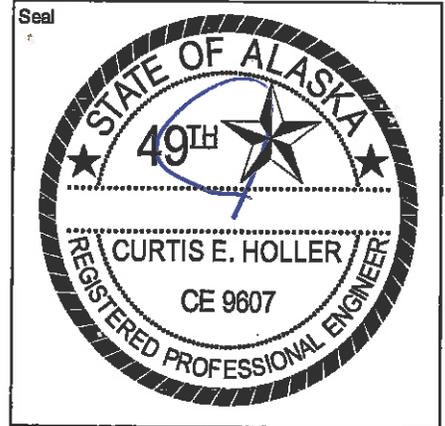
- PERFORMED BY: C. Holler

DATE: 10-29-2014



HOLLER ENGINEERING

3375 N Sams Dr. Wasilla, Alaska 99654 376-0410



SOILS LOG / PERCOLATION TEST

TEST HOLE # 34 of 39

Performed For: Hansini, LLC

Legal Description: TP C5 S15 T18N R1E SM

Depth, feet	Soil Type	Slope	Site Plan			
1	OL					
2	ML					
3	SPW/GP OLIVE to OLIVE-BROWN TRACE SILT, ROCK to 8"		See attached testhole & topo map ↑ N ↓			
4						
5						
6						
7						
8						
9						
10						
11		- WAS GROUNDWATER ENCOUNTERED? <u>Yes</u> IF YES, AT WHAT DEPTH? <u>8.5'</u> DEPTH AFTER MONITORING?	Slope			
12	PERCOLATION TEST					
13	Reading	Date	Gross Time	Net Time	Depth to Water	Net Drop
14	N/A visual analysis only					
15						
16						
17						
18						
19						
20						
21						
22						

- PERCOLATION RATE _____ (min/inch) PERC HOLE DIAMETER _____

- TEST RUN BETWEEN 9.5 FT AND _____ FT DEPTH

- COMMENTS: Testhole for subdivision only, for any other use contact Holler Engineering
MONITOR PIPE INSTALLED TO APPROX. 9.5' LEVEL.

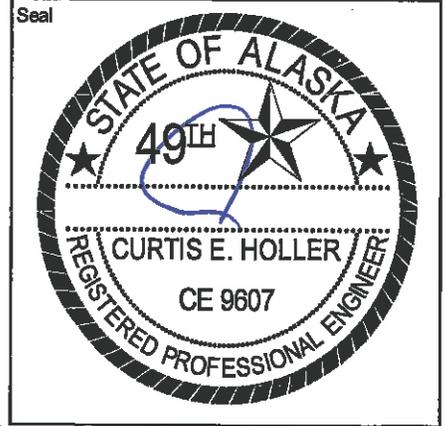
- PERFORMED BY: C. Holler

DATE: 10-29-2014



HOLLER ENGINEERING

3375 N Sams Dr. Wasilla, Alaska 99654 376-0410



SOILS LOG / PERCOLATION TEST

TEST HOLE # 35 of 39

Performed For: Hansini, LLC

Legal Description: TP C5 S15 T18N R1E SM

Depth, feet	Soil Type	Slope	Site Plan
1	OL		
2	ML		
3	SP w/GP to SP-GP MOST ROCK TO 5', FEW 8" OLIVE, MEDIUM SANDS		See attached testhole & topo map ↑ N ↓
4			
5			
6			
7			
8			
9			
10			
11			
12			

WAS GROUNDWATER ENCOUNTERED?

Yes

IF YES, AT WHAT DEPTH?

12.5'

DEPTH AFTER MONITORING?

SP, olive, medium

VARIES to SP w/GP

GWT
▽

PERCOLATION TEST					
Reading	Date	Gross Time	Net Time	Depth to Water	Net Drop
N/A visual analysis only					

- PERCOLATION RATE _____ (min/inch) PERC HOLE DIAMETER _____

- TEST RUN BETWEEN FT AND FT DEPTH

- COMMENTS: Testhole for subdivision only, for any other use contact Holler Engineering

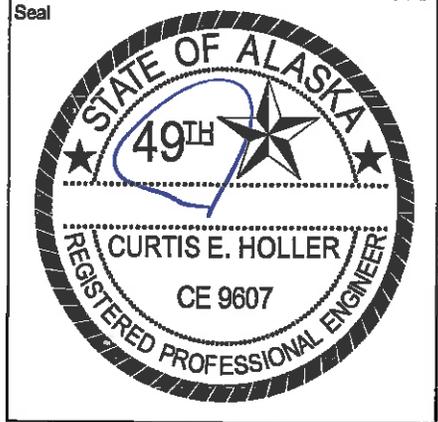
- PERFORMED BY: C. Holler

DATE: 10-29-2014



HOLLER ENGINEERING

3375 N Sams Dr. Wasilla, Alaska 99654 376-0410



SOILS LOG / PERCOLATION TEST

TEST HOLE # 36 of 39

Performed For: Hansini, LLC

Legal Description: TP C5 S15 T18N R1E SM

Depth, feet	Soil Type
1	OL
2	ML
3	SP w/GP VARIES to SP-GP OLIVE, MEDIUM SANDS Most ROCK < 4" Few to 6" SLOUGHS & LITTLE NO GWT
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	

Slope

Site Plan
See attached testhole & topo map

WAS GROUNDWATER ENCOUNTERED?
 - No
 IF YES, AT WHAT DEPTH?
 - N/A
 DEPTH AFTER MONITORING?
 - N/A

Slope

PERCOLATION TEST					
Reading	Date	Gross Time	Net Time	Depth to Water	Net Drop
N/A visual analysis only					

- PERCOLATION RATE _____ (min/inch) PERC HOLE DIAMETER _____

- TEST RUN BETWEEN FT AND FT DEPTH

- COMMENTS: Testhole for subdivision only, for any other use contact Holler Engineering
TIA IN LOCAL LAW/VANEX AREA.

- PERFORMED BY: C. Holler

DATE: 10-29-2014



HOLLER ENGINEERING

3375 N Sams Dr. Wasilla, Alaska 99654 376-0410

Seal



SOILS LOG / PERCOLATION TEST

TEST HOLE # 39 of 39

Performed For: Hansini, LLC

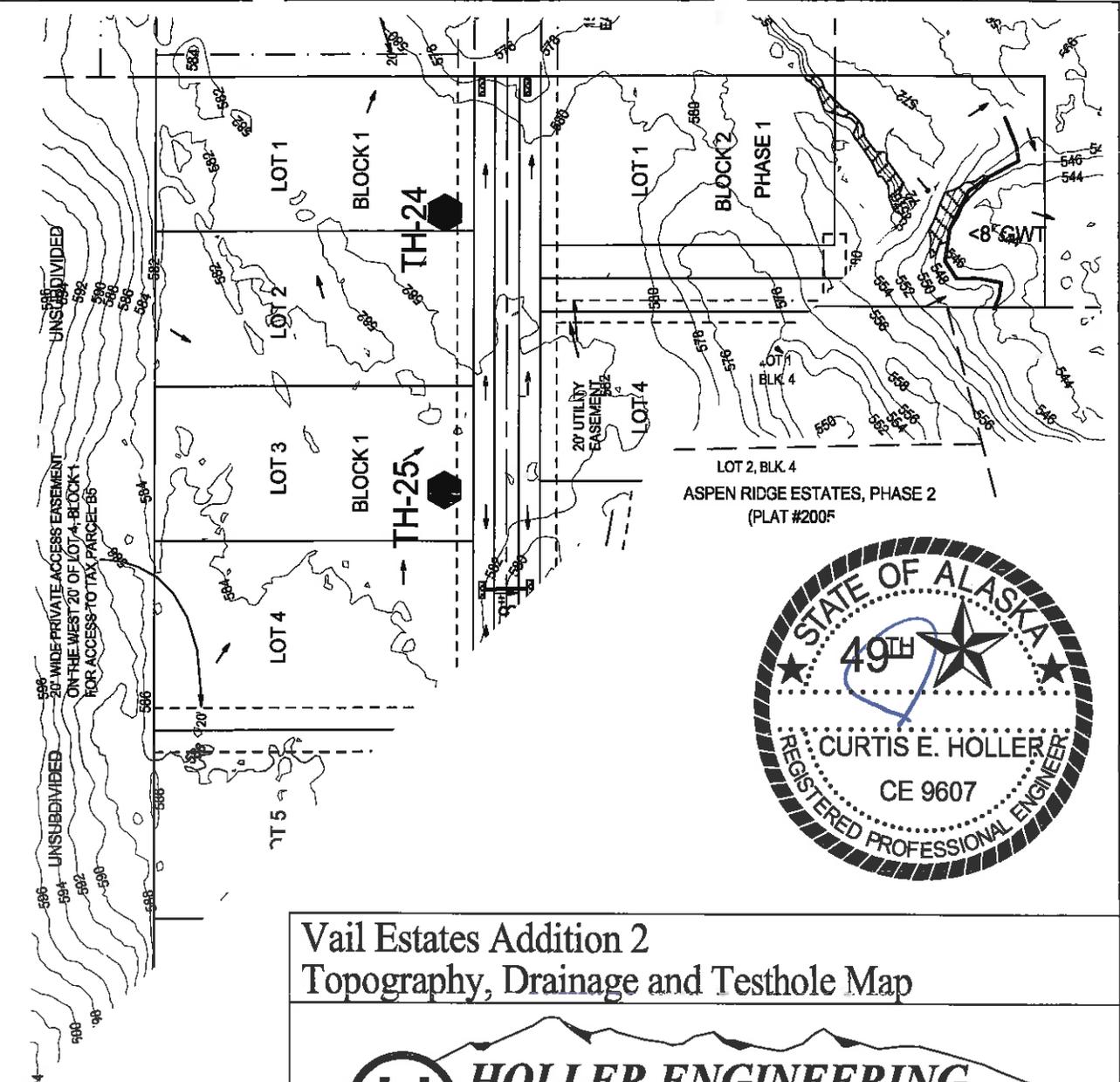
Legal Description: TP C5 S15 T18N R1E SM

Depth, feet	Soil Type	Slope	Site Plan
0-1	OL		See attached testhole & topo map
1-5	ML		
5-13	SP w/ GRAVEL, MEDIUM SAND, OLIVE COLOR, ROCK TO 5" BANDS SP-SW		
13-22	NO GWT		

WAS GROUNDWATER ENCOUNTERED? No
 IF YES, AT WHAT DEPTH? N/A
 DEPTH AFTER MONITORING? N/A

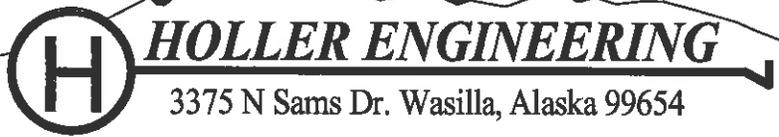
Reading	Date	Gross Time	Net Time	Depth to Water	Net Drop
N/A visual analysis only					

PERCOLATION RATE _____ (min/inch) PERC HOLE DIAMETER _____
 TEST RUN BETWEEN FT AND FT DEPTH
 COMMENTS: Testhole for subdivision only, for any other use contact Holler Engineering
 PERFORMED BY: C. Holler DATE: 10-29-2014



ed by others.

Vail Estates Addition 2
Topography, Drainage and Testhole Map



Job # 14011

Scale: 1"=150'

11-18-15

EXHIBIT C-20



Matanuska - Susitna Borough
Development Services

MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488
PHONE 861-7874 • FAX 861-8407

Matanuska - Susitna Borough
Development Services

DEC 18 2015

Received

RECEIVED

Comments Due: December 23, 2015

December 1, 2015

Preliminary Plat Request for Comments

DEC 18 2015

AK Dept. of Transportation – Anchorage	MSB – Emergency Services
AK Dept. of Transportation – Palmer	
AK Dept. of Transportation – Aviation	Open Cases <input checked="" type="radio"/> Y or <input type="radio"/> N
AK DNR, Division of Mining/Land	SpUD <input checked="" type="radio"/> Y or <input type="radio"/> N
AK DNR, Public Access Defense	
AK DNR, Division of Agriculture	FIRM # <u>7245</u> Zone <u>X</u>
AK DF&G, Habitat Mgmt. & Perm	Comments: _____
AK DF&G, Division of Sport Fis	_____
AK Railroad, Engineering Depart	_____
Corp of Engineers	Date: <u>12/18/15</u> By: <u>[Signature]</u>
U.S. Postmaster	
City of: N/A	
Community Council: Fishhook	Assembly District #6
Fire Service Area: 132 Greater F	
Road Service Area: 025 Bogard	
MSB – Borough Attorney	

PLATTING

Title:	Vail Estates Addition 2 Master Plan
Location:	Sec 15, T18N, R01E, S.M, AK
Petitioner:	Hansini, LLC
Address:	PO Box 3004, Palmer, AK 99645
Surveyor:	Cottini Land Surveying
Address:	PO Box 2748, Palmer, AK 99645

The request is to subdivide Parcel 1, MSB 40 acre exemption, 2012-65-EXM @ 2012-017830-0 into a 3rd lot, two-phase master plan to be called Vail Estates Addition 2 containing 39.98 acres more or less. Located within Township 18 North, Range 1 East, Section 15, Seward Meridian, Alaska.

Please submit your comments in writing, specifying any easements or other requirements that your department or agency may need or any data which you feel should be incorporated on the preliminary plat to help us more effectively enforce our subdivision regulations.

All comments, existing files and correspondence that you may have relating to this case must be submitted to the Platting Division by **December 23, 2015** so that we may incorporate this information into our recommendations to the Platting Board, for the public hearing to be held on **January 7, 2015**.

Kindest Regards,

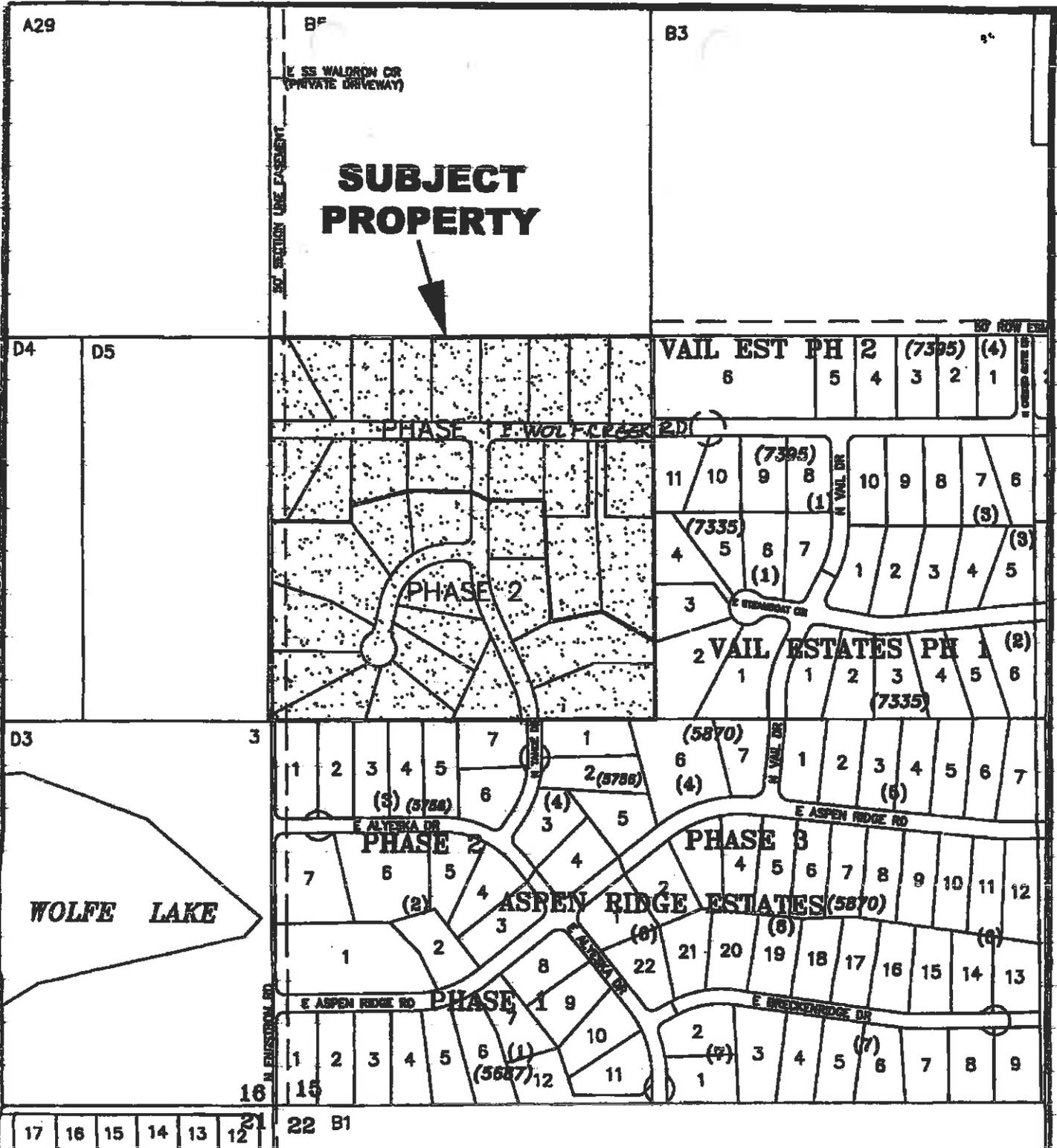
[Signature]

Cheryl Scott
Platting Technician
cheryl.scott@matsugov.us

Providing Outstanding Borough Services to the Matanuska-Susitna Community.

Case #: 2015-187 Tax ID: 18N01E15C005 Tax Map #: WA01 Pre-App Date: 11/9/2015

EXHIBIT D



VICINITY MAP
 FOR PROPOSED VAIL ESTATES ADDITION 2
 MASTER PLAN LOCATED WITHIN
 SECTION 15, T18N, R1E
 SEWARD MERIDIAN, ALASKA

WASILLA 01 MAP



MATANUSKA-SUSITNA BOROUGH
Community Development
Land & Resource Management
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7869 • Fax (907) 861-8635

MEMORANDUM

DATE: December 1, 2015
TO: Paul Hulbert, Platting Officer
FROM: Land & Resource Management *NSC*
SUBJECT: Preliminary Plat Comments / Case #2015-187

RECEIVED
DEC 03 2015
PLATTING

Platting Tech: Cheryl Scott
Public Hearing: January 7, 2016
Applicant / Petitioner: Nasini, LLC
TRS: 18N01E15
Tax ID: 18N01E15C005
Subd: Vail Estates Addition 2, MP
Tax Map: WA 01

Comments:

- No borough-owned land affected by subdivision.
- No objection.

Cheryl Scott

From: Susan Lee
Sent: Tuesday, December 01, 2015 2:01 PM
To: Platting
Subject: RE: Vail Estates Addition 2 MSP 15-187 (CS)

No comment.

Susan

Susan Lee
Planner II
Matanuska-Susitna Borough
907-861-7862 (Direct Line)
907-861-7876 (FAX)

From: Cheryl Scott On Behalf Of Platting
Sent: Tuesday, December 01, 2015 9:34 AM
To: jay@valleymarket.com; ksoren@mtaonline.net; stan.gillespie@gmail.com; jordan@alaskaplans.com; tait@zimmermanteamak.com; marty@valleymarket.com; winforhim@aol.com; Andy Dean; Bob Walden; Brad Sworts; brian.young@usps.gov; Capital Projects; CEPOA-RD-S@usace.army.mil; Cindy Corey; dblehm@gci.com; Eileen Probasco; Elizabeth Weiant; Eric Phillips; Frankie Barker; holly.zafian@alaska.gov; Jennifer Ballinger; jennifer.diederich@enstarnaturalgas.com; Jessica Smith; Jim Jenson; John Aschenbrenner; jthompson@mta-telco.com; mark.fink@alaska.gov; mearow@matanuska.com; Nicole Wilkins; ospdesign@gci.com; Permit Center; Richard Boothby; rglenn@mta-telco.com; robin.leighty@enstarnaturalgas.com; Sandra Cook; Shane.M.McCoy@usace.army.mil; Sheila Armstrong; Susan Lee; Terry Dolan; Theresa Taranto; Tracy McDaniel
Subject: Vail Estates Addition 2 MSP 15-187 (CS)

All –

Attached is the Request for Comments for Vail Estates Addition 2 Master Plan, MSB Case # 2015-187, Technician CS. Also, attached is the vicinity map, owners statement, geotechnical report and preliminary plat. Comments are due by December 23, 2015.

Please contact me if you have any questions.

Cheryl Scott
Platting Technician
Matanuska-Susitna Borough
350 E. Dahlia Ave.
Palmer, AK 99645
(907) 861-8692 ph
(907) 861-8407 fax
cheryl.scott@matsugov.us



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Cultural Resources Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9859 • Fax (907) 745-9876

MEMORANDUM

DATE: 1 December 2015
TO: Cheryl Scott, Platting Technician
FROM: Sandra Cook, Architectural Historian
SUBJECT: Preliminary Plat
TITLE: Vail Estates Addition 2 Master Plan
LEGAL: Section 15, T18N, R01E, SM
TAX MAP: WA 01

NO OBJECTION

Cultural Resources Division staff has reviewed the above application and finds there is are no known *recorded* sites on said property. This conclusion was derived through research of the documented sites on file in the Cultural Resources Division of the Matanuska-Susitna Borough and sites documented in Alaska Heritage Resource files at the State Office of History and Archaeology.

While we have no objection to the proposed Platting action on the said property, and our records are not complete, we recommend caution during construction or related activities in the event cultural remains may come to light or be recovered. If cultural resources are found as a result of the above mentioned activity we would appreciate the chance to document them to augment our knowledge of local history. Cultural remains may include features such as cache pits, house pits, garbage pits, depressions and/or other non removable indications of human activity, as well as, artifacts, buildings, machinery, etc.

Recording of cultural resources or other remains does not change ownership status of materials found, they belong to the property owner, nor does it prohibit your activity request. If cultural remains are located please contact this office at (907) 861-8655 as soon as possible. This would enable us to photograph and record any cultural materials that may be observed. Thank you for your cooperation. We appreciate you helping us learn more about our past.

Sincerely,

Sandra Cook
Architectural Historian

NOTE §A.S.I.T. 46.48Z (a) of the Alaska Statutes states that

A person commits the crime of criminal mischief in the third degree if, having not right to do so or any reasonable grounds to believe the person have such a right...

(3) If a person knowingly

(A) defaces, damages or desecrates a cemetery or the contents of a cemetery or a tomb, grave, or memorial regardless of whether the tomb, grave, or memorial is in a cemetery or whether the cemetery, tomb, grave, or memorial appears to be abandoned, lost, or neglected; (B) removes human remains or associated burial artifacts from a cemetery, tomb grave, or memorial regardless of whether the cemetery, tomb, grave, or memorial appears to be abandoned, lost or neglected.

EXHIBIT G

Cheryl Scott

From: Becky Glenn <rglenn@mta-telco.com>
Sent: Wednesday, December 02, 2015 9:07 AM
To: Platting
Cc: Jessica Thompson; Brian Fish
Subject: RE: Vail Estates Addition 2 MSP 15-187 (CS)

Ms. Scott,

MTA has reviewed the preliminary plat / master plan plat of Vail Estates Addn. #2. MTA has no objections/comments.

Thank you for the opportunity to review.

Becky Glenn
MTA

From: Cheryl Scott [<mailto:Cheryl.Scott@matsugov.us>] **On Behalf Of** Platting
Sent: Tuesday, December 01, 2015 9:34 AM
To: jay@valleymarket.com; ksoren@mtaonline.net; stan.gillespie@gmail.com; jordan@alaskaplans.com; tait@zimmermanteamak.com; marty@valleymarket.com; winforhim@aol.com; **Andy Dean** <Andy.Dean@matsugov.us>; **Bob Walden** <robert.walden@matsugov.us>; **Brad Sworts** <Brad.Sworts@matsugov.us>; brian.young@usps.gov; **Capital Projects** <Capital.Projects@matsugov.us>; CEPOA-RD-S@usace.army.mil; **Cindy Corey** <Cindy.Corey@matsugov.us>; dblehm@gci.com; **Eileen Probasco** <Eileen.Probasco@matsugov.us>; **Elizabeth Weiant** <Elizabeth.Weiant@matsugov.us>; **Eric Phillips** <Eric.Phillips@matsugov.us>; **Frankie Barker** <Frankie.Barker@matsugov.us>; holly.zafian@alaska.gov; **Jennifer Ballinger** <Jennifer.Ballinger@matsugov.us>; jennifer.diederich@enstarnaturalgas.com; **Jessica Smith** <Jessica.Smith@matsugov.us>; **Jim Jenson** <James.Jenson@matsugov.us>; **John Aschenbrenner** <John.Aschenbrenner@matsugov.us>; **Jessica Thompson** <jthompson@mta-telco.com>; mark.fink@alaska.gov; mearow@matanuska.com; **Nicole Wilkins** <Nicole.Wilkins@matsugov.us>; ospdesign@gci.com; **Permit Center** <PermitCenter@matsugov.us>; **Richard Boothby** <Richard.Boothby@matsugov.us>; **Becky Glenn** <rglenn@mta-telco.com>; robin.leighty@enstarnaturalgas.com; **Sandra Cook** <Sandra.Cook@matsugov.us>; Shane.M.McCoy@usace.army.mil; **Sheila Armstrong** <Sheila.Armstrong@matsugov.us>; **Susan Lee** <Susan.Lee@matsugov.us>; **Terry Dolan** <Terry.Dolan@matsugov.us>; **Theresa Taranto** <Theresa.Taranto@matsugov.us>; **Tracy McDaniel** <Tracy.McDaniel@matsugov.us>
Subject: Vail Estates Addition 2 MSP 15-187 (CS)

Be wary of unsolicited attachments, even from people you know - If something seems suspicious you may want to check with the person who supposedly sent the message to make sure it's legitimate before opening any attachments.

All –

Attached is the Request for Comments for Vail Estates Addition 2 Master Plan, MSB Case # 2015-187, Technician CS. Also, attached is the vicinity map, owners statement, geotechnical report and preliminary plat. Comments are due by December 23, 2015.

Please contact me if you have any questions.



ENSTAR Natural Gas Company
A DIVISION OF SEMCO ENERGY
Engineering Department
Right of Way Section
401 E. International Airport Road
P. O. Box 190288
Anchorage, Alaska 99519-0288
(907) 277-5551
FAX (907) 334-7798

December 1, 2015

Cheryl Scott, Platting Technician
Matanuska-Susitna Borough, Platting Division
350 East Dahlia Avenue
Palmer, AK 99645-6488

Subject: Preliminary Plat Request for Comments - **Vail Estates** Addition 2 Master Plan (Case No. 2015-187)

Dear Ms. Scott:

ENSTAR Natural Gas Company has reviewed the subject Preliminary Plat and has no comments, recommendations, or objections.

If you have any questions, please feel free to contact me at 907-334-7753 or by email at jennifer.diederich@enstarnaturalgas.com.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Diederich".

Jennifer Diederich
Right-of-Way Supervisor
ENSTAR Natural Gas Company

Cheryl Scott

From: Gloria Lorah <glorah@gci.com>
Sent: Tuesday, December 01, 2015 4:40 PM
To: Cheryl Scott
Subject: Vail Estates Add. #2
Attachments: 20151201163224969.pdf

Importance: High

Plat signed off by GCI.

Gloria Lorah
GCI/OSP



MATANUSKA-SUSITNA BOROUGH
PLATTING DIVISION
 350 EAST DAHLIA AVENUE
 PALMER, ALASKA 99645
 PHONE 861-7874 FAX 861-8407



Non-objection
FIRST CLASS
RECEIVED
 DEC 31 2015
PLATTING

118N01E15B005 67
 SAWYER STEVEN C
 2124 N TABASCO CAT DR
 PALMER, AK 99645-8893

99645\$8893 HD06

NOTIFICATION OF PUBLIC HEARING

The Matanuska-Susitna Borough **Platting Board** will consider the following:

PETITIONER: HANSINI, LLC (owners/petitioners)

REQUEST: The request is to subdivide parcel 1, MSB 40 acre exemption, 2012-65-EXM @ 2012-017830-0 into a 32 lot, two-phase master plan to be known as **VAIL ESTATES ADDITION 2**.

LOCATION: Located within W 1/2 NW 1/4 SW 1/4 Sec 15, T18N, R01E, S.M. AK, lying west of E. Wolf Creek north of N. Tahoe Drive.

Community Council: Fishhook **Assembly District:** #6: Barbara Doty **Area:** 39.98 Acre

The Matanuska-Susitna Borough **Platting Board** will hold a public hearing in the **Assembly Chambers** of the **Dora Jones Building**, 350 E. Dahlia Avenue, Palmer, Alaska on the proposed **Subdivision** on **January 7, 2016**. The meet 8:30 a.m. We are sending you this notice as required by State Law and Borough Ordinances because your property subdivision or within 1200' of the petition area. This will be heard before the **PLATTING BOARD** and you are invite

If you would like to send comments regarding the proposed action, this form may be used for your convenience b information below and mailing this notice to the Matanuska-Susitna Borough, Platting Division, 350 E. Dahlia, F 99645 or Fax (907) 861-8407 or e-mail: plattling@matsugov.us. Comments received prior to **December 30, 2015** w in the Platting Board packet for the Platting Board's review and information. Please be advised that comments rec public after that date will not be included in the staff report to the Platting Board, but will be provided as "Han Platting Board. To request additional information please contact the Platting Technician, **Cheril Scott** at (907) 861-8692 Secretary at (907) 861-8573. **In order to be eligible to file an appeal from a decision of the Platting Board, a pe designated an interested party. See MSB 15.39.010 for definition of "interested Party". The procedur appeals to the Board of Adjustment & Appeals are contained in MSB 15.39.010-250, which is available on internet home page, (www.matsugov.us), in the Borough Clerk's office, or at various libraries within the bor**

ITEM #4B 1/7/2016
 VAIL EST ADD 2
 PAGES 1 OF 1
 HANDOUT #1

Please do not send comments or questions directly to the Platting Board members. Board members may n 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. Physical 7000 E 55 Waldron Cir, Wasilla Ak 99654

Name: Steven Sawyer Address: ^{mailing} 2124 N Tabasco Cat Dr Palmer Ak 99645

Comments: I approve the subdivision of this property. Hansini LLC has been very cooperative with local landowners and has discussed/offered easements for our use. Their professionalism and approach to development shows respect for the people and landowners that will be affected by the changes.

CERTIFICATE OF PAYMENT OF TAXES

I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS THROUGH _____, 20____, AGAINST THE PROPERTY INCLUDED IN THIS SUBDIVISION, HAVE BEEN PAID.

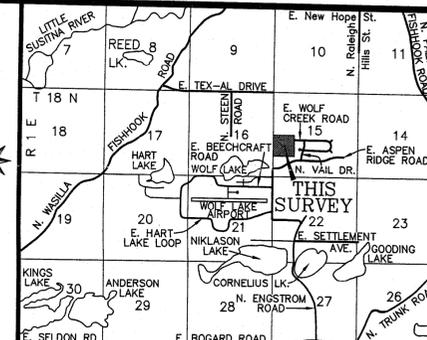
Matanuska-Susitna Borough Tax Collection Official

RESTRICTIVE COVENANTS

RESTRICTIVE COVENANTS WERE RECORDED ON _____, 201X AT THE PALMER RECORDING DISTRICT AS SERIAL NUMBER _____

NOTES

1. THERE MAY BE FEDERAL, STATE AND LOCAL REQUIREMENTS GOVERNING LAND USE. IT IS THE RESPONSIBILITY OF THE INDIVIDUAL PARCEL OWNER TO OBTAIN A DETERMINATION WHETHER SUCH REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN HEREON.
2. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS THE SYSTEM IS LOCATED, CONSTRUCTED AND EQUIPPED IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS AND RECOMMENDATIONS OF THE STATE OF ALASKA, DEPARTMENT OF ENVIRONMENTAL CONSERVATION, WHICH GOVERN THOSE SYSTEMS.
3. THIS SURVEY WAS ACCOMPLISHED BY USING GLOBAL POSITIONING SURVEY METHODS AND CONVENTIONAL NIKON NIVO "M" TOTAL STATION. THE GPS WAS A LEICA VIVA GS15 & GS14, BASE AND ROVER WITH LEICA CS15 DATA COLLECTOR. THE "BASIS OF DATUM" IS WGS-84, NO GEOID, SINGLE POINT CALIBRATION ON POINT #500, "BASE POINT", A SET SPIKE NORTHWEST OF THE INTERSECTION OF E. ASPEN RIDGE ROAD AND N. VAIL DRIVE.
4. THE "BASIS OF BEARING" IS GEODETIC NORTH AS DETERMINED BY GPS (GLOBAL POSITIONING SYSTEM) SURVEY EQUIPMENT REFERENCED TO THE NATIONAL SPATIAL REFERENCE SYSTEM AND NATIONAL GEODETIC SURVEY (NGS), "WGS-84".



VICINITY MAP SCALE: 1" = 1 MILE

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION BY OUR FREE CONSENT, DEDICATE ALL RIGHTS-OF-WAY TO THE MATANUSKA-SUSITNA BOROUGH, AND GRANT ALL EASEMENTS TO THE USE SHOWN.

JENNINGS M. HANSETH, JR., MEMBER Date
 HANSINI, L.L.C.
 P.O. BOX 3004
 PALMER, AK. 99645

BONNY K. COTTINI, MEMBER Date
 HANSINI, L.L.C.
 P.O. BOX 3004
 PALMER, AK. 99645

PIO V. COTTINI, MEMBER Date
 HANSINI, L.L.C.
 P.O. BOX 3004
 PALMER, AK. 99645

NOTARY ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 20____ FOR _____

Notary for the State of Alaska
 My Commission Expires _____

PLANNING AND LAND USE DIRECTOR'S CERTIFICATION

I CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLANNING AUTHORITY BY PLAT RESOLUTION NO. _____ DATED _____, 201____, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

Planning And Land Use Director Date
 ATTEST: _____
 Platting Clerk

PRELIMINARY PLAT
 10/26/2015

A MASTER PLAN PLAT OF
VAIL ESTATES ADD. #2
 A SUBDIVISION OF
 PARCEL #1, FORTY-ACRE EXEMPTION
 2012-65-EXM
 RECORDED AS SERIAL NO. 2012-017830-0
 ALSO KNOWN AS THE
 NW 1/4 SW 1/4 OF
 SECTION 15, T. 18 N., R. 1 E.,
 SEWARD MERIDIAN, ALASKA
 PALMER RECORDING DISTRICT
 CONTAINING 39.979 ACRES MORE OR LESS

Prepared By:
COTTINI LAND SURVEYING
 P.O. Box 2748 • Palmer, Alaska 99645 • (907) 745-1188

Date: NOV. 26, 2015 Job No.: 14-62 Field Book: 14-02 & 15-05
 Scale: 1" = 100' Drawn/Checked: P.V.C./P.V.C. Sheet: 1 of 1



SURVEYOR'S CERTIFICATE

I PIO V. COTTINI, 7074-RLS, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THE PLAT SHALL BE SET ON OR BEFORE SEPTEMBER 1, 2015, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Date _____
 Registration No. 7074-S
 PIO V. COTTINI
 Registered Surveyor

NOTES CONTINUED

5. UTILITY FACILITIES MAY ONLY BE PLACED WITHIN A TEMPORARY CUL-DE-SAC, DRAINAGE EASEMENT OR SLOPE EASEMENT WITH A BOROUGH UTILITY PERMIT.

LINE CHART

NUMBER	DIRECTION	DISTANCE
L1	N 90°00'00" E	30.00'
L2	N 90°00'00" E	30.00'
L3	N 00°00'00" W	29.62'
L4	N 90°00'00" W	37.94'
L5	N 90°00'00" W	38.06'
L6	N 12°00'00" E	24.91'
L7	N 25°00'00" W	23.04'
L8	N 00°04'37" W	14.00'
L9	N 25°12'45" E	38.80'

CURVE CHART

NUMBER	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING	CHORD
C1	90°00'00"	30.00	47.12	30.00	N 45°00'00" E	42.43	
C2	90°00'00"	30.00	47.12	30.00	N 45°00'00" W	42.43	
C3	90°00'00"	30.00	47.12	30.00	N 45°00'00" E	42.43	
C4	88°36'09"	30.00	46.39	29.28	N 45°41'56" W	41.91	
C5	78°00'00"	195.00	265.46	157.91	N 51°00'00" E	245.43	
C6	78°00'00"	225.00	306.31	182.20	N 51°00'00" E	283.19	
C7	31°36'56"	255.00	140.71	72.20	N 74°11'32" E	138.93	
C8	25°00'27"	255.00	111.30	56.55	N 45°52'50" E	110.42	
C9	21°22'37"	255.00	95.14	48.13	N 22°41'18" E	94.59	
C10	43°20'30"	50.00	37.82	19.87	N 33°40'15" E	36.93	
C11	64°43'27"	60.00	67.78	38.02	N 22°58'47" E	64.23	
C12	44°02'55"	60.00	46.13	24.27	N 31°24'25" W	45.00	
C13	44°02'55"	60.00	46.13	24.27	N 75°27'20" W	45.00	
C14	44°02'55"	60.00	46.13	24.27	N 60°29'45" E	45.00	
C15	69°48'48"	60.00	73.11	41.87	N 03°33'54" E	68.67	
C16	43°20'30"	50.00	37.82	19.87	N 09°40'15" W	36.93	
C17	25°00'00"	320.00	139.63	70.94	N 12°30'00" W	138.52	
C18	25°00'00"	350.00	152.72	77.59	N 12°30'00" W	151.51	
C19	23°36'09"	380.00	156.54	79.39	N 13°11'56" W	155.43	
C20	25°00'45"	320.00	139.70	70.98	N 12°29'38" W	138.59	
C21	25°00'45"	350.00	152.79	77.63	N 12°29'38" W	151.58	
C22	06°50'35"	380.00	45.38	22.72	N 21°34'43" W	45.36	
C23	18°10'10"	380.00	120.50	60.76	N 09°04'20" W	120.00	

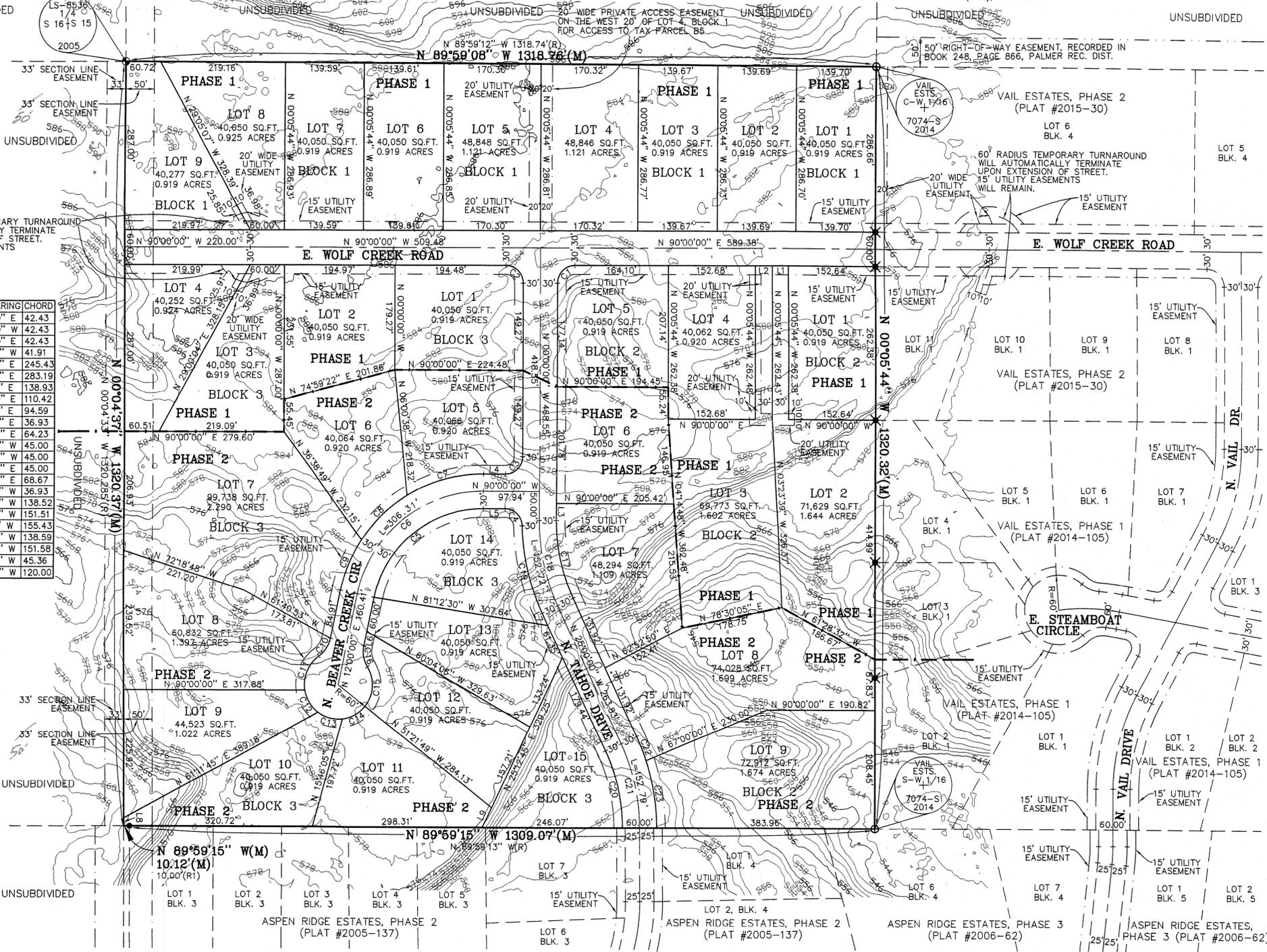


1" = 100'

LEGEND

- ... FOUND MONUMENT AS NOTED
- ... FOUND 2-1/2" ALUMINUM CAP MONUMENT, ON 2-1/8" x 30" GALVANIZED STEEL PIPE, 28" IN THE GROUND, MARKED AS SHOWN.
- ... FOUND 5/8" REBAR WITH RED PLASTIC CAP STAMPED "KEYSTONE LS-7330"
- ... FOUND 5/8" REBAR WITH RED PLASTIC CAP STAMPED "CLS LS-7074"
- ... SET 5/8" x 30" REBAR WITH RED PLASTIC CAP STAMPED "CLS LS-7074" AT ALL LOT CORNER AND POINTS OF CURVATURE.
- ... SET 5/8" x 30" REBAR WITH RED PLASTIC CAP STAMPED "CLS LS 7074" AFTER PLAT RECORDING DATE, BUT PRIOR TO SEPTEMBER 1, 201X.
- (M)... MEASURED VALUE THIS SURVEY
- (R)... RECORD VALUE PER ASPEN RIDGE ESTATES, PHASE 1, (PLAT #2005-41)
- (R1)... RECORD VALUE PER ASPEN RIDGE ESTATES, PHASE 2, (PLAT #2005-137)
- (R2)... RECORD VALUE PER ASPEN RIDGE ESTATES, PHASE 3, (PLAT #2006-62)

FOUND 3-1/4" ALUMINUM CAP MONUMENT, 0.2' ABOVE GROUND LEVEL



4C



MATANUSKA-SUSITNA BOROUGH
• PLATTING DIVISION •
350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488
PHONE 861-7874 • FAX 861-8407

MEMORANDUM

Date: January 7, 2016

To: Platting Board

From: Peggy Horton, Platting Technician

RE: Olson Estates Case #: 2015-189

Platting Staff is recommending a continuance of Olson Estates for 6 months or sooner if additional information concerning the access road is obtained or provided. Petitioner is in agreement with the extension.

4D

Previous History:

In 1997 the legislature passed into state law, 11.AAC 67.810 and directed the State of Alaska, Division of Natural Resources, to establish a program allowing individuals to stake a parcel of state land for a cabin site in a designated remote area the applicant, or staker, could eventually purchase. DNR created AS 38.05.600 Remote Recreational Cabin Sites as a result of the legislation and required local municipal review for platting of the parcels.

In 2013, State DNR brought a similar proposal to the Platting Board, which was denied. State DNR have changed their proposal in the following ways to address the findings of the Platting Board:

- The staking area was decreased from 5,940 acres to 5,180 acres.
- The staking area was pushed back 300' from the Matanuska River addressing the concern about the setbacks and buffers for the Matanuska River.
- The staking area was pushed back 200' from Gravel Creek.
- The staking area was pushed back 100' from the existing logging road to prohibit the staking of parcels over that logging road.
- Portions visible from the highway have been removed from the staking area which addresses the concern that the Glenn Highway Scenic Byway would be affected.
- The advertised access will be fly-in only addressing the concern regarding access across the Matanuska River.

MSB 43.20.055(C) DNR remote recreational projects. The purpose of this subsection is to specify the legal and physical access requirements for parcels created under the Alaska Department of Natural Resources (DNR) Remote Recreational Land Disposal Program(s) and only these standards shall apply. This program typically consists of large staking areas of state land where selected entrants stake their own parcel within the staking area which is subsequently surveyed and conveyed to the entrants by the state.

(1) *Preliminary plat approval.* The DNR shall submit a preliminary plat application to the platting officer for review and approval by the platting board containing the following:

- (a) boundary of the proposed staking area;
- (b) proposed external winter and/or summer access, vehicle parking, and staging areas to the staking area;
- (c) the maximum number of proposed parcels; and
- (d) identify a proposed main trail or means of access through the staking area from the access point or points;
 - (i) if a trail is the main access within the staking area it shall be within a 60-foot-wide right-of-way.

(2) *Final plat submittal and approval.*

- (a) The final plat for this section shall conform with provisions of MSB 43.15.051.
- (b) The final location of the main trail or access through the staking area may be adjusted by the petitioner from the location shown on the preliminary plat.

(c) Add a plat note: 1) the borough is not responsible for maintenance or upgrades of any access improvements to parcels created under this provision.

Location:

This property is located south of mile post 91-98 of the Glenn Highway and on the south side of the Matanuska River (**Exhibit B & C**). The Monument Creek project area encompasses approximately 5,180 gross acres within the Palmer Recording District. The state has identified the boundary of the proposed staking area as required under MSB 43.20.055(C)(1)(a) on the project area map.

Request:

The request is to create up to thirty Remote Recreational Cabin Sites (RRCS) to be known as Monument Creek RRCS containing 5,180 acres more or less. The state has identified the maximum number of proposed parcels as required by MSB 43.20.055(C)(1)(c). Each proposed tract will exceed 10 acres therefore a soils report is not required per MSB 43.20.281(A)(1)(i)(i).

Access:

Advertised access will be by fly-in only, additional legal access to, within and through the project area is via travel across unreserved State owned land, along section line easements, or other easements reserved in conveyance to third parties. The State of Alaska provided an access statement (**Exhibit D**). Within the statement it was explained the gravel bars of the Matanuska River and Gravel Creek and Bench Lake is the primary fly-in lake that would serve as access to the staking area. Tracts A, B and C, Bench Lake Subdivision, ASLS 80-147, remain in State ownership. Applicants can access the staking area from these State owned tracts or via platted rights-of-way within the Bench Lake Subdivision. Staff notes the state has identified the means of access through the staking area from the access point or points as required by MSB 43.20.055(C)(1)(b) &(d). Staff also notes the summer and winter access may be challenging. Staff notes there are over 750 feet of Bench Lake shoreline along Tract A and over 1650 feet of shoreline along Tract B.

Topography:

The State of Alaska, Cliff Baker, gave an overview of the topography (**Exhibit E**). Mr. Baker stated the staking area is divided into 2 separate areas located on both sides of Gravel Creek. The western portion has several drainages, including Monument Creek, running north to Matanuska River. Most of the area is extremely steep; however there appears to be several elevated benches of less than 20% slopes with adequate area available for recreational cabins and development. The eastern portion has on primary drainage system that runs into Tatondon Lake. There is a large gently sloping area within Sections 35, Township 20 North and Range 8 East that is accessible from west end of Bench Lake. Mr. Baker also stated both portions of the Monument Creek Recreation Cabin Site staking project provides enough contiguous area for 10-20 acre parcels that will support remote wastewater disposal systems. He is not aware of any structures within the proposed staking area.

Glacier View Comprehensive Plan:

Staff reviewed the Glacier View Comprehensive Plan 2008 update (**Exhibit F**) and found no prohibition against the creation of remote recreational parcels. Within the comprehensive plan the Cascade Area was identified as being between Purinton Creek and Hicks Creek. The comprehensive plan states on June 30, 2000, the Glenn Highway was designated as a State Scenic Byway, and on June 13, 2003, it was designated as a National Scenic Byway. The area covered by the designation begins at Mile 0 in Anchorage, and ends at Mile 137.5, at the eastern border of the Matanuska Susitna Borough, which includes the entire portion of the highway within Glacier View. Within the Glacier View Comprehensive Plan under land ownership where it addresses the State owned land it recommends: *There has been some expression of interest for more State lands to be offered for sale-particularly remote lands (Exhibit F-4).* The plan also states: *It is imperative that the community council be informed in a timely manner by public land managers so as to be involved in decisions regarding use of public land in the area.* Staff notes a request for comments was sent to the Glacier View Community Council on December 2, 2015 and the Platting Division has not received any comments.

Comments:

MSB Community Development commented no borough owned land is affected by the proposed subdivision; however, in the past the borough has had to deal with undedicated, unauthorized parking and staging areas on borough land for these type of state subdivisions (**Exhibit G**). DNR needs to provide truck/trailer parking and staging areas safely along the roadways for those who plan to “boat” in; otherwise, stake holders are left to figure out this out on their own which often times is in an unsafe, non-designated area. Provision should be required to address and identify overland access.

MSB Environmental Planner commented that the state needs to allocate or develop parking areas for people to access these properties from lands along the Glenn Highway. Landowners accessing by boats may be leaving vehicles along highway stretches that are extremely narrow with little to no shoulders. Even though the Glenn Highway in this area is planned for future improvements, these are not likely to happen for 5-10 years (**Exhibit H**).

Staff notes the State DNR responded to the comments concerning access (**Exhibit I**). They stated that “Members of the community have repeatedly expressed concern that using the Matanuska River as access to the project area is potentially dangerous. As such, we will advertise access to the project area as fly-in only, either to Bench Lake or to the gravel bars of the Matanuska River or Gravel Creek. If individuals choose to access the area by crossing the Matanuska River, there are several places along the highway in this area that are suitable for parking. Just past MP 94 there is a gravel pad off the highway but within the DOT right-of-way that is available for parking. In addition, just before MP 95 there is a smaller pull-off within the DOT right-of-way. From either right-of-way, access is available across general state land to ADL 59265, a developed access easement which provides access to the Matanuska River. Staff notes this response addresses vehicle parking and staging areas pursuant to MSB 43.20.055(C)(1)(b).

MSB Development Services commented the property is located within the Glacier View Special Land Use District; all development must comply with MSB 17.19. Staff found this proposed platting action is consistent with MSB 17.19 as the code does not prohibit the creation of the DNR remote recreational projects (**Exhibit J**). Development Services also stated the property is not in a mapped Special Flood Hazard Area.

MSB O&M has no issues with the proposed plat (**Exhibit K**).

MTA has no objections/comments (**Exhibit L**).

Warren and Nancy Dobson, owners of Block 3, Lot 9, Bench Lake ASLS 80-147, object to the granting of this request (**Exhibit M**). Access across the River does not provide routine practical and feasible route to the acreage in question. River crossing is treacherous and topography coming off the river bottom to access the acreage on the bench is quite steep and does not lend itself to reasonable access. Their primary concern is trespass for existing Bench Lake landowners. Access will most likely be from Bench Lake by plane. This will result in the public accessing the proposed subdivision land via trespass or the existing Bench Lake owners' property. We have already had trespassers use our dock and cross our property for accessing other properties in the existing Bench Lake subdivision lots that are not directly on the lake. They also help themselves to our outhouse. The assumption in the proposal is that people will use access across unreserved state land. That does not happen because the area is densely vegetated along the lakeshore and the easiest access is across our and other existing landowners property. The development is ill advised in our opinion and we encourage the Matanuska-Susitna Borough Platting board to deny the DNR staking request.

CONCLUSION for PRELIMINARY PLAT:

The plat of Monument Creek Remote Recreational Cabin Site Staking Area, located within Sections 1-6, 11 & 12, Township 19 North, Range 8 East and Sections 6 & 7, Township 19 North, Range 9 East and Sections 33 & 35, Township 20 North, Range 8 East, Seward Meridian, Alaska is consistent with AS 29.40.070 Platting Regulations; and MSB 43.20.055(C).

There are no borough department or outside agency objections to the plat.

The state has identified the boundary of the proposed staking area as required under MSB 43.20.055(C)(1)(a) on the project area map.

The state has identified the maximum number of proposed parcels as required by MSB 43.20.055(C)(1)(c). The maximum number will be thirty.

The state has identified the proposed main trail or means of access through the staking area from the access point or points as required by MSB 43.20.055(C)(1)(b) &(d) within the Access Statement and response to comments concerning vehicle staging areas. The advertised access will be fly-in only.

Staff received one objection from the public, citing treacherous access and trespass issues.

RECOMMENDATIONS

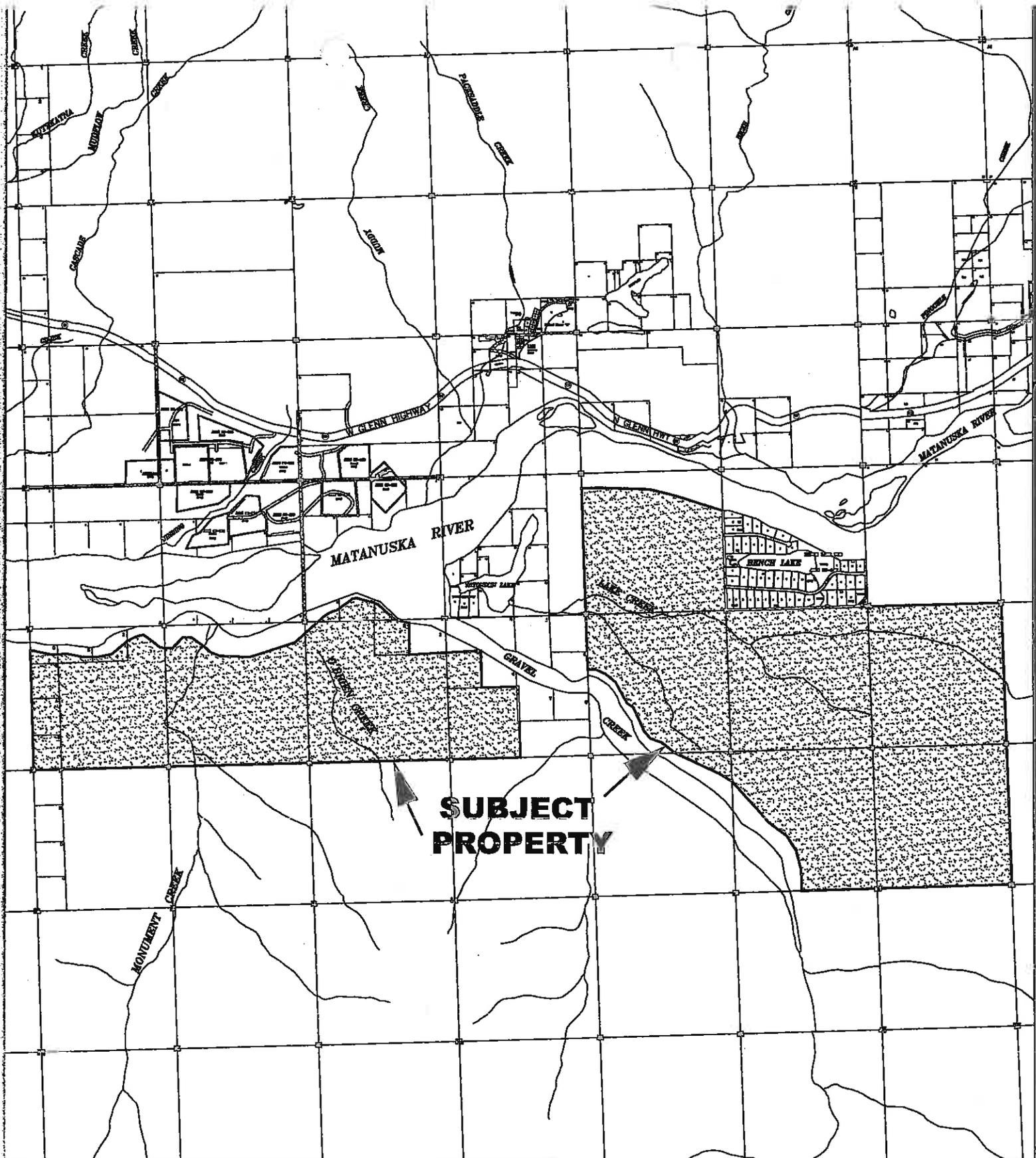
Recommended Motion: “I move to grant preliminary approval for Monument Creek Remote Recreational Cabin Site Staking Area, located within Sections 1-6, 11 & 12, Township 19 North, Range 8 East and Sections 6 & 7, Township 19 North, Range 9 East and Section 33 & 35, Township 20 North, Range 8 East, Seward Meridian, Alaska contingent upon staff’s recommendations and findings.”

1. Pay postage and advertising fees.
2. Provide updated Certificate to Plat executed within 90 days prior to recording.
3. Provide beneficiary affidavits from holders of legal and equitable interest.
4. Individual lease holders taxes and special assessments must be current prior to recording, pursuant to MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.
5. Provide as-built surveys of any new structures built on proposed lots. Any new structures are to comply with MSB 17.55, *Setbacks*.
6. Add plat note to final plat per MSB 43.20.055(C)(2)(c), “The borough is not responsible for maintenance or upgrades of any access improvements to parcels created under this provision.”
7. Submit final plat in full compliance with Title 43.

FINDINGS

1. The plat of Monument Creek Remote Recreational Cabin Site Staking Area, located within Sections 1-6, 11 & 12, Township 19 North, Range 8 East and Sections 6 & 7, Township 19 North, Range 9 East and Sections 33 & 35, Township 20 North, Range 8 East, Seward Meridian, Alaska is consistent with AS 29.40.070 Platting Regulations; and MSB 43.20.055(C).
2. There were no objections to the plat from any borough departments, outside agencies, or utility companies.
3. Each proposed tract will exceed 10 acres and the advertised access will be by floatplane ~~or boat~~, section line easements, and other easements reserved in conveyance to third parties.

4. One comment was received from the public with concerns about access from the river, trespass issues, and access from Bench Lake.
5. Access will be by fly-in, additional legal access to, within and through the project area is via travel across unreserved State owned land, along section line easements, or other easements reserved in conveyance to third parties.
6. The State of Alaska Department of Natural Resources will offer up to thirty Remote Recreational Cabin Sites (RRCS) within the Monument Creek RRCS. The state has identified the maximum number of proposed parcels as required by MSB 43.20.055(C)(1)(c).
7. The minimum proposed parcel size is 10 acres and the maximum parcel size is 20 acres as stated on the staking boundary map.
8. Parcels over 400,000 sq ft (9.183 acres) are exempt from the useable area requirements of MSB 43.20.281.
9. The surveyor is not aware of any structures within the proposed staking area. New structures built within proposed tracts are to comply with MSB 17.55, *Setbacks*.
10. This platting action is consistent with MSB 17.19, *Glacier View Comprehensive Plan*, as the code does not prohibit the creation of the RRCS.
11. The state has identified the boundary of the proposed staking area as required under MSB 43.20.055(C)(1)(a) on the project area map.
12. The state has identified the proposed main trail or means of access through the staking area from the access point or points as required by MSB 43.20.055(C)(1)(b) & (d) within the Access Statement and the response to comments concerning vehicle staging areas.
13. Summer and winter access will be challenging. The Borough is always concerned with access to remote property and encourages the issue to continue to be addressed.
14. The Glacier View Comprehensive Plan under Land Ownership where it addresses the State owned land, it recommends: *There has been some expression of interest for more State lands to be offered for sale-particularly remote lands.*
15. The Bench Lake Subdivision plat calls out "Tract A" as "Homeowners" and Tract B as "State Land". Staff notes that both tracts are currently under State ownership and available for use as access to the staking area from Bench Lake.



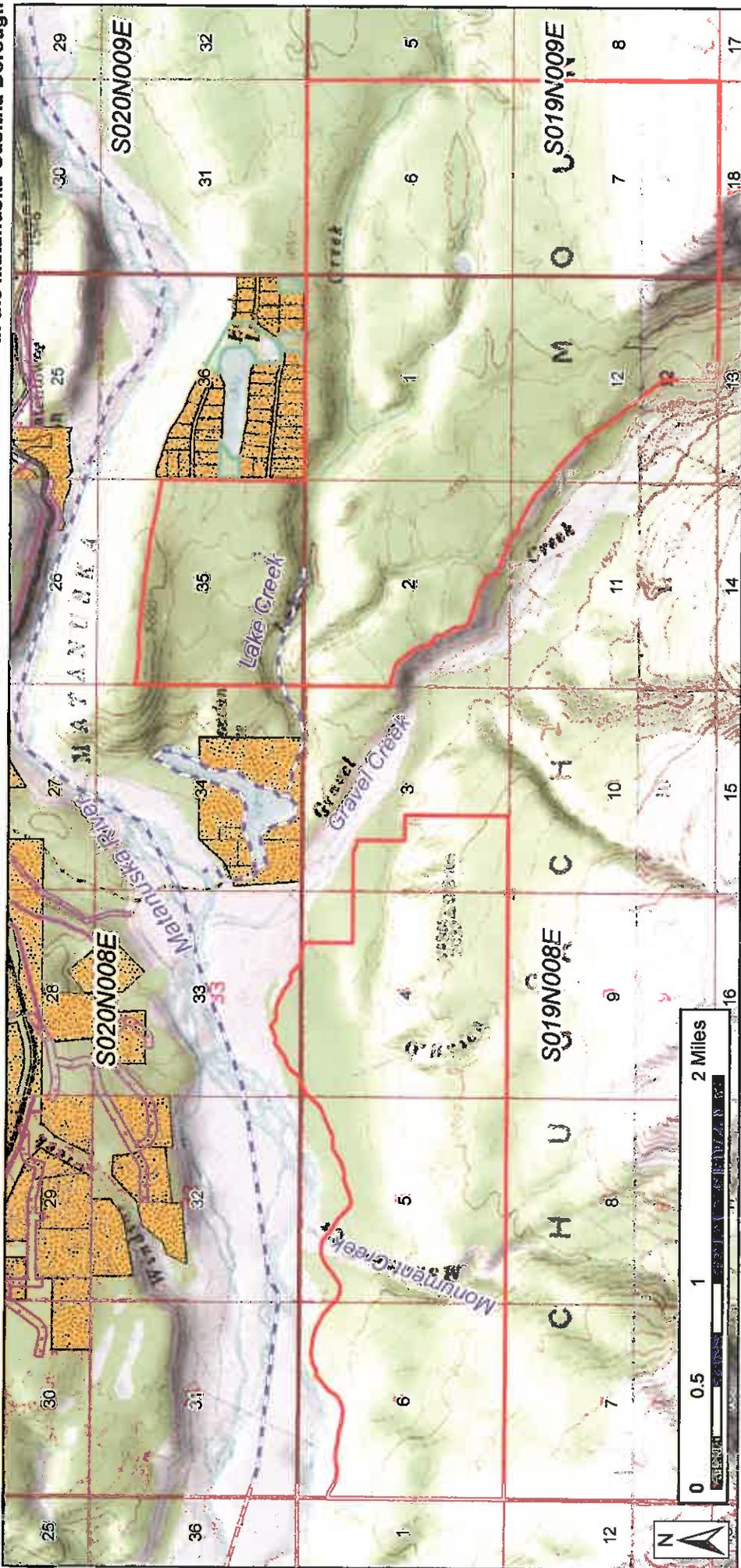
**SUBJECT
PROPERTY**

VICINITY MAP
 FOR PROPOSED MONUMENT CREEK RRCS
 LOCATED WITHIN
 SECTIONS 1-6, 11 & 12, T19N, R8E,
 SECTIONS 6 & 7, T19N, R9E,
 SECTIONS 33 & 35, T20N, R8E,
 SEWARD MERIDIAN, ALASKA
 ANTHRACITE RIDGE 08, 09 & 10 MAPS
 MATANUSKA GLACIER 12 MAP

EXHIBIT A

Monument Creek RRCS Staking Area

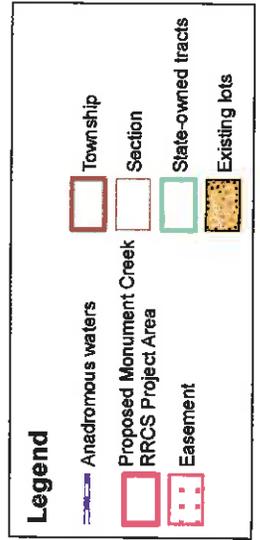
ADL 229343



PROPOSED REMOTE RECREATIONAL CABIN SITES
Attachment I: Vicinity
for a Proposed Land Offering
in the Matanuska-Susitna Borough

This map is for graphic representation only. It is intended to be used as a guide only and may not show the exact location of existing surveyed parcels or show all easements and reservations. Source documents remain the official record.

LFRR 11/23/2015



USGS QUAD 163,360
 Anchorage C-3 and D-3
 Seward Meridian,
 Township 19 North, Range 8 East,
 Township 19 South, Range 9 East,
 Township 20 North, Range 8 East.

For more information contact:
 Lauren Rouen
 Department of Natural Resources
 Division of Mining, Land, and Water
 Land Sales & Contract Administration Section
 Phone 907.269.8851
 Fax 907.269.8916
 Email landsales@alaska.gov

Minimum parcel size: 10 acres
 Maximum parcel size: 20 acres
 Staking authorizations: 30

EXHIBIT B



Monument Creek RRCS Staking Area ADL 229343

Attachment I: Vicinity Map for a Proposed Land Offering in the Matanuska-Susitna Borough



This map is for graphic representation only. It is intended to be used as a guide only and may not show the exact location of existing surveyed parcels or show all easements and reservations. Source documents remain the official record.

LFR 11/23/2015

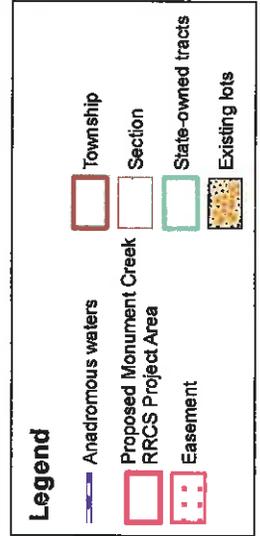


EXHIBIT C

USGS QUAD 163, 360
Anchorage C-3 and D-3
Seaward Meridian,
Township 19 North, Range 8 East;
Township 19 South, Range 9 East;
Township 20 North, Range 8 East.

For more information contact:
Lauren Rouen
Department of Natural Resources
Division of Mining, Land, and Water
Land Sales & Contract Administration Section
Phone 907.269.8851
Fax 907.269.8916
Email landsales@alaska.gov

Minimum parcel size: 10 acres
Maximum parcel size: 20 acres
Staking authorizations: 30



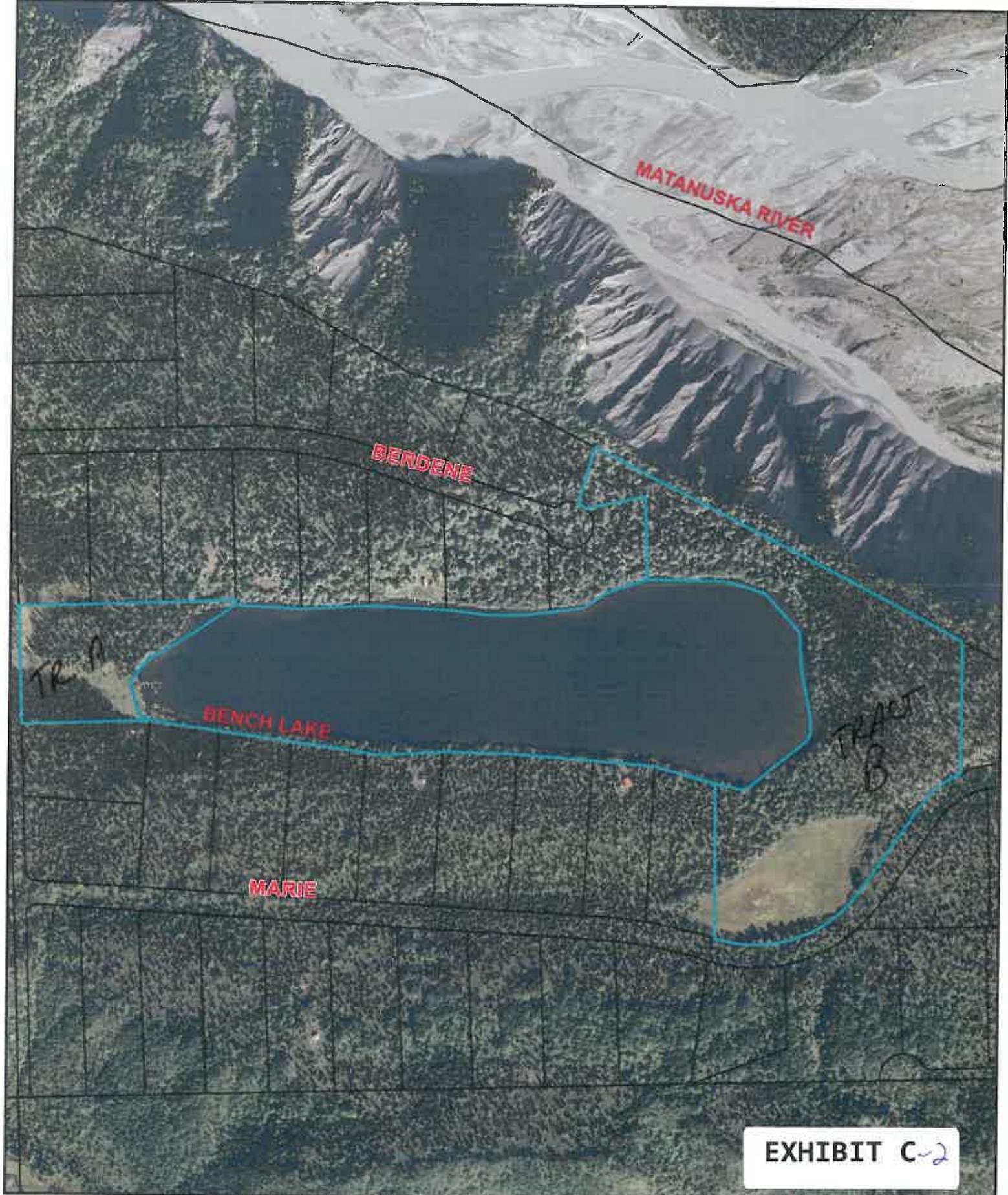


EXHIBIT C-2



Matanuska Susitna Borough
Platting Division
Date: 12/29/2015

This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7801.



Monument Creek
Remote Recreational Cabin Sites Staking Area

ADL 229343

Access Statement

Access to the Monument Creek RRCS Staking area is by fly-in ~~or by boat~~ only. Access is available by fly-in to the gravel bars of the Matanuska River and Gravel Creek; and Bench Lake provides float plane access to the staking area. Tracts A, B, and C, Bench Lake Subdivision (ASLS 80-147), remain in State ownership. Tract A is located at the westernmost end of Bench Lake, while Tract B is located at the easternmost end of Bench Lake. Both tracts can be used as staging areas for the proposed Monument Creek staking area. Applicants can access the staking areas either directly from the retained tracts, or via platted rights-of-way within the Bench Lake Subdivision. Additional legal access to, within, and through the project area is via travel across unreserved State-owned land, along section line easements, or other easements reserved in conveyances to third parties. Access across unreserved State-owned land without a permit, along with pertinent restrictions, is governed by *11 AAC 96 Provisions for General Land Use Activity*.

Although many trails legally cross rivers and creeks near the project area, there is no guarantee, and there should be no assumption that these waterbodies are traversable. Stakers will be discouraged from using the Matanuska River as access to the project area. Conditions may make these trails impassable at any time of the year. Personal safety should be the first priority when researching access to the project area. If additional practical access is located, information will be included in the staking packets at the time of offering. Also in the staking packet, applicants will be advised to research the ownership of *any* access they intend to use to avoid trespass on privately owned land.

Cliff Ben

LS 5152
27 Nov 15

EXHIBIT D

Monument Creek Remote Recreation Cabin Site
ADL 229343
Topographic Narrative

This project is located within Sections 1-6, 11, & 12 T19N, R8E; Sections 6-7, T19N, R9E; Sections 33 & 35, T20N, R8E, Seward Meridian, south of the Matanuska River. The staking area is divided into 2 separate areas located on both sides of Gravel Creek. (Please find attached imagery with 20 ft. contours obtained from the Borough's Lidar library)

The western portion has several drainages, including Monument Creek, running north to Matanuska River. Most of the area is extremely steep; however there appears to be several elevated benches of less than 20% slopes with adequate area available for recreational cabins and development. The imagery with contour overlay also shows a fairly moderate sloped bench immediately adjacent to Matanuska River within Sections 4 & 5 that is between 1/4-1/2 mile wide.

The eastern portion has one primary drainage system that runs westerly into Tatondan Lake. ~~The boundary of this area includes approximately 1.2 miles of Matanuska River frontage, however the frontage is extremely steep and will not likely be enough area for developable 10 ac. parcels or access to the upper elevations.~~ There is a large gently sloping area within Section 35, T20N, and R8E that is accessible from the west end of Bench Lake.

The attached imagery indicates substantial portions of Sections 1, 2, 11 & 12, T19N, R8E and Section 6 & 7, T19N, R9E have gentle to moderate slopes available for 10-20 ac. staking parcels. These areas can be accessed from Gravel Creek or Bench Lake.

Both portions of the Monument Creek Recreation Cabin Site staking project provide enough contiguous area for 10 – 20 ac. parcels that will support remote wastewater disposal systems. I am not aware of any structures within the proposed staking area.

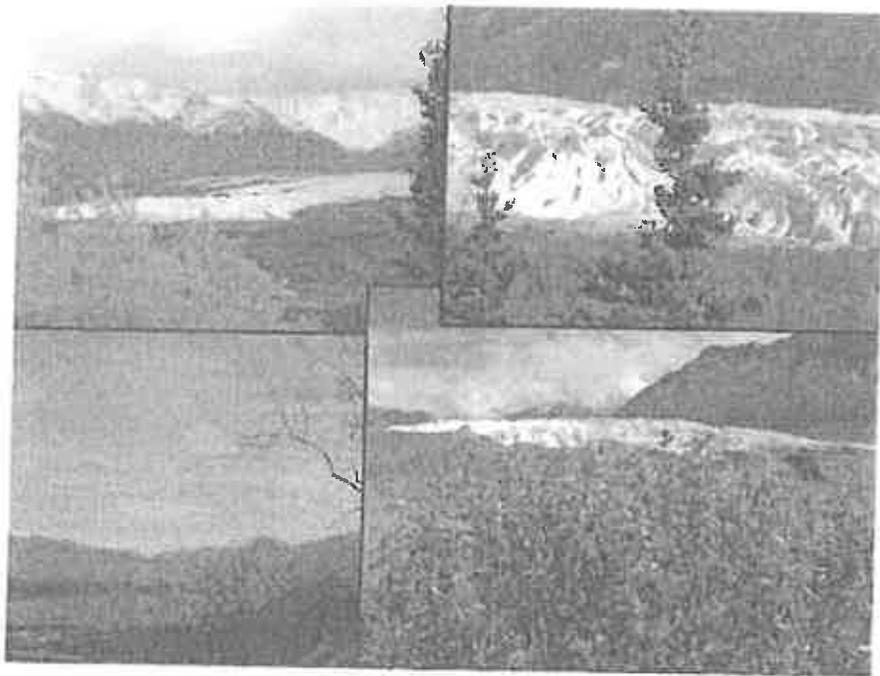
Cliff Baker, PS
LS 5152



Cliff Baker
27 Nov 15

EXHIBIT E

Glacier View Comprehensive Plan 2008 Update



Matanuska-Susitna Borough
Department of Planning and Land Use

EXHIBIT F-1

LAND OWNERSHIP

Public Lands

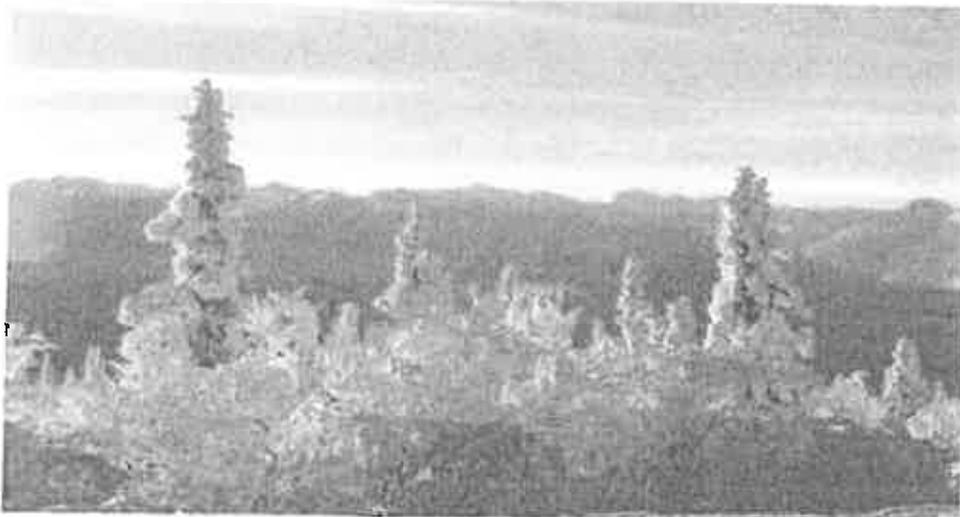
Federal Lands

Federal lands are managed by the Bureau of Land Management (BLM). The BLM follows a multiple use management philosophy. Recently, the BLM prepared a Proposed Resource Management Plan (RMP) and Final Environmental Impact Statement (EIS) to provide direction for managing public lands within the Glennallen Field Office boundaries and to analyze the environmental effects that would result from implementing the alternatives presented in the Proposed RMP/Final EIS. Federal lands in the Glacier View area are within the Glennallen District.

State Lands

By far the majority of land in the planning area is owned, tentatively approved for ownership, or has been selected by the State of Alaska. The State's lands are managed by the Alaska Department of Natural Resources (DNR) under guidelines set forth in Alaska State Statutes and administrative procedures found in the Alaska Administrative Code.

The State develops plans for its lands at three levels: Statewide, planning "area", and within management units. Each level establishes guidelines for the next more local level of plan; and plans become more specific from the State plan level to management plan level. Area plans define subregions, management units and subunits; management plans develop detailed plans for management units and subunits.



The Glacier View planning area lies totally within the Susitna Area for which a plan was completed by DNR and the Borough in June 1985. The Borough participated on the planning team and offered its land for consideration for management recommendations within the same process. The State utilizes a form of multiple use management including recognition and management of agricultural, fish and wildlife habitat, forestry, recreation, settlement, subsurface resources and materials, and transportation values.

The Susitna Area Plan contains areawide policies for land management that apply within all management units, as well as primary and secondary land use designations and land management policies for each management unit and subunit.

The management intent of the Glenn Highway Subregion of the Susitna Area Plan with respect to coal and other subsurface resources is significant to future economic development in the area and consistent with the community's goal to base its local economy on natural resources. The Plan states that, "All public land in this subregion is open to exploration and development of oil and gas. All land is open to mineral location except for planned settlement areas, the Jim-Swan Lakes area and several small developed public recreation sites and the land surrounding several sheep mineral licks. These latter areas are open under leasehold location." As to forestry, "Lands are retained in several areas for commercial and personal use timber harvests. Personal use wood lots are located at intervals along the highway in locations with reasonable access." Portions of state land within the vicinity of most of the private land in the community are reserved for personal use timber harvest.

Recommendation:

1. There has been some expression of interest for more State lands to be offered for sale - particularly remote lands.

Borough Land

The Borough owns only a small amount of land within the area, and - except for the Glacier View School site - all of this is in the extreme western portion of the area. Until the Borough develops its own land management plan, Borough lands are managed under the Susitna Area Plan in this area. The Borough conducts land disposals in accordance with the procedures contained in MSB Title 23. As noted above, resource values on Borough lands were inventoried during the Susitna Area planning process and some recommendations for Borough lands were made. Generally, resource values identified for State lands would be the same for Borough lands within the same management unit.

Summary Recommendation for all Public Lands

Maintenance of the rural, rustic character of the area and protection of the natural environment and its scenic values are very important to the community. These values are incorporated in the overall goal statement and land use goals for this Plan. However, another, perhaps overriding, goal of the community includes the preservation of the current relative freedom from regulations. Therefore, the community is willing to trust current residents and private land owners to preserve environmental and rustic rural values on the relatively small amount of land that is currently in private ownership. Since the majority of land in the area is publicly-owned, the community is very concerned that decisions of public land managers - be they federal, state or Borough - might lead to activities that could significantly and negatively impact the natural environment and the rural rustic character of the area. Such activities might include strip mining, careless timber clear-cutting, "improvements" to the Glenn Highway that are inappropriate for the area or allowing other developments on public land that are incompatible with the area and/or hazardous to local inhabitants.

Therefore, it is imperative that the community council be informed in a timely manner by public land managers so as to be involved in decisions regarding use of public land in the area.

Private Lands

Generally

The community generally agrees that there is ample land in private ownership in the planning area to accommodate any foreseeable residential growth.

Generally, the community feels that under current conditions and given the relatively small amount of land in private ownership in the area, there is currently little threat to the environment and to the rural character of the area from private owners. However, as evidenced by the recent request from Sheep Mountain residents, a growing concern to retain the qualities that community members value by establishing general districts, certain residents may choose to implement measures to protect those qualities. This could only occur as a result of a request and general consensus by affected residents and property owners, and would go through a significant public preparation, review and approval process.



MATANUSKA-SUSITNA BOROUGH
Community Development
Land & Resource Management
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7869 • Fax (907) 861-8635

MEMORANDUM

DATE: December 3, 2015
TO: Paul Hulbert, Platting Officer
FROM: Land & Resource Management *PH*
SUBJECT: Preliminary Plat Comments / Case #2015-191

RECEIVED
DEC 03 2015
PLATTING
PH

Platting Tech: Peggy Horton
Public Hearing: January 7, 2016
Applicant / Petitioner: SOA, DNRt
TRS: 19N08E01-06 & 11-12 and 19N09E06-07 and 20N08E22 & 35
Tax ID: N/A
Subd: Monument Creek RRCS
Tax Map: AR 08.09.10 & MG 12

Comments:

- No borough-owned land is directly affected by the proposed remote rec staking area; however, in the past the borough has had to deal with undedicated, unauthorized parking and staging areas on borough land for these type of state subdivisions.
- DNR needs to provide truck/trailer parking and staging areas safely along the roadways for those who plan to “boat” in; otherwise, stake holders are left to figure out this out on their own which often times is in an unsafe, non-designated area.
- Provision should be required to address and identify overland access.

EXHIBIT G

Peggy Horton

From: Frankie Barker
Sent: Thursday, December 03, 2015 3:30 PM
To: Platting; Eric A Moore (DNR) (eric.moore@alaska.gov); George C Horton (DNR) (george.horton@alaska.gov); james.walker2@alaska.gov; dave.schade@alaska.gov; mike.bethe@alaska.gov; holly.zafian@alaska.gov; mark.fink@alaska.gov; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Richard Boothby; Elizabeth Weiant; Eric Phillips; cepoa-rd-s@usace.army.mil; Shane M. McCoy (shane.m.mccoy@usace.army.mil); Capital Projects; Cindy Corey; Bob Walden; Brad Sworts; Sheila Armstrong; Tracy McDaniel; Jennifer Ballinger; Terry Dolan; Jim Jenson; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Permit Center; Andy Dean; John Aschenbrenner; Jim Sykes (jimsykesdistrict1@gmail.com); brian.young@usps.gov; rickb@alaska.com
Cc: jay@valleymarket.com; Kevin Sorensen - Glacier Ridge Properties (ksoren@mtaonline.net); stan.gillespie@gmail.com; jordan@alaskaplans.com; tait@zimmermanteamak.com; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); winforhim@aol.com
Subject: RE: Request for Comments for Monument Creek RRCS Case #2015-191 Tech: PH

The State needs to allocate or develop parking areas for people to access these properties from lands along the Glenn Highway. Landowners accessing by boats may be leaving vehicles along highway stretches that are extremely narrow with little to no shoulders. Even though the Glenn Highway in this area is planned for future improvements, these are not likely to happen for 5-10 years.

Frankie Barker

Environmental Planner

Matanuska-Susitna Borough

350 E. Dahlia Avenue

Palmer, AK 99645

907- 861-8439

frankie.barker@matsugov.us

From: Peggy Horton **On Behalf Of** Platting
Sent: Thursday, December 03, 2015 8:29 AM
To: Eric A Moore (DNR) (eric.moore@alaska.gov); George C Horton (DNR) (george.horton@alaska.gov); james.walker2@alaska.gov; dave.schade@alaska.gov; mike.bethe@alaska.gov; holly.zafian@alaska.gov; mark.fink@alaska.gov; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Richard Boothby; Elizabeth Weiant; Eric Phillips; cepoa-rd-s@usace.army.mil; Shane M. McCoy (shane.m.mccoy@usace.army.mil); Capital Projects; Cindy Corey; Bob Walden; Brad Sworts; Sheila Armstrong; Tracy McDaniel; Jennifer Ballinger; Terry Dolan; Jim Jenson; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; Jim Sykes (jimsykesdistrict1@gmail.com); brian.young@usps.gov; rickb@alaska.com
Cc: Platting; jay@valleymarket.com; Kevin Sorensen - Glacier Ridge Properties (ksoren@mtaonline.net); stan.gillespie@gmail.com; jordan@alaskaplans.com; tait@zimmermanteamak.com; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); winforhim@aol.com
Subject: Request for Comments for Monument Creek RRCS Case #2015-191 Tech: PH

Good Morning,

Attached is a request for preliminary approval of a Remote Recreational Cabin Site Staking Area in the Glacier View area.

Please review and provide any comments by December 28, 2015. Let me know if you have any questions.

Peggy Horton

From: Rouen, Lauren F (DNR) <lauren.rouen@alaska.gov>
Sent: Thursday, December 24, 2015 12:34 PM
To: Peggy Horton
Subject: RE: Comments from MSB Land Management for Monument Creek RRCS

Peggy,

DNR staff appreciate the Land & Resource Management Division's concerns regarding parking and staging areas for the project area. Members of the community have repeatedly expressed concern that using the Matanuska River as access to the project area is potentially dangerous. As such, we will advertise access to the project area as fly-in only, either to Bench Lake or to the gravel bars of the Matanuska River or Gravel Creek. If individuals choose to access the area by crossing the Matanuska River, there are several places along the highway in this area that are suitable for parking. Just past MP 94 there is a gravel pad off the highway but within the DOT right-of-way that is available for parking. In addition, just before MP 95 there is a smaller pull-off within the DOT right-of-way. From either right-of-way, access is available across general state land to ADL 59265, a developed access easement which provides access to the Matanuska River.

Thank you,
Lauren

Lauren Rouen
Natural Resource Specialist III
Land Sales and Contract Administration Section
DNR Division of Mining, Land & Water
550 W. 7th Avenue, Suite 640
Anchorage, AK 99501
(907) 269-8851
Fax: (907) 269-8916
lauren.rouen@alaska.gov

From: Peggy Horton [<mailto:Peggy.Horton@matsugov.us>]
Sent: Friday, December 04, 2015 2:23 PM
To: Rouen, Lauren F (DNR)
Subject: Comments from MSB Land Management for Monument Creek RRCS

See attached. Let me know how you want to address these comments.

Peggy Horton
Platting Technician
Matanuska-Susitna Borough
(907) 861-7881 direct
(907) 861-8407 fax
peggy.horton@matsugov.us (email)

Peggy Horton

From: Susan Lee
Sent: Thursday, December 03, 2015 9:10 AM
To: Platting
Subject: RE: Request for Comments for Monument Creek RRCS Case #2015-191 Tech: PH

Located in the Glacier View Special Land Use District; all development must comply with MSB Chapter 17.19.

Susan

Susan Lee
Planner II
Matanuska-Susitna Borough
907-861-7862 (Direct Line)
907-861-7876 (FAX)

From: Peggy Horton **On Behalf Of** Platting
Sent: Thursday, December 03, 2015 8:29 AM
To: Eric A Moore (DNR) (eric.moore@alaska.gov); George C Horton (DNR) (george.horton@alaska.gov); james.walker2@alaska.gov; dave.schade@alaska.gov; mike.bethe@alaska.gov; holly.zafian@alaska.gov; mark.fink@alaska.gov; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Richard Boothby; Elizabeth Weiant; Eric Phillips; cepoa-rd-s@usace.army.mil; Shane M. McCoy (shane.m.mccoy@usace.army.mil); Capital Projects; Cindy Corey; Bob Walden; Brad Sworts; Sheila Armstrong; Tracy McDaniel; Jennifer Ballinger; Terry Dolan; Jim Jenson; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; Jim Sykes (jimsykesdistrict1@gmail.com); brian.young@usps.gov; rickb@alaska.com
Cc: Platting; jay@valleymarket.com; Kevin Sorensen - Glacier Ridge Properties (ksoren@mtaonline.net); stan.gillespie@gmail.com; jordan@alaskaplans.com; tait@zimmermanteamak.com; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); winforhim@aol.com
Subject: Request for Comments for Monument Creek RRCS Case #2015-191 Tech: PH

Good Morning,

Attached is a request for preliminary approval of a Remote Recreational Cabin Site Staking Area in the Glacier View area.

Please review and provide any comments by December 28, 2015. Let me know if you have any questions.

Peggy Horton
Platting Technician
Matanuska-Susitna Borough
(907) 861-7881 direct
(907) 861-8407 fax
peggy.horton@matsugov.us (email)



MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488
PHONE 861-7874 • FAX 861-8407

DEC 04 2015

Received

December 2, 2015

RECEIVED

Comments Due: December 28, 2015

Preliminary Plat Request for Comments

AK Dept. of Transportation – Anchorage	MSB – Emergency Services	DEC 18 2015
AK Dept. of Transportation – Palmer		
AK Dept. of Transportation – Avia	Open Cases Y or <input checked="" type="radio"/> N	SpUD <input checked="" type="radio"/> Y or N
AK DNR, Division of Mining/Land		<i>Glacier View</i>
AK DNR, Public Access Defens	FIRM # _____ Zone _____	
AK DNR, Division of Agriculture	Comments: <i>not mapped</i>	
AK DF&G, Habitat Mgmt. & Perr		
AK DF&G, Division of Sport Fis		
AK Railroad, Engineering Departn		
Corp of Engineers		
U.S. Postmaster		
City of:	Date: <i>12/18/15</i>	By: <i>[Signature]</i>
Community Council: Glacier Vi		
Fire Service Area:		
Road Service Area:	Assembly District #1	
MSB – Borough Attorney		

Title:	Monument Creek Remote Recreational Cabin Sites
Location:	Sec 1-6, 11 & 12, T19N, R8E & Sec 6 & 7, T19N, R9E & Sec 33 & 35, T20N, R8E, S.M, AK
Petitioner:	State of Alaska, Dept. of Natural Resources
Address:	550 W. 7 th Ave, Ste 640, Anchorage AK 99501

The request is to obtain preliminary approval for the state to offer up to 30 Remote Recreational Cabin Sites (RRCS) for staking, the area to be known as Monument Creek RRCS, containing 5,180 acres more or less. Each staking area will be between 10-20 acres and access will be by fly-in or boat only. Additional legal access to, within, and through the project area is via travel across unreserved state owned land, along section line easements, or other easements reserved in conveyance to third parties.

Please submit your comments in writing, specifying any easements or other requirements that your department or agency may need or any data which you feel should be incorporated on the preliminary plat to help us more effectively enforce our subdivision regulations.

All comments, existing files and correspondence that you may have relating to this case must be submitted to the Platting Division by **December 28, 2015** so that we may incorporate this information into our recommendations to the Platting Board, for the public hearing to be held on **January 7, 2016**.

Kindest Regards,

[Signature]
Peggy Horton
Platting Technician
peggy.horton@matsugov.us

Providing Outstanding Borough Services to the Matanuska-Susitna Community.

Peggy Horton

From: Will Barickman
Sent: Thursday, December 03, 2015 3:06 PM
To: Peggy Horton
Cc: Jim Jenson; Terry Dolan
Subject: RE: Request for Comments for Monument Creek RRCS Case #2015-191 Tech: PH

No issue with O&M

Will Barickman
Road Maintenance Superintendent 1
PH: (907) 745-9816
Cell :(907) 355-9816
Fax (907) 746-5769
E- mail: will.barickman@matsugov.us

From: Jim Jenson
Sent: Thursday, December 03, 2015 8:32 AM
To: Will Barickman
Cc: Terry Dolan
Subject: FW: Request for Comments for Monument Creek RRCS Case #2015-191 Tech: PH

RSA 26

From: Peggy Horton **On Behalf Of** Platting
Sent: Thursday, December 03, 2015 8:29 AM
To: Eric A Moore (DNR) (eric.moore@alaska.gov); George C Horton (DNR) (george.horton@alaska.gov); james.walker2@alaska.gov; dave.schade@alaska.gov; mike.bethe@alaska.gov; holly.zafian@alaska.gov; mark.fink@alaska.gov; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Richard Boothby; Elizabeth Weiant; Eric Phillips; cepoa-rd-s@usace.army.mil; Shane M. McCoy (shane.m.mccoy@usace.army.mil); Capital Projects; Cindy Corey; Bob Walden; Brad Sworts; Sheila Armstrong; Tracy McDaniel; Jennifer Ballinger; Terry Dolan; Jim Jenson; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; Jim Sykes (jimsykesdistrict1@gmail.com); brian.young@usps.gov; rickb@alaska.com
Cc: Platting; jay@valleymarket.com; Kevin Sorensen - Glacier Ridge Properties (ksoren@mtaonline.net); stan.gillespie@gmail.com; jordan@alaskaplans.com; tait@zimmermanteamak.com; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); winforhim@aol.com
Subject: Request for Comments for Monument Creek RRCS Case #2015-191 Tech: PH

Good Morning,

Attached is a request for preliminary approval of a Remote Recreational Cabin Site Staking Area in the Glacier View area.

Please review and provide any comments by December 28, 2015. Let me know if you have any questions.

Peggy Horton
Platting Technician
Matanuska-Susitna Borough
(907) 861-7881 direct
(907) 861-8407 fax

Peggy Horton

From: Becky Glenn <rglenn@mta-telco.com>
Sent: Friday, December 11, 2015 8:35 AM
To: Platting
Subject: RE: Request for Comments for Monument Creek RRCS Case #2015-191 Tech: PH

Peggy,

MTA has no objections / comments.

Becky Glenn

From: Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting
Sent: Thursday, December 03, 2015 8:29 AM
To: Eric A Moore (DNR) (eric.moore@alaska.gov) <eric.moore@alaska.gov>; George C Horton (DNR) (george.horton@alaska.gov) <george.horton@alaska.gov>; james.walker2@alaska.gov; dave.schade@alaska.gov; mike.bethe@alaska.gov; holly.zafian@alaska.gov; mark.fink@alaska.gov; mearow@matanuska.com; Becky Glenn <rglenn@mta-telco.com>; Jessica Thompson <jthompson@mta-telco.com>; Richard Boothby <Richard.Boothby@matsugov.us>; Elizabeth Weiant <Elizabeth.Weiant@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; cepoa-rd-s@usace.army.mil; Shane M. McCoy (shane.m.mccoy@usace.army.mil) <shane.m.mccoy@usace.army.mil>; Capital Projects <Capital.Projects@matsugov.us>; Cindy Corey <Cindy.Corey@matsugov.us>; Bob Walden <robert.walden@matsugov.us>; Brad Sworts <Brad.Sworts@matsugov.us>; Sheila Armstrong <Sheila.Armstrong@matsugov.us>; Tracy McDaniel <Tracy.McDaniel@matsugov.us>; Jennifer Ballinger <Jennifer.Ballinger@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Nicole Wilkins <Nicole.Wilkins@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Susan Lee <Susan.Lee@matsugov.us>; Eileen Probasco <Eileen.Probasco@matsugov.us>; Jessica Smith <Jessica.Smith@matsugov.us>; Frankie Barker <Frankie.Barker@matsugov.us>; Permit Center <PermitCenter@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Jim Sykes (jimsykesdistrict1@gmail.com) <jimsykesdistrict1@gmail.com>; brian.young@usps.gov; rickb@alaska.com
Cc: Platting <Platting@matsugov.us>; jay@valleymarket.com; Kevin Sorensen - Glacier Ridge Properties (ksoren@mtaonline.net) <ksoren@mtaonline.net>; stan.gillespie@gmail.com; jordan@alaskaplans.com; tait@zimmermanteam.com; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com) <marty@valleymarket.com>; winforhim@aol.com
Subject: Request for Comments for Monument Creek RRCS Case #2015-191 Tech: PH

Be wary of unsolicited attachments, even from people you know - If something seems suspicious you may want to check with the person who supposedly sent the message to make sure it's legitimate before opening any attachments.

Good Morning,

Attached is a request for preliminary approval of a Remote Recreational Cabin Site Staking Area in the Glacier View area.

Please review and provide any comments by December 28, 2015. Let me know if you have any questions.

Peggy Horton

From: Warren Dobson <dobsonw@mac.com>
Sent: Monday, December 28, 2015 8:50 AM
To: Platting
Subject: Platting Board Comment for DNR Monument Creek RRCS

Matanuska-Susitna Borough Platting Board:

Attached is our comment regarding the proposed Monument Creek Remote Recreational Cabin Sites scheduled for public hearing on January 7, 2016. We will not be able to attend the public meeting. Please accept our comments in the attached letter.

Thank you,

Warren and Nancy Dobson
Bench Lake Subdivision property owners

EXHIBIT M -1

Matanuska-Susitna Borough
Platting Division
350 East Dahlia Avenue
Palmer, AK 99645

December 28, 2015

Re: Monument Creek Remote Recreational Cabin Sites

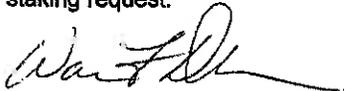
To Whom It May Concern:

As a landowner in the Bench Lake Subdivision, we have received notice of the Alaska Department of Natural Resources (DNR) request to create thirty remote recreational cabin sites known as the Monument Creek RRCS. By this letter, we once again voice our opposition to the granting of the subject DNR request.

The access across the Matanuska River does not provide routine practical and feasible route to the acreage in question. The river crossing is treacherous during the majority of the year for access to the proposed development area. Furthermore, the topography coming off the river bottom to access the acreage on the bench is quite steep and does not lend itself to reasonable access.

Our primary concern is the high likelihood of trespass for existing Bench Lake landowners. Due to the difficulty and hazards in either crossing the river or gaining access up the steep bluff, access will most likely be from Bench Lake by floatplane or ski-plane. This will result in the public accessing the proposed subdivision land via trespass of the existing Bench Lake owners' property. We have already had trespassers use our dock and cross our property for accessing other properties in the existing Bench Lake subdivision lots that are not directly on the lake. They also help themselves to our outhouse. The assumption in the proposal is that people will use access across unreserved state land. That does not happen because the area is densely vegetated along the lakeshore and the easiest access is across our and other existing landowners property.

The development of the proposed property is ill advised in our opinion and we encourage the Matanuska-Susitna Borough Platting Board to deny the DNR staking request.



Warren F. and Nancy B. Dobson
1940 S Broadway
Grand Junction, CO 81507



Landowners, Block 3, Lot 9
Bench Lake Subdivision

Susanne Rieder
P.O. Box 624
Seward, AK99664

objeetion
RECEIVED
DEC 30 2015
PLATTING

Matanuska-Susitna Borough, platting@matsugov.us
Platting Division, Attention: Monument Creek RRCS Proposal
350 E. Dahlia
Palmer, AK99645

December 30, 2015

Re: Public Comment on Monument Creek Remote Recreational Cabin Sites Staking Area

To Whom It May Concern:

As resident of the Bench Lake Subdivision, I am strongly against the proposed Monument Creek Remote Recreational Cabin Sites Staking Area.

This is at least the fourth time this matter has arisen, and as before, we are writing letters. This in itself is frustrating, as previously mentioned issues have not been solved, addressed, or changed. There are better uses of my time.

The following items have not been sufficiently addressed:

1. The suggested area is in the Matanuska-Susitna Borough, which had a huge population increase over the last decade. **This area is not remote.** It is frequented often and used by many local residents.

2. Access to proposed site areas:

o **Bench Lake is surrounded by private property.** The only public access across state land is on the east side (Tract "B"). The other areas shown as access from the lake (Tracts "A", "C", "D" and "E") are not public. These areas belong to the homeowners of Bench Lake, as listed on plat ASLS 80-147.

o The eastern shore of Bench Lake, which is state land, is very shallow and rocky. It is not good for aircraft parking. Pilots will not like to leave their planes miles away from their staking sites and in the actual landing/takeoff path.

o Bench Lake is a small lake. There is not enough room for additional parking of aircrafts. There are currently just a few landowners with docks in place, but if all the property owners in the existing Bench Lake Subdivision claim right to a dock on the lake's end, it would not be possible.

o Transfer from the lake would be by ATVs. There is no existing trail. The "roads" on the current maps do not exist as such and are not passable by motorized vehicle.

o Trespassing on existing lots is very likely and, as the project is not welcomed in the area, I am sure, people in search of areas ready to be staked will not be welcome either.

**ITEM #4D 1/7/2016
MONUMENT CREEK RRCS
PAGES 1 OF 2
HANDOUT #2**

3. Proposed Lot Size:

All the private lots on Bench Lake are around 5 acres. The suggested size of the staked lots is 10 – 20 acres. These lots, originally owned by 30 parties, will be subdivided. If they will be divided into lots similar to Bench Lake's current lots (5 acres), **we will have at least 120 parties**. The area is not able to support the impact of the increased traffic.

4. Water Supply:

- o The area surrounding Bench Lake has **no access to water**. The creeks, listed on maps, are very steep and dangerous to climb into, and it is definitely not possible to haul water up the ravines.

- o There is not enough precipitation for rain catchments.

- o The only accessible water source in the proposed eastern area is Bench Lake. As noted above, the only public access is on the eastern side of the lake, which will be at least a mile from any staked land. It is very hard to keep a cabin supplied with water from this distance, with no means of transportation.

When we moved to Bench Lake over 20 years ago, we were the only residents. We were aware that there are other lots around the lake privately owned. Things have changed; a few more cabins have been built. But, there is no way that we could have anticipated another 20 properties being staked in the nearby area, which is state land, used by locals for recreating, berry picking, hunting and hiking. We do not need more privately owned land in the area, as this would eventually make us into trespassers. Besides, there is plenty of local property for sale on the real estate market.

The proposal from the state to open the Monument Creek RRCS area for staking is not welcome by the Glacier View Community. So, I cannot imagine how the State would go forward with a proposal when the local population is against it.

Again, I am strongly opposed to the proposal and would like the entity in charge of repeatedly re-introducing this idea to abandon the project for good.

Susanne Rieder

Bench Lake Subdivision Property Owner

29540 W Berdene Lane

Block 2, Lots 1-4

Block 3, Lots 1&4

Peggy Horton

From: eugen@mobydickhostel.com
Sent: Wednesday, December 30, 2015 4:00 PM
To: Platting
Subject: Monument Creek RRCS Objection
Importance: High

objection
RECEIVED
DEC 30 2015
PLATTING

Please confirm when you receive this email, and that it will be included in the Platting Board packet. - Thank you!

Monument Creek RRCS Objection

To whom it may concern:

I, Eugen Beutler, a resident of the Bench Lake Subdivision, am against the proposed creation of the planned remote recreational cabin sites.

I am quite puzzled as to why I have to comment on the same project for the fourth time, when before this has been abandoned for good reasons. I have the impression that this project is being pushed until people get tired opposing it. The concerns are still the same and have not been addressed.

The access issue has not been resolved. The Matanuska River creates a big and dangerous barrier to reach the planned lots. Please check out the recent history of accidents on the Matanuska River.

Parking on the highway side is not adequate. Future residents will encroach on private property for secure parking, i.e. at Nova River Rafting Company. Steep bluffs on the opposite side will also prohibit access to the lots.

Float plane access via Bench Lake or Tatondan Lake is not feasible due to lack of suitable mooring space. Furthermore, there is no public access or floatplane parking at the west end of Bench Lake, where the new lots would be created (Home owner property only).

There are already around 50 lots near Bench Lake, which is a small lake by any standards, and it cannot bear the impact of more people, ATVs and floatplanes.

The area as a whole cannot sustain any more inhabitants, which is apparent if one looks at the subdivisions of Bench Lake and Tatondan Lake, separated by not even one mile. Drinking water would become a major concern for the residents of the two lakes, due to more impact, especially from floatplanes.

The area proposed by the state as remote recreational cabin sites is not "remote", since this whole area has been used by local residents from the Glacier View Community for a long time for various activities.

Please consider my concerns.

Sincerely,

Eugen Beutler, Bench Lake

ITEM #4D 1/7/2016
MONUMENT CREEK RRCS
PAGES 1 OF 2
HANDOUT #3

P.O. Box 624, Seward, AK 99664

Objection
RECEIVED

DEC 31 2015

12/30/15

PLATTING

To whom it may concern,

Thank-you for the opportunity to let us comment again in response to notification of public hearing re: the Monument Cr. RRCS project.

My name is Melanie Glatt & my husband (Mark) & I own a parcel w/a cabin, located on the E. end of Tatondan Lake. Our property and cabin are located immediately W and downhill of the Eastern Monument Cr. prospect, and east of the western Monument Cr. prospect. You might say our property is in the middle of the 2 subject parcels for the Monument Creek RRCS.

My husband & I are opposed to the project in entirety for a number of reasons:

#1) Safety- The Matanuska River is very dangerous year round. We have both accidentally gone swimming in the river a few times over the years and we know we both would have drowned, if we hadn't worn the proper gear and had experience w/this river. We have been going out to Tatondan Lake since 1993. Our cabin is such that we have a pretty good view looking downriver. We have watched many people try to cross the river w/out life-jackets & improper clothing & I assume little boating experience given their actions. Many people have also attempted to cross while intoxicated. A recipe for disaster. Just this last summer we were involved in a rescue of 3 people whom almost drowned. One ended up in the hospital and the other 2 although ok, if there hadn't people around to help, they all could have drowned.

#2) Air Traffic- We have witnessed a significant increase in the amount of air traffic up & down the Matanuska river. Unfortunately, this includes people doing fly-by's looking in our cabin windows (wheeled airplanes). Also, during the summer of 2013, we witnessed a mid-air, near miss, between 2 aircraft over the W. end of Tatondan lake. We also have migratory waterfowl that spend the summer on the lake and there has been an increase of touch & go landings by float planes on the lake which stresses these animals. This is a really small & shallow lake sometimes filled with log debris, which isn't well-suited for floatplanes. Our point being, that with the Monument Cr. western parcel, we would see even more of an impact from air traffic. Since

ITEM #4D 1/7/2016
MONUMENT CREEK RRCS
PAGES 1 TO 7
HANDOUT #4

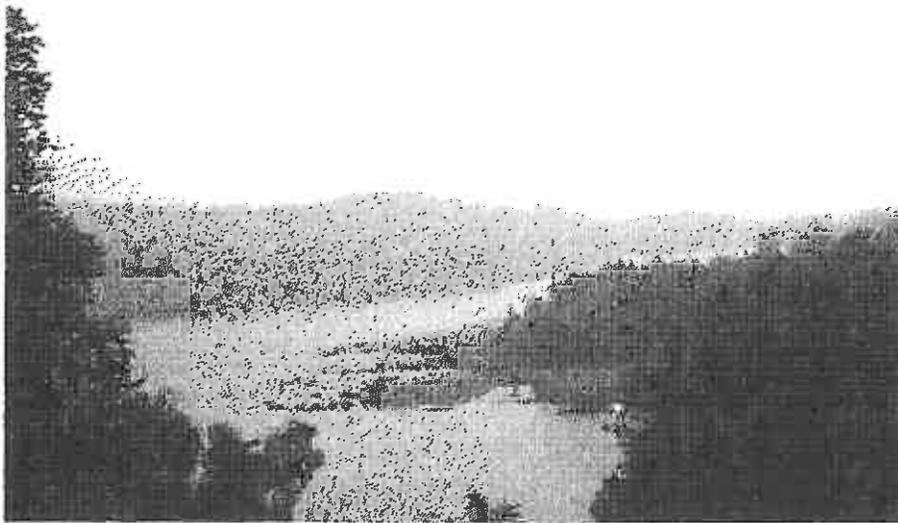
Page 2

most people will not be able to afford to fly in anyway this brings us back to point #1 above regarding drowning.

#3) Historically there have been large fires in this entire valley. The SOA is only using recent fire data and disregard the potential based on history & beetle kill. The soils on our property reflect a shallow layer of charred tree bits. During high fire danger, should there be an airplane crash or careless use of fire, combined w/dead standing spruce + the usual wind, it could be catastrophic to all of us out there w/cabins. Given that this area is somewhat remote, fighting fires on that side of the river (S) would be difficult @ best. The state recently said that we would have no help over there and there rebuttal was "just use defensible space". That doesn't really help with large fast moving fires as was witnessed this past summer in Willow and there were roads. Air quality should also be considered due to airborne silt from river & smoke from the west & east valleys. See below photos of smoke & silt.

Clear day looking across T. Lake MLG Summer 2013



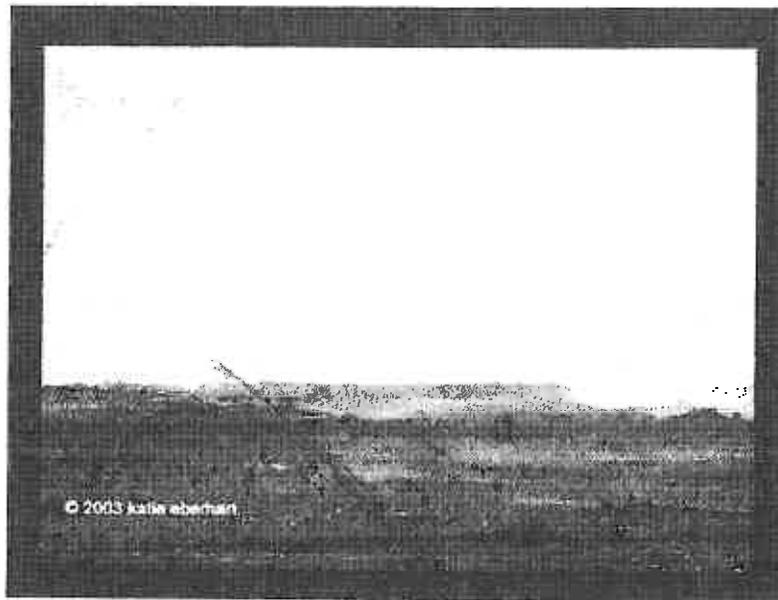


Smoke from Chitina fire looking across T. Lake MLG Summer 2013



Loess in the Wind, Matanuska Valley, Alaska. Winds moving across the outwash of the Matanuska River valley entrain the silt fraction to produce loess. Photo by Warren Huff.

Silt cloud from wind is often a problem from Matanuska river and can severely limit visibility.



Pic from online "silt photos along Matanuska River"

#4) I am a Geologist and want to address soils, landslides, erosion & fault lines in the overall area.

a) We have always encountered permafrost at very shallow depths (as little as 6" below grade) which makes it difficult to put in a traditional foundation (creating heaving) & digging holes for outhouses. Installing a conventional approved wastewater system, is nearly impossible due to permafrost, perc. rates, lack of available clean septic rock & tight soils (hardpan) at depth (+/- 4') from grade and lastly inability to pump holding or septic tanks. So, outhouses or compost toilets are recommended. We use filtered surface water as our potable water. We would appreciate your additional attention regarding the drainage system (Lake Creek) that flows into Tatondan Lake originating in the eastern parcel of the Monument Creek project. We are aware of 100' setbacks from surface waters for wastewater systems or outhouses and would hope that those would be strictly enforced to protect

Page 5

our watershed, being Tatondan Lake. Do you have the manpower to check on people's wastewater systems in this area (Eastern Mon. Cr. project) to protect us?

b) There has been, and is obvious degradation all along the Glenn Hwy., from Sutton to Long lake & further. Frankly, the roadbed is crumbling both underneath but primarily from material immediately upslope of the highway., ie material sloughs onto the roadbed surface. In January 2013, there was a massive landslide that occurred above the western parcel of the Monument Creek project. (See attached photo below) & refer to the attached fault map also below. The map indicates a fault line immediately within the 1/2013 slide area. The amount of material that sloughed was enormous. The debris came down into, or just above, sec's 4 + 5, within the western Monument Creek project area. Additionally the whole ridge above is now compromised further. This could have a huge impact, both in terms of building and safety. The eastern parcel may experience landslides as well, as I assume the strata is similar. Our point is, the entire area both south & north of the Glenn Hwy is unstable. Additionally, some years ago (8-10) there was a large landslide just above the "Victory" area and locals tell us this has been common.

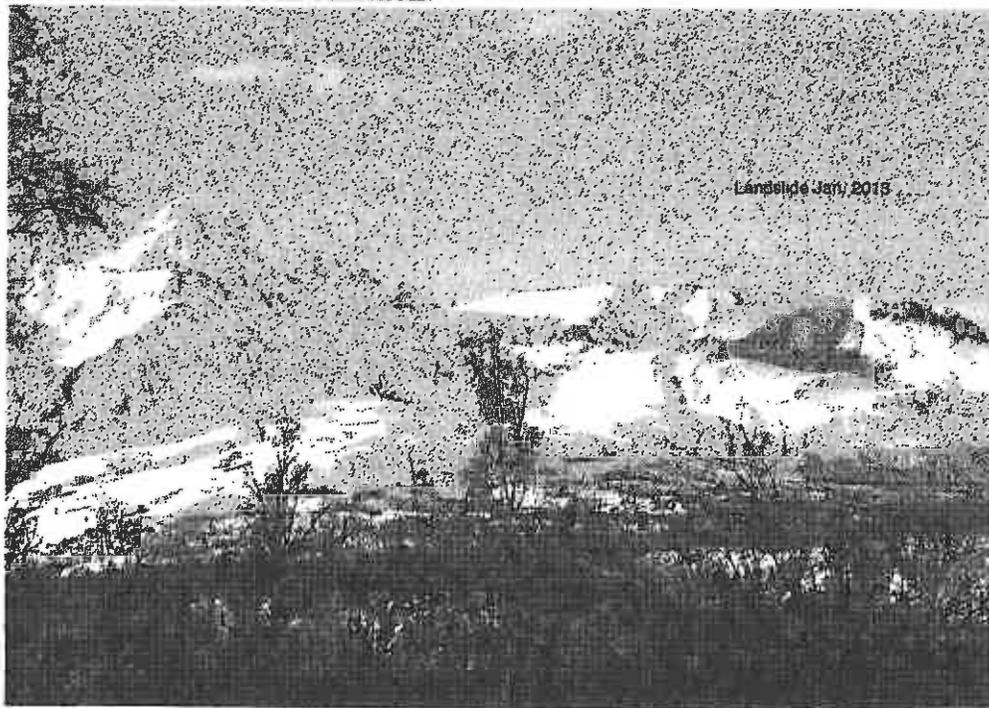
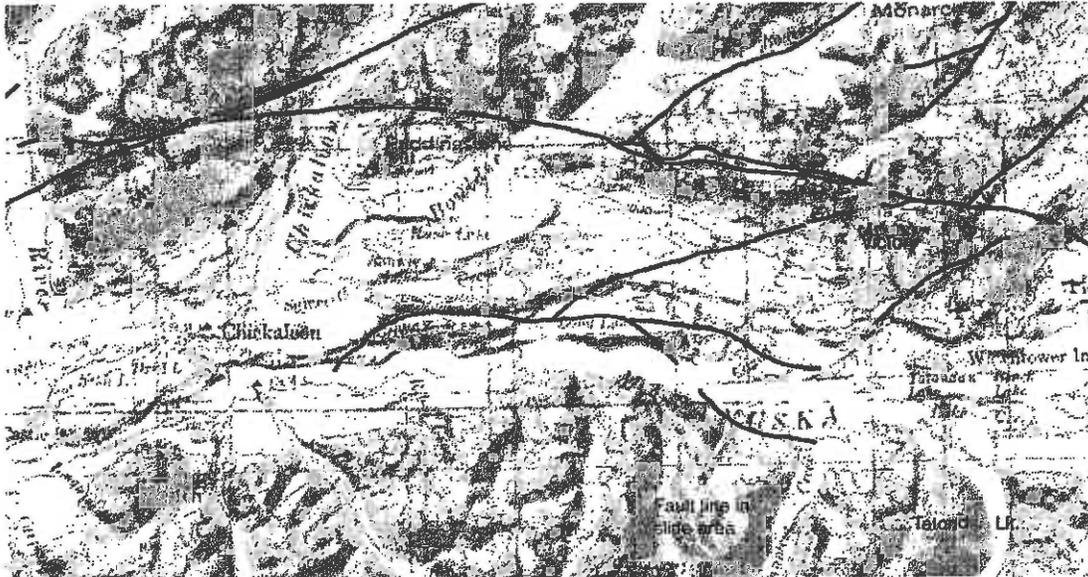


Photo of Landslide 1/2013 MLG



Note: Solid black lines represent fault lines.

Photo Enlargement of Castle Mtn. Fault Map, on-line, USGS Pub. 1-504

d) Erosion- It is well known that erosion is a serious problem along the Matanuska river and this area is not immune. The western parcel is & will continue to be affected. Perhaps a 300'+ setback from all drainages is warranted. We do not think it is fair to ultimately put erosional problems on the back of the MSB when people's cabins, outhouses, vehicles & fuel tanks fall into the river. See photo below for a reminder.



Photo credit: online Matanuska River Silt

Page 7

We are surprised that the SOA chose these parcels, given the difficult, lack of, and dangerous access, soil conditions, slope instability and erosional issues. We however, are not against the SOA selling properties that don't have serious safety & access issues.

Furthermore for the southern prospects we see no real attention given to the Scenic-by-way Protection along the Glenn Hwy immediately N & E of the western Mon. Cr. prospect.

Another area of huge concern to us is the lack of highway **parking**. DNR is stating the 2477 on Muddy Creek as one of the access points. A person even if floating the river will still need to drive, park & put in their boats. There is VERY limited parking at the top of the stated 2477 access trail. The trail requires constant maintenance by local private property owners. Increased use will make already difficult maintenance almost impossible with greater traffic flow not to mention that potential stakers could be parking on the trail & blocking access to the river.

In closing, we do not think that serious well-thought out choices have been made regarding the potential impact on the Victory/GlacierView area residents. Cannot a smaller more westerly subdivision be considered w/access leading in from either Cascade Cr. or the Puriton Cr. Trailhead? One with road access would necessarily increase taxation levels as well which would benefit the MSB.

Thank you,
Melanie & Mark Glatt

4E

**STAFF REVIEW AND RECOMMENDATIONS
PUBLIC HEARING
JANUARY 7, 2016**

PRELIMINARY PLAT: ASLS 2014-24
LEGAL DESCRIPTION: SEC 19, T20N, R8E S.M., AK
PETITIONER: MATANUSKA-SUSITNA BOROUGH
SURVEYOR: MCCLINTOCK LAND ASSOCIATES
ACRES: 30.89 PARCELS: 1
REVIEWED BY: PEGGY HORTON CASE: 2015-182

REQUEST:

The request is to create a plat of Government Lot 3, Section 19, Township 20 North, Range 8 East, Seward Meridian, Alaska, to comply with the State of Alaska requirement that the land be surveyed so the borough can receive patent to the land through Municipal Entitlement.

EXHIBITS:

Vicinity Map EXHIBIT A
Prior NOA & Minutes EXHIBIT B

COMMENTS:

Dept of Emergency Svs EXHIBIT C
Development Svs EXHIBIT D
Land Management EXHIBIT E
ADF&G EXHIBIT F
SOA DNR EXHIBIT G
ADOT&PF EXHIBIT H
MTA EXHIBIT I

DISCUSSION:

The parcel is located on the north side of N. Glenn Highway, at approximately mile 91. That portion of N. Glenn Hwy which traverses this property will be dedicated on this plat. The property is 30.89 acres, and does not require a useable area report per MSB 43.20.281.

COMMENTS:

Department of Emergency Services has no objections (**Exhibit C**). Development Services stated the property is located within the Glacier View Special Land Use District and all development

must comply with MSB 17.19 (**Exhibit D**). They also stated the property is not in a FEMA mapped area and there are no open Code Compliance cases on this property. Land Management stated Municipal Entitlement Land parcel to be surveyed for receipt of patent from state and platting action is initiated by MSB LRM (**Exhibit E**).

ADF&G commented that the plat accurately shows the 50' Section Line Easement along the west border and also depicts the Purinton Creek Trail (ADL 227491) (**Exhibit F**). The Purinton Creek Trail is heavily used by the public and provides important access for hunters. The Alaska Department of Natural Resources (DNR) recently completed construction of a new route for the trail as well as reclamation of the old trail route. ADF&G recommends that the borough consult with DNR to ensure the plat accurately depicts this new route.

State DNR Natural Resource Specialist from the Easement Management Unit commented that they relocated the trail off of the southeast corner of the MSB parcel and constructed it entirely on state of Alaska, DNR managed lands (**Exhibit G**). During this trail project the new alignment was built using sustainable trail building practices trying to provide a durable and safe trail for all user groups. The old trail alignment was obliterated to discourage use and re-vegetated with local plants salvaged from the new trail construction. The only concern he has with the plat is the depiction of the old trail may create a public interest that the MSB would be subject to in a location that no longer exists. Public access to the MSB parcel can be reached on the south western corner via the 50 foot section line that remains in place. Mr. Kidder's recommendation would be to remove the trail centerline (CL) from the survey.

ADOT&PF requested verification of the section line easement along the eastern side of the property and verification that the property will be able to retain access out of the lot (**Exhibit H**).

MTA has no comments/objections (**Exhibit I**).

CONCLUSION:

The proposed preliminary plat for ASLS 2014-24 is consistent with AS 29.40.090 and MSB 43.15.016 Preliminary Plat Submittal and Approval. The platting action will comply with the requirement that the land be surveyed and platted to enable the borough to obtain the land through the municipal entitlement process. The lot is greater than 400,000 sq ft, no useable area report was necessary. The lot has physical and legal access from the Glenn Hwy. There were no objections to the proposed plat from borough departments, outside agencies, or the general public.

RECOMMENDATIONS:

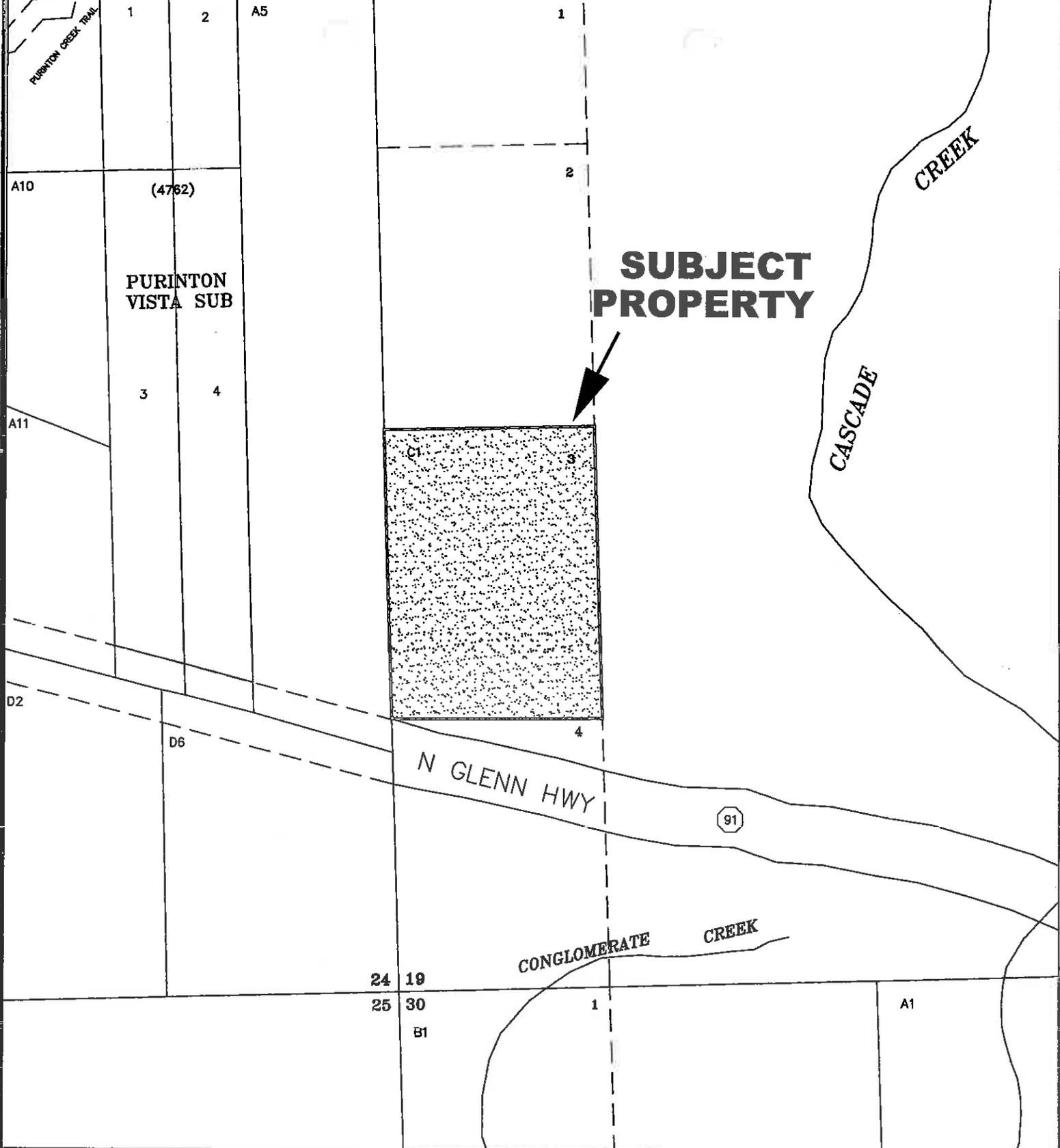
Recommended Motion: "I move to approve the preliminary plat of ASLS 2014-24, contingent upon staff recommendations and findings:"

1. Provide updated Certificate to Plat showing current ownership executed within 90 days prior to recording and provide beneficiary affidavits from holders of beneficial interest, if any.

2. Remove indications of trail on the southeast corner per DNR suggestion.
3. Submit final plat in full compliance with Title 43.

FINDINGS:

1. The preliminary plat for ASLS 2014-24 is consistent with AS 29.40.090 and MSB 43.15.016.
2. Useable area report is not necessary per MSB 43.20.281, as the lot is greater than 400,000 sq ft.
3. DNR stated they recently relocated the trail off of the southeast corner of the MSB parcel and constructed it entirely on state of Alaska, DNR managed lands.
4. Municipal Entitlement process requires the parcel to be platted.
5. There were no objections from any MSB departments, outside agencies, or the public.
6. Legal access requirements of MSB 43.20.120(A)(1)(b) as N. Glenn Hwy is a State of Alaska maintained road.
7. The property is located in the Glacier View Special Land Use District; all development must comply with MSB 17.19.
8. That portion of the Glenn Hwy traverses this parcel is being dedicated on this plat.



VICINITY MAP

FOR PROPOSED ASLS 2014-24
 LOCATED WITHIN
 SECTION 19, T20N, R8E
 SEWARD MERIDIAN, ALASKA



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Platting Division

350 East Dahlia Avenue • Palmer AK 99645
Phone (907) 861-7874 • Fax (907) 861-8407

NOTIFICATION OF ACTION

December 4, 2015

Land & Resource Management
Matanuska Susitna Borough
350 E. Dahlia Avenue
Palmer, AK 99645

RE: ASLS 2014-24

CASE: 2015-182

Action taken by the Platting Officer on December 2, 2015 is as follows:

THE PRELIMINARY PLAT FOR ASLS 2014-24 IS CONTINUED TO THE PLATTING BOARD MEETING OF JANUARY 7, 2016 DUE TO THE REQUESTED RIGHT-OF-WAY DEDICATION.

ALL DECISIONS AS TO APPROVAL OR DISAPPROVAL OF A PLATTING OFFICER DECISION SHALL BE FINAL UNLESS APPEALED TO THE PLATTING BOARD UNDER MSB (43.35.003).

If this is in reference to a plat application, recordation at the appropriate District Recorder's Office of the plat is required before any transfer of title can occur. Should you have any questions or require a copy of the minutes of the meeting, please feel free to contact this office.

Kindest Regards,

Paul Hulbert
Platting Officer

EXHIBIT B-1

**MATANUSKA-SUSITNA BOROUGH
PUBLIC HEARING
ABBREVIATED PLAT
DECEMBER 2, 2015**

The Platting Officer's meeting for the abbreviated plat was called to order at 8:30 A.M. in Conference Room 110 of the Matanuska-Susitna Borough by the Platting Officer.

Present representing the Planning Department, Platting Division, Paul Hulbert, Platting Officer and Sloan Von Gunten, Platting Division Administrative Specialist.

ASLS 2014-24

Sloan Von Gunten stated that 11 public hearing notices were mailed out on November 10, 2015 and to this date there have been no returns, no objections, no non-objections, and no concerns.

Paul Hulbert (Platting Officer)

- The case will be continued to the Platting Board meeting of January 7, 2016 due to the requested right-of-way dedication.

Mr. Paul Hulbert, Platting Officer, approved the continuance of **ASLS 2014-24** to the Platting Board meeting of January 7, 2016.

BROOKS

Sloan Von Gunten stated that 74 public hearing notices were mailed out on November 10, 2015 and to this date there have been 1 return, no objections, no non-objections, and no concerns.

Paul Hulbert (Platting Officer)

- Gave an overview of the case.
- Opened the public hearing and asked any members of the public wishing to speak to come forward. Seeing and hearing no one come forward, closed the public hearing.

The Petitioner and/or the Petitioner's Representative were not present.

Mr. Paul Hulbert, Platting Officer, approved **BROOKS** with 14 conditions. There are 7 Findings.

SANDVIK

Sloan Von Gunten stated that 40 public hearing notices were mailed out on November 10, 2015 and to this date there have been 3 returns, no objections, no non-objections, and no concerns.

Paul Hulbert (Platting Officer)

- Gave an overview of the case.
- Opened the public hearing and asked any members of the public wishing to speak to come forward. Seeing and hearing no one come forward, closed the public hearing.

George Paulsberg (Petitioner's Representative) and Kent & Vivian Sandvik (Petitioner)

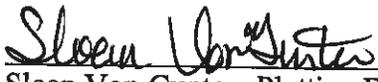
- Agrees with all the recommendations.

Mr. Paul Hulbert, Platting Officer, approved SANDVIK with 9 conditions. There are 6 Findings.

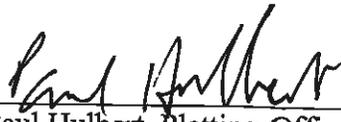
CD (Total time: 6:32 minutes/seconds)

Meeting adjourned at 8:36 A.M.

Attest:



Sloan Von Gunten, Platting Division
Administrative Specialist



Paul Hulbert, Platting Officer

Peggy Horton

From: Richard Boothby
Sent: Thursday, November 05, 2015 3:29 PM
To: Platting
Cc: James Steele; Ken Barkley; Bill Gamble; Lisa Behrens
Subject: RE: Request for comments for ASLS 2014-24 Case #2015-182 Tech: PH

DES has no objections.

From: Peggy Horton **On Behalf Of** Platting
Sent: Thursday, November 05, 2015 2:28 PM
To: Kemplen, Allen (DOT); kevin.vakalis@alaska.gov; Tucker Hurn (tucker.hurn@alaska.gov); melanie.nichols@alaska.gov; steven.banse@alaska.gov; Eric A Moore (DNR) (eric.moore@alaska.gov); George C Horton (DNR) (george.horton@alaska.gov); james.walker2@alaska.gov; dave.schade@alaska.gov; holly.zafian@alaska.gov; mark.fink@alaska.gov; rickb@alaska.com; meadow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Richard Boothby; Elizabeth Weiant; Eric Phillips; cepoa-rd-s@usace.army.mil; Shane M. McCoy (shane.m.mccoy@usace.army.mil); Capital Projects; Cindy Corey; Bob Walden; Brad Sworts; Sheila Armstrong; Tracy McDaniel; Jennifer Ballinger; Terry Dolan; Jim Jenson; Krista Brasseur; Theresa Taranto; Jessica Smith; Susan Lee; Eileen Probasco; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; Jim Sykes (jimsykesdistrict1@gmail.com)
Cc: Platting
Subject: Request for comments for ASLS 2014-24 Case #2015-182 Tech: PH

Attached is a request for comments for an abbreviated plat for a one lot subdivision off of the Glenn Hwy, mile 91. Please review and provide any comments by November 23, 2015.

Thank you,

Peggy Horton
Platting Technician
Matanuska-Susitna Borough
(907) 861-7881 direct
(907) 861-8407 fax
peggy.horton@matsugov.us (email)

Peggy Horton

From: Susan Lee
Sent: Thursday, November 05, 2015 3:19 PM
To: Platting
Subject: RE: Request for comments for ASLS 2014-24 Case #2015-182 Tech: PH

Property is located within the Glacier View SpUD; all development must comply with MSB 17.19.

Susan

Susan Lee
Planner II
Matanuska-Susitna Borough
907-861-7862 (Direct Line)
907-861-7876 (FAX)

From: Peggy Horton **On Behalf Of** Platting
Sent: Thursday, November 05, 2015 2:28 PM
To: Kemplen, Allen (DOT); kevin.vakalis@alaska.gov; Tucker Hurn (tucker.hurn@alaska.gov); melanie.nichols@alaska.gov; steven.banse@alaska.gov; Eric A Moore (DNR) (eric.moore@alaska.gov); George C Horton (DNR) (george.horton@alaska.gov); james.walker2@alaska.gov; dave.schade@alaska.gov; holly.zafian@alaska.gov; mark.fink@alaska.gov; rickb@alaska.com; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Richard Boothby; Elizabeth Weiant; Eric Phillips; cepoa-rd-s@usace.army.mil; Shane M. McCoy (shane.m.mccoy@usace.army.mil); Capital Projects; Cindy Corey; Bob Walden; Brad Sworts; Sheila Armstrong; Tracy McDaniel; Jennifer Ballinger; Terry Dolan; Jim Jenson; Krista Bresseur; Theresa Taranto; Jessica Smith; Susan Lee; Eileen Probasco; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; Jim Sykes (jimsykesdistrict1@gmail.com)
Cc: Platting
Subject: Request for comments for ASLS 2014-24 Case #2015-182 Tech: PH

Attached is a request for comments for an abbreviated plat for a one lot subdivision off of the Glenn Hwy, mile 91. Please review and provide any comments by November 23, 2015.

Thank you,

Peggy Horton
Platting Technician
Matanuska-Susitna Borough
(907) 861-7881 direct
(907) 861-8407 fax
peggy.horton@matsugov.us (email)



MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488
PHONE 861-7874 • FAX 861-8407

NOV 07 2015

Received
RECEIVED

Comments Due: November 23, 2015

November 5, 2015

Abbreviated Plat Request for Comments

AK Dept. of Transportation – Anchorage	MSB – Emergency Services	NOV 10 2015
AK Dept. of Transportation – Pal	Open Cases Y or N	SpUD Y or N
AK Dept. of Transportation – Aviat		Glacier View
AK DNR, Division of Mining/Lan	FIRM # _____ Zone _____	
AK DNR, Public Access Defense	Comments: Not mapped	
AK DNR, Division of Agriculture		
AK DF&G, Habitat Mgmt. & Permil	Date: 11/10/15 By: [Signature]	
AK DF&G, Division of Sport Fish		
AK Railroad, Engineering Departm		
Corp of Engineers		
U.S. Postmaster		
City of:		
Community Council: Glacier Vie		
Fire Service Area:		
Road Service Area:		
MSB – Borough Attorney	Assembly District # 1	

Title:	ASLS 2014-24
Location:	Sec 19, T20N, R8E, S.M, AK
Petitioner:	Matanuska Susitna Borough
Address:	350 E. Dahlia Ave, Palmer AK 99645
Surveyor:	McClintock Land Associates
Address:	16942 N. Eagle River Loop Rd, Eagle River AK 99577

The request is to create a plat of Government Lot 3, Section 19, Township 20 North, Range 8 East, Seward Meridian, Alaska, to comply with the State of Alaska requirement that the land be surveyed so the borough can receive patent to the land through Municipal Entitlement.

Please submit your comments in writing, specifying any easements or other requirements that your department or agency may need or any data which you feel should be incorporated on the abbreviated plat to help us more effectively enforce our subdivision regulations.

All comments, existing files and correspondence that you may have relating to this case must be submitted to the Platting Division by **November 23, 2015** so that we may incorporate this information into our recommendations to the Platting Officer, for the public hearing to be held on **December 2, 2015**.

Kindest Regards,

Peggy Horton
Platting Technician
peggy.horton@matsugov.us

Providing Outstanding Borough Services to the Matanuska-Susitna Community.



MATANUSKA-SUSITNA BOROUGH

Community Development

Land & Resource Management

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7869 • Fax (907) 861-8635

MEMORANDUM

RECEIVED

DATE: November 16, 2015
TO: Paul Hulbert, Platting Officer
FROM: Land & Resource Management *WJS*
SUBJECT: Preliminary Plat Comments / Case #2015-182

NOV 16 2015

TP

Platting Tech: Peggy Horton
Public Hearing: December 2, 2015
Applicant / Petitioner: MSB Land Mgmt Div
TRS: 20N08E19
Tax ID: 20N08E19C001
Subd: ASLS 2014-24
Tax Map: AR 07

Comments:

- Municipal Entitlement Land parcel to be surveyed for receipt of patent from state.
- Platting action initiated by MSB LRM.

EXHIBIT E

Peggy Horton

From: Zafian, Holly K (DFG) <holly.zafian@alaska.gov>
Sent: Monday, November 23, 2015 4:05 PM
To: Peggy Horton
Cc: Fink, Mark J (DFG); Bethe, Michael L (DFG); Burch, Mark E (DFG); Kidder, Kyle W (DNR); Robbins, Frank F (DFG); Ryland, David B (DFG)
Subject: FW: Request for comments for ASLS 2014-24 Case #2015-182 Tech: PH
Attachments: rfc & map.pdf; owners.pdf; topo.pdf; ASLS 2014-24 plat.PDF

Good afternoon,

The Alaska Department of Fish and Game (ADF&G) has reviewed the preliminary plat which depicts Government Lot 3, Section 19, T. 20 N., R. 8 E., S.M., Alaska to be known as Alaska State Land Survey 2014-24. The plat appears to accurately depict the 50' section line easement along the west border of the subject property. The plat also depicts the Purinton Creek Trail (ADL 227491).

The Purinton Creek Trail is heavily used by the public and provides important access for hunters. The Alaska Department of Natural Resources (DNR) recently completed construction of a new route for the trail as well as reclamation of the old trail route. ADF&G recommends that the borough consult with DNR to ensure the plat accurately depicts this new route.

Thank you for the opportunity to review and comment on this platting action. If you have questions or would like to discuss our comments, please feel free to call or email me.

Holly Zafian
Habitat Biologist
Access Defense Program
Alaska Department of Fish and Game
333 Raspberry Road
Anchorage, Alaska 99518
Phone 907-267-2292
Fax 907-267-2859
Email holly.zafian@alaska.gov

From: Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting
Sent: Thursday, November 05, 2015 2:28 PM
To: Kemplen, Allen (DOT); Vakalis, Kevin A (DOT); Hurn, John T (DOT); Nichols, Melanie A (DOT); Banse, Steven J (DOT); Moore, Eric A (DNR); Horton, George C (DNR); Walker, James H (DNR); dave.schade@alaska.gov; Zafian, Holly K (DFG); Fink, Mark J (DFG); rickb@alaska.com; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Richard Boothby; Elizabeth Weiant; Eric Phillips; cepoa-rd-s@usace.army.mil; Shane M. McCoy (shane.m.mccoy@usace.army.mil); Capital Projects; Cindy Corey; Bob Walden; Sworts, Brad (DOT sponsored); O'Donnell-Armstrong, Sheila (DNR sponsored); McDaniel, Tracy (DNR sponsored); Jennifer Ballinger; Terry Dolan; Jim Jenson; Krista Brasseur; Theresa Taranto; Jessica Smith; susan.lee@matsugov.us; Eileen Probasco; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; Jim Sykes (jimsykesdistrict1@gmail.com)
Cc: Platting
Subject: Request for comments for ASLS 2014-24 Case #2015-182 Tech: PH

Attached is a request for comments for an abbreviated plat for a one lot subdivision off of the Glenn Hwy, mile 91. Please review and provide any comments by November 23, 2015.

Peggy Horton

From: Kidder, Kyle W (DNR) <kyle.kidder@alaska.gov>
Sent: Monday, November 23, 2015 11:16 AM
To: Peggy Horton
Subject: FW: Request for comments for ASLS 2014-24 Case #2015-182 Tech: PH
Attachments: rfc & map.pdf; owners.pdf; topo.pdf; ASLS 2014-24 plat.PDF

Hi Peggy,

After reviewing the survey 2014-24 for the MSB parcel at MP 91 of the Glenn Hwy, the only comment that I have on behalf of DNR, Division of Mining, Land and Water is that we relocated the trail off of the southeast corner of the MSB parcel and constructed it entirely on State of Alaska, DNR managed lands. During this trail project the new alignment was built using sustainable trail building practices trying to provide a durable and safe trail for all user groups. The old trail alignment was obliterated to discourage use and re-vegetated with local plants salvaged from the new trail construction.

The only concern that I have with the survey 2014-24 is that the depiction of the old trail may create a public interest that the MSB would be subject to in a location that no longer exists. Public access to the MSB parcel can be reached on the south western corner via the 50 foot section line that remains in place. My recommendation would be to remove the trail centerline (CL) from the survey.

Kyle Kidder

Natural Resource Specialist

Easement Management Unit - Southcentral Regional Office
Department of Natural Resources
Division of Mining Land and Water
550 W. 7th Ave Suite 900c
Anchorage AK, 99501
907-269-8564
Fax 907-269-8931

“Develop, conserve and maximize the use of Alaska’s natural resources consistent with the public interest.”

From: Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting
Sent: Thursday, November 05, 2015 2:28 PM
To: Kemplen, Allen (DOT); Vakalis, Kevin A (DOT); Hurn, John T (DOT); Nichols, Melanie A (DOT); Banse, Steven J (DOT); Moore, Eric A (DNR); Horton, George C (DNR); Walker, James H (DNR); dave.schade@alaska.gov; Zafian, Holly K (DFG); Fink, Mark J (DFG); rickb@alaska.com; mearow@matanuska.com; Becky Glenn (r Glenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Richard Boothby; Elizabeth Weiant; Eric Phillips; cepoa-rd-s@usace.army.mil; Shane M. McCoy (shane.m.mccoy@usace.army.mil); Capital Projects; Cindy Corey; Bob Walden; Sworts, Brad (DOT sponsored); O'Donnell-Armstrong, Sheila (DNR sponsored); McDaniel, Tracy (DNR sponsored); Jennifer Ballinger; Terry Dolan; Jim Jenson; Krista Brasseur; Theresa Taranto; Jessica Smith; susan.lee@matsugov.us; Eileen Probasco; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; Jim Sykes (jimsykesdistrict1@gmail.com)
Cc: Platting
Subject: Request for comments for ASLS 2014-24 Case #2015-182 Tech: PH



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Transportation
And Public Facilities

CENTRAL REGION
Planning & Administrative Services

4111 Aviation Avenue
Anchorage, Alaska 99502
Main: 907.269.0520
Fax: 907.269.0521

November 23, 2015

Paul Hulbert, Platting Officer
Matanuska-Susitna Borough
350 East Dahlia Avenue
Palmer, Alaska 99645

RECEIVED

NOV 25 2015

PLATTING

R

Re: Plat Review

Dear Mr. Hulbert:

The Alaska Department of Transportation and Public Facilities (ADOT&PF) has reviewed the following plats and has the following comments:

- **ASLS 2014-24**
 - Please verify the section line easement along the eastern side of the property and that the property will be able to retain access out of the lot.
- **Richmond Hills I**
 - Only a single access point to Old Matanuska Road will be granted to the northern lot.
 - No direct access to E Glenwood Ave.
 - Apply for driveway permits.
- **Sandvik**
 - We request a half-street width dedication of S. Agnes Circle for future development. Currently, it has a 30' width, but it should be 50'.

If there are any questions regarding these comments please feel free to contact me at (907) 269-0509 or melanie.nichols@alaska.gov.

Sincerely,

Melanie Nichols
Mat-Su Area Planner

cc: Tucker Hurn, Right of Way Agent, Right of Way
Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety and Utilities
Brad Sworts, MSB Transportation Manager
James Amundsen, Chief, Highway Design
Kevin Vakalis, Right of Way Agent, Right of Way
Allen Kemplen, Mat-Su Area Planner

"Keep Alaska Moving through service and infrastructure."

EXHIBIT H

Peggy Horton

From: Becky Glenn <rglenn@mta-telco.com>
Sent: Thursday, November 05, 2015 2:51 PM
To: Platting
Cc: Jessica Thompson
Subject: RE: Request for comments for ASLS 2014-24 Case #2015-182 Tech: PH

Peggy,

MTA has no comments / objections.

Thank you
Becky Glenn
MTA

From: Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting
Sent: Thursday, November 05, 2015 2:28 PM
To: Kemplen, Allen (DOT) <allen.kemplen@alaska.gov>; kevin.vakalis@alaska.gov; Tucker Hurn (<tucker.hurn@alaska.gov>) <tucker.hurn@alaska.gov>; melanie.nichols@alaska.gov; steven.banse@alaska.gov; Eric A Moore (DNR) (<eric.moore@alaska.gov>) <eric.moore@alaska.gov>; George C Horton (DNR) (<george.horton@alaska.gov>) <george.horton@alaska.gov>; james.walker2@alaska.gov; dave.schade@alaska.gov; holly.zafian@alaska.gov; mark.fink@alaska.gov; rickb@alaska.com; mearow@matanuska.com; Becky Glenn <rglenn@mta-telco.com>; Jessica Thompson <jthompson@mta-telco.com>; Richard Boothby <Richard.Boothby@matsugov.us>; Elizabeth Weiant <Elizabeth.Weiant@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; cepoa-rd-s@usace.army.mil; Shane M. McCoy (<shane.m.mccoy@usace.army.mil>) <shane.m.mccoy@usace.army.mil>; Capital Projects <Capital.Projects@matsugov.us>; Cindy Corey <Cindy.Corey@matsugov.us>; Bob Walden <robert.walden@matsugov.us>; Brad Sworts <Brad.Sworts@matsugov.us>; Sheila Armstrong <Sheila.Armstrong@matsugov.us>; Tracy McDaniel <Tracy.McDaniel@matsugov.us>; Jennifer Ballinger <Jennifer.Ballinger@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Krista Brasseur <Krista.Brasseur@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Jessica Smith <Jessica.Smith@matsugov.us>; Susan Lee <Susan.Lee@matsugov.us>; Eileen Probasco <Eileen.Probasco@matsugov.us>; Frankie Barker <Frankie.Barker@matsugov.us>; Permit Center <PermitCenter@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Jim Sykes (<jimsykesdistrict1@gmail.com>) <jimsykesdistrict1@gmail.com>
Cc: Platting <Platting@matsugov.us>
Subject: Request for comments for ASLS 2014-24 Case #2015-182 Tech: PH

Be wary of unsolicited attachments, even from people you know - If something seems suspicious you may want to check with the person who supposedly sent the message to make sure it's legitimate before opening any attachments.

Attached is a request for comments for an abbreviated plat for a one lot subdivision off of the Glenn Hwy, mile 91. Please review and provide any comments by November 23, 2015.

Thank you,

Peggy Horton
Platting Technician

4F

**STAFF REVIEW AND RECOMMENDATIONS
PUBLIC HEARING
JANUARY 7, 2016**

PRELIMINARY PLAT: **TIDEWATER ESTATES**
LEGAL DESCRIPTION: **SEC 02, T16N, R2W, SEWARD MERIDIAN, AK**
PETITIONER: **JEANNETTE & KURT NEWCOMB**
SURVEYOR/ENGINEER: **JOHN SHADRACH/ARCHIE GIDDINGS**
ACRES: **9.58** PARCELS: **4**
REVIEWED BY: **PEGGY HORTON** CASE: 2015-190

REQUEST

The request is to divide Parcel A, MSB Waiver 2000-94, Recorded at Book 1080, Page 181, into 4 lots to be known as Tidewater Estates, containing 9.58 acres more or less.

EXHIBITS:

VICINITY MAPS **EXHIBIT A**
SOILS **EXHIBIT B**

COMMENTS:

Land Management **EXHIBIT C**
Development Services **EXHIBIT D**
O&M **EXHIBIT E**
Cultural Resources **EXHIBIT F**
ADF&G **EXHIBIT G**
Enstar **EXHIBIT H**
MTA **EXHIBIT I**
GCI **EXHIBIT J**

DISCUSSION

Location: This property is located at the southwest end of Hayfield Road within Section 2, Township 16 North, Range 2 West, Seward Meridian, Alaska (**Exhibit A**).

Access: Hayfield Road public access ends at a constructed and paved cul-de-sac. A triangular shaped public use easement over Tax Parcel C4 and a public use easement to the southern boundary of the subject parcel, both recorded in 2015, provided an extension of the legal access to Secluded Pointe Estates, which recorded in 2015. This plat will dedicate that portion of S. Hayfield Road within this property.

For access to the 4 lots within this proposed subdivision, the petitioner is dedicating a 325 foot cul-de-sac. 15 foot utility easements are being granted on either side of the cul-de-sac right-of-way and on the west side of Hayfield Road. This access will be constructed to residential standards, according to the petitioner, and may be paved in the future.

Drainage: Mr. Giddings stated drainage will be maintained in the road ditches of the new cul-de-sac and then north and west along the common lot line with Lots 1 and 2 with a 10 foot drainage easement (**Exhibit B**).

Soils: Mr. Giddings provided a useable area report (**Exhibit B**). He provided 3 test hole logs and they show consistent soils throughout the property. He stated there is a minimum of 10,000 sq ft of useable building area and 10,000 sq ft of contiguous useable septic area within each of the lot in conformance with MSB 43.20.281.

Comments: Land and Resource Management has no objection and there is no borough-owned land being affected by this subdivision (**Exhibit C**). Development Services stated the property is not within a FEMA designated Special Flood Hazard Area and not within a Special Land Use District (**Exhibit D**). The ROW Coordinator has approved a driveway access onto Hayfield Road at this location (**Exhibit D-2**). MSB O & M stated they see no issues (**Exhibit E**). Cultural Resources did not find any known recorded sites on the property (**Exhibit F**). They have no objection to the proposed subdivision and they recommend caution during construction in the event cultural remains are recovered.

The Dept of Fish and Game stated Lucy Creek is specified by ADF&G as important habitat for the spawning, rearing, and migration of anadromous fish species (**Exhibit G**). They noted that there do not appear to be any actions that would block or remove public access to public lands or waters. ADF&G has no objection to the preliminary plat as proposed.

Enstar has no comments or objections (**Exhibit H**). MTA has no objections (**Exhibit I**). GCI approved the plat as shown (**Exhibit J**).

The public hearing noticing resulted in no public comment as of the writing of this report.

CONCLUSION

The preliminary plat of Tidewater Estates is consistent with AS 29.40.070, *Platting Regulations* and MSB 43.15.016, *Preliminary Plat Submittal and Approval*. This project is proposing to create 4 lots with access from a new cul-de-sac intersecting with S. Hayfield Road. The proposed cul-de-sac is designed and will be constructed to residential standards. A professional engineer provided useable area determination. He stated the lots will have useable building and useable septic area as required in MSB 43.20.281.

RECOMMENDATIONS

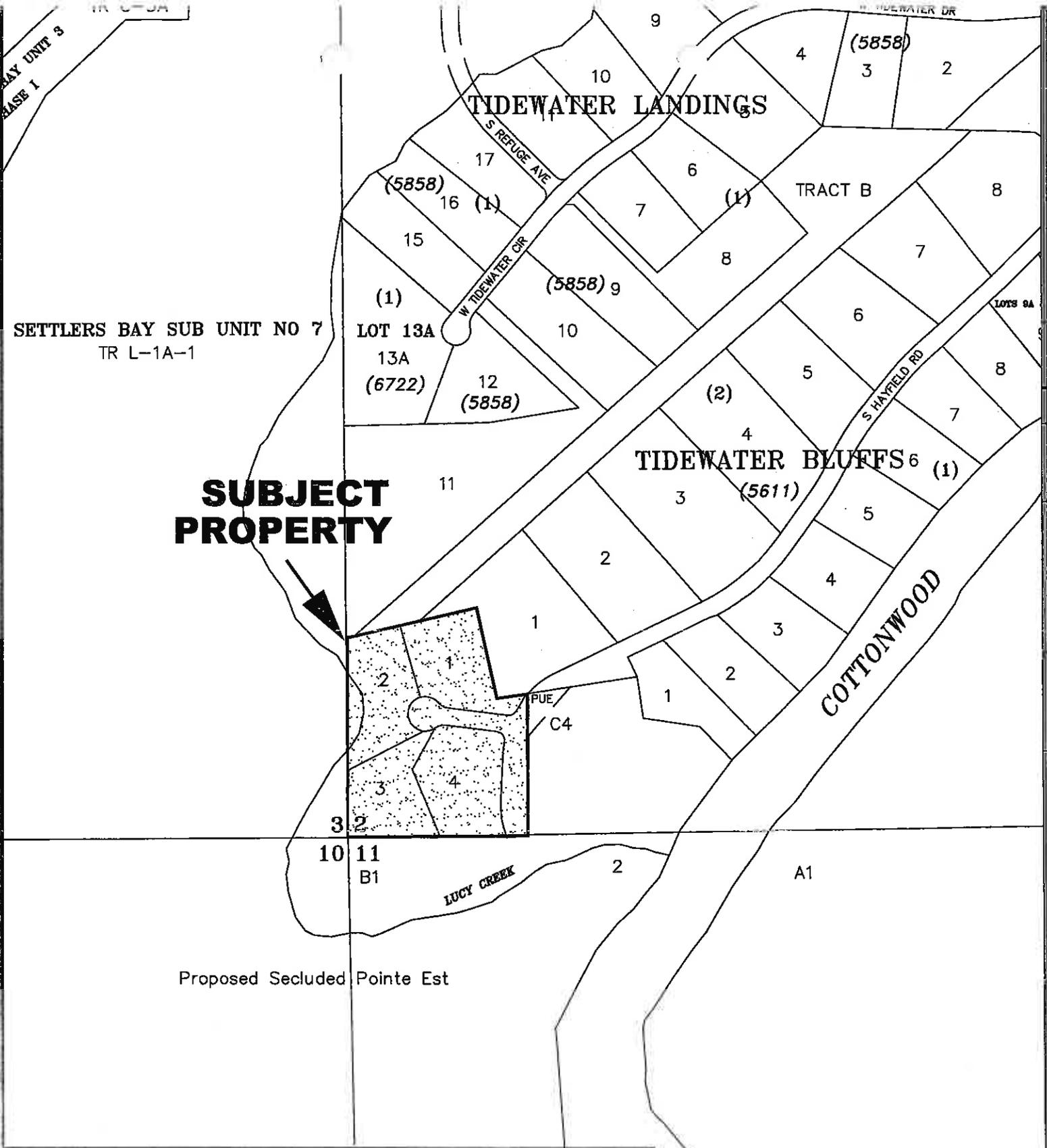
Recommended motion: “I move to approve the preliminary plat of Tidewater Estates located within Section 2, Township 16 North, Range 2 West, Seward Meridian, Alaska contingent on staff recommendations and findings.”

1. Submit the mailing and advertising fee.

2. Rename the cul-de-sac to Lucy Creek Circle.
3. Show or list all easements of record as required in MSB 43.15.051(P).
4. Construct the interior road to residential standard (residential subcollector standard for paving). Submit construction cost estimate, schedule pre-construction meeting with Capital Projects Engineer, pay inspection fee, and obtain Notice to Proceed prior to any construction. During construction, a licensed civil engineer must inspect the construction activities, and provide inspection reports following the "No Engineer Left Behind" guidelines.
5. Obtain the borough's final acceptance of the public improvements required in the subdivision; or enter into a subdivision agreement prior to plat recordation.
6. Provide documentation from a registered surveyor that the constructed road is fully within the public right-of-way as required in MSB 43.20.140, *Physical Access*.
7. Submit final phase plats in full compliance with Title 43.
8. Submit recording fee, payable to the State of Alaska, DNR.
9. Provide updated Certificate to Plat executed within 90 days and provide beneficiary affidavits from holders of beneficial interest, if any per MSB 43.15.053.
10. Taxes and special assessments must be current prior to recording, per MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.

FINDINGS

1. The plat of Tidewater Estates is consistent with AS 29.40.070, *Platting Regulations*; and MSB 43.15.016, *Preliminary Plat Submittal and Approval*.
2. A civil engineer stated each lot will have 10,000 sq ft of contiguous useable septic area and 10,000 sq ft of useable building area pursuant to MSB 43.20.281.
3. S. Hayfield Road right-of-way is being dedicated on this plat along with a new cul-de-sac and 15' utility easements adjoining the rights-of-way.
4. S. Hayfield Road in this area is maintained by the borough.
5. Streets which dead-end shall be designated as circles or places per MSB 11.20.110. Lucy Creek Court will need to change to Lucy Creek Circle.
6. There were no objections from any borough departments, outside agencies, or the public.



VICINITY MAP

FOR PROPOSED TIDEWATER ESTATES
 LOCATED WITHIN
 SECTION 2, T16N, R2W
 SEWARD MERIDIAN, ALASKA

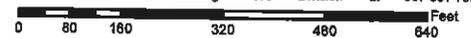
O'BRIEN CREEK 3 MAP

EXHIBIT A-1



Matanuska Susitna Borough
Platting Division
Date: 10/13/2015

This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7801.



ARCHIE GIDDINGS

CIVIL ENGINEERING

P.O. Box 872024
Wasilla, AK 99687
ph/fx (907) 373-0270

November 21, 2015

Matanuska-Susitna Borough
Platting Department
350 E. Dahlia Ave
Palmer, Alaska 99645

RECEIVED

NOV 23 2015

PLATTING

RE: Tidewater Estates Subdivision; SW1/4 Section 2 T16N R2W S.M.

ENGINEERING REPORT

USEABLE AREA: A soils investigation has been completed for the referenced subdivision, to determine if the subsurface soil and groundwater conditions are suitable for conventional on-site wastewater disposal systems and useable building area. The proposed subdivision consists of 4 lots containing approximately 2 acres each. The attached site plan shows the location of test holes excavated and inspected for these lots. Test hole logs are attached.

Based on the test hole information and my observation of topography, there is a minimum of 10,000 square feet of useable building area and 10,000 square feet of contiguous useable septic area within each of the lots in conformance with Matanuska-Susitna Borough Subdivision Regulations, Title 43.20.280.

DRAINAGE: Lucy Creek Court will be constructed to provide access for the subdivision. Drainage through the subdivision will be along Lucy Creek Court ditches and then north and west along the common lot line with Lots 1 and 2 with a 10ft drainage easement.

Sincerely,



Archie Giddings, P.E.

Enclosure: Site Plan

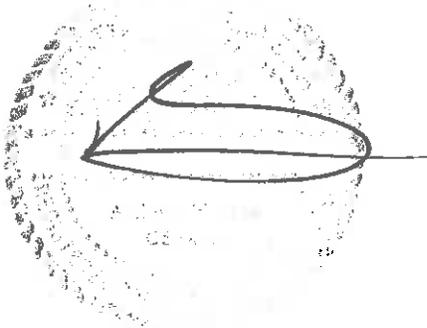


EXHIBIT B-1

Tidewater Estates Subdivision – Site Plan

SW1/4 Section 2 T16N R2W SM

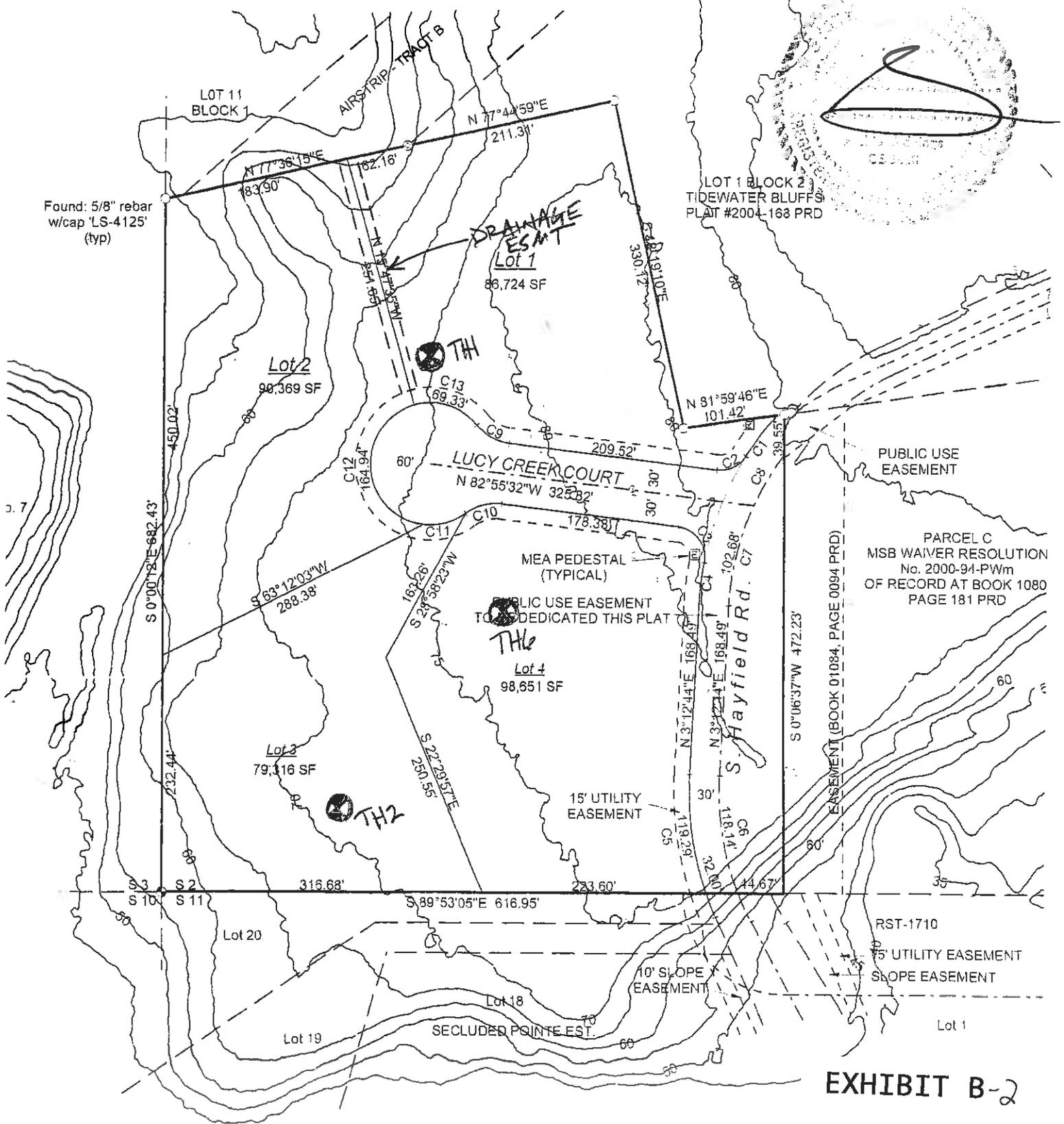


EXHIBIT B-2

SOIL LOG

PERCOLATION TEST

- SOIL LOG
- PERCOLATION TEST

PERFORMED FOR: Kurt Newcomb

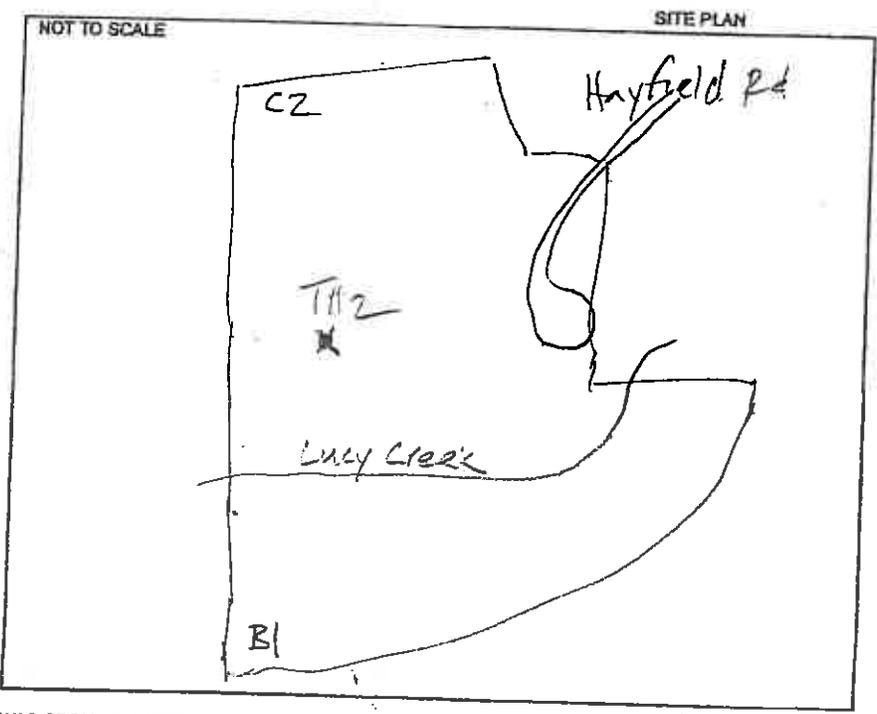
JOB NUMBER: 2013-615

DATE PERFORMED: 6/15/13

LEGAL DESCRIPTION: C2 Sec. 2 and B1 Sec. 11 16N 2W

1	TS	T#2
2		
3		
4		
5		
6	SP	Sandy
7	GP	Gravel
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		

DEPTH (FEET)



WAS GROUND WATER ENCOUNTERED? No

IF YES, AT WHAT DEPTH?

Date	Reading	Gross Time	Net Time	Depth to Water	Net Drop	Refilled

PERCOLATION RATE _____ (minutes/inches)

TEST RUN BETWEEN _____ AND _____ FT

COMMENTS _____

PERFORMED BY: A. Giddings

CERTIFIED BY: _____

DATE: 6/15/13

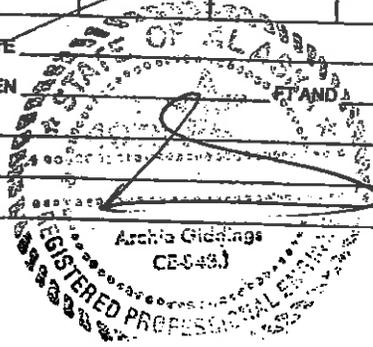


EXHIBIT B-4

SOIL LOG

PERCOLATION TEST

- SOIL LOG
- PERCOLATION TEST

PERFORMED FOR: Kurt Newcomb

JOB NUMBER: 2013-615

DATE PERFORMED: 6/15/13

LEGAL DESCRIPTION: C2 Sec. 2 and B1 Sec. 11 16N 2W

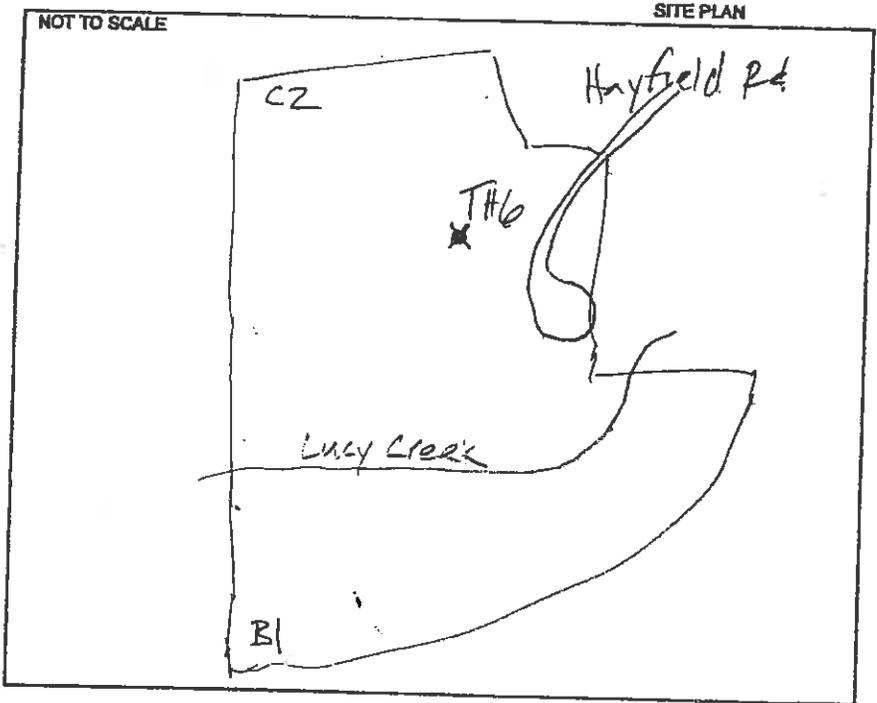
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

DEPTH
(FEET)

T#6

Sandy
Gravel

SP
GP



WAS GROUND WATER ENCOUNTERED? NO

IF YES, AT WHAT DEPTH?

Date	Reading	Gross Time	Net Time	Depth to Water	Net Drop	Refilled

PERCOLATION RATE _____ (minutes/inches)

TEST RUN BETWEEN _____ FT

COMMENTS _____

PERFORMED BY: A. Giddings

CERTIFIED BY: _____

DATE: 6/15/13

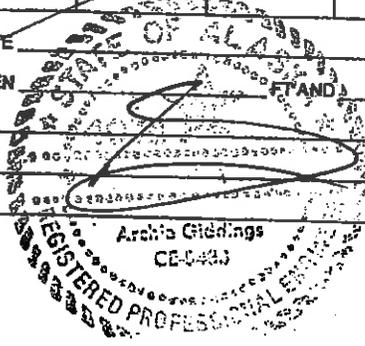


EXHIBIT B-5



MATANUSKA-SUSITNA BOROUGH
Community Development
Land & Resource Management
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 745-9869 • Fax (907) 745-9635

RECEIVED

DEC 02 2015

PLATTING

RP

MEMORANDUM

DATE: December 2, 2014
TO: Paul Hulbert, Platting Officer
FROM: Land & Resource Management *use*
SUBJECT: Preliminary Plat Comments / Case #2014-190

Platting Tech: Peggy Fowler
Public Hearing: January 7, 2016
Applicant / Petitioner: Newcomb
TRS: 16N02E02
Tax ID: 16N02W02C002
Subd: Tidewater Estates
Tax Map: OC 03

Comments:

- No MSB land affected.
- No objection to subdivision.

EXHIBIT C



MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488
PHONE 861-7874 • FAX 861-8407

DEC 02 2015

Received

December 2, 2015

Comments Due: December 28, 2015

Preliminary Plat Request for Comments

RECEIVED

AK Dept. of Transportation – Anchorage	MSB – Emergency Services
AK Dept. of Transportation – P	MSB – Community Development
AK Dept. of Transportation – A	Open Cases Y or N <input checked="" type="radio"/>
AK DNR, Division of Mining/Le	SpUD Y or N <input checked="" type="radio"/>
AK DNR, Public Access Defer	FIRM # <u>8065</u> Zone <u>X</u>
AK DNR, Division of Agricultur	Comments: <u>Only northern 20% of</u>
AK DF&G, Habitat Mgmt. & Pe	<u>parcel mapped in FIRM 8065</u>
AK DF&G, Division of Sport	<u>X Zone - Rest of parcel out of mapped</u>
AK Railroad, Engineering Dep	Date: <u>12/18/15</u> By: <u>[Signature]</u>
Corp of Engineers	
U.S. Postmaster	
City of:	
Community Council: Knik-F	Assembly District #
Fire Service Area: #130 Cen	
Road Service Area: #14 Fairview	
MSB – Borough Attorney	

DEC 18 2015

PLATTING

Title:	Tidewater Estates
Location:	Sec 2, T16N, R2W, S.M, AK
Petitioner:	Kurt & Jeannette Newcomb
Address:	PO Box 872186, Wasilla AK 99687
Surveyor:	John Shadrach
Address:	PO Box 871497, Wasilla AK 99687

The request is to subdivide Parcel A of MSB Waiver 2000-94-PWm, recorded at Book 1080, Page 181, into 4 lots to be known as Tidewater Estates, containing 9.58 acres, more or less.

Please submit your comments in writing, specifying any easements or other requirements that your department or agency may need or any data which you feel should be incorporated on the preliminary plat to help us more effectively enforce our subdivision regulations.

All comments, existing files and correspondence that you may have relating to this case must be submitted to the Platting Division by **December 28, 2015** so that we may incorporate this information into our recommendations to the Platting Board, for the public hearing to be held on **January 7, 2016**.

Kindest Regards,

Peggy Horton
Platting Technician
peggy.horton@matsugov.us

Providing Outstanding Borough Services to the Matanuska-Susitna Community.



MATANUSKA-SUSITNA BOROUGH
 • PLATTING DIVISION •
 350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488
 PHONE 861-7874 • FAX 861-8407

RECEIVED
 DEC 02 2015
 PLATTING

Comments Due: December 28, 2015

December 2, 2015

PP

Preliminary Plat Request for Comments

AK Dept. of Transportation – Anchorage	MSB – Emergency Services
AK Dept. of Transportation – Palmer	MSB – Community Development
AK Dept. of Transportation – Aviation	MSB – Cultural Resources
AK DNR, Division of Mining/Land/Water	MSB – Capital Projects, Engineering
AK DNR, Public Access Defense	MSB – Public Works, O&M
AK DNR, Division of Agriculture	MSB – Assessments
AK DF&G, Habitat Mgmt. & Permitting	MSB – Code Compliance
AK DF&G, Division of Sport Fish	MSB – Planning Division
AK Railroad, Engineering Department	MSB – Pre-Design Division
Corp of Engineers	MSB – Permit Center
U.S. Postmaster	M.E.A.
City of:	M.T.A.
Community Council: Knik-Fairview	Enstar
Fire Service Area: #130 Central Mat-Su	GCI
Road Service Area:#14 Fairview	Assembly District #5
MSB – Borough Attorney	

Title:	Tidewater Estates
Location:	Sec 2, T16N, R2W, S.M, AK
Petitioner:	Kurt & Jeannette Newcomb
Address:	PO Box 872186, Wasilla AK 99687
Surveyor:	John Shadrach
Address:	PO Box 871497, Wasilla AK 99687

The request is to subdivide Parcel A of MSB Waiver 2000-94-PWm, recorded at Book 1080, Page 181, into 4 lots to be known as Tidewater Estates, containing 9.58 acres, more or less.

Please submit your comments in writing, specifying any easements or other requirements that your department or agency may need or any data which you feel should be incorporated on the preliminary plat to help us more effectively enforce our subdivision regulations.

All comments, existing files and correspondence that you may have relating to this case must be submitted to the Platting Division by **December 28, 2015** so that we may incorporate this information into our recommendations to the Platting Board, for the public hearing to be held on **January 7, 2016**.

IO15033

Info: Existing dlw approval to construct access off Hayfield Rd. Borough maintained roadway.

Kindest Regards,

Peggy Horton
 Peggy Horton
 Platting Technician
peggy.horton@matsugov.us

A. Dun
 Row Coordinator

Providing Outstanding Borough Services to the Matanuska-Susitna Community.

Peggy Horton

From: Susan Lee
Sent: Wednesday, December 02, 2015 9:30 AM
To: Platting
Subject: RE: Request for Comments for Tidewater Estates Case #2015-190 Tech: PH

No comment.

Susan

Susan Lee
Planner II
Matanuska-Susitna Borough
907-861-7862 (Direct Line)
907-861-7876 (FAX)

From: Peggy Horton **On Behalf Of** Platting
Sent: Wednesday, December 02, 2015 8:26 AM
To: holly.zafian@alaska.gov; mark.fink@alaska.gov; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Jennifer Diederich; Robin L. Leighty; 'ospdesign@gci.com' (ospdesign@gci.com); dblehm@gci.com; Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; cepoa-rd-s@usace.army.mil; Shane M. McCoy (shane.m.mccoy@usace.army.mil); Capital Projects; Cindy Corey; Bob Walden; Brad Sworts; Sheila Armstrong; Tracy McDaniel; Jennifer Ballinger; Terry Dolan; Jim Jenson; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; Dan Mayfield; brian.young@usps.gov; joeri@mtaonline.net; ken@slauson.us; elliotts@matnet.com
Cc: Platting; jay@valleymarket.com; Kevin Sorensen - Glacier Ridge Properties (ksoren@mtaonline.net); stan.gillespie@gmail.com; jordan@alaskaplans.com; tait@zimmermanteamak.com; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); winforhim@aol.com
Subject: Request for Comments for Tidewater Estates Case #2015-190 Tech: PH

Good Morning,

Attached is a preliminary plat for a 4 lot subdivision near the south end of Hayfield Road. Please review and provide comments by December 28, 2015.

Let me know if you have any questions.

Peggy Horton
Platting Technician
Matanuska-Susitna Borough
(907) 861-7881 direct
(907) 861-8407 fax
peggy.horton@matsugov.us (email)

Peggy Horton

From: Scott Sanderson
Sent: Wednesday, December 02, 2015 10:10 AM
To: Peggy Horton
Cc: Jim Jenson; Terry Dolan
Subject: FW: Request for Comments for Tidewater Estates Case #2015-190 Tech: PH
Attachments: rfc & map.pdf; soils.pdf; owners.pdf; Tidewater Est plat.PDF

I see no issues. Will there be access to the PUE trail head through the gate?

Scott Sanderson
Mat-Su Borough
Road Superintendent I
907-861-7757 Desk
907-354-3470 Cell

From: Jim Jenson
Sent: Wednesday, December 02, 2015 9:17 AM
To: Scott Sanderson
Subject: FW: Request for Comments for Tidewater Estates Case #2015-190 Tech: PH

RSA 14

From: Peggy Horton **On Behalf Of** Platting
Sent: Wednesday, December 02, 2015 8:26 AM
To: holly.zafian@alaska.gov; mark.fink@alaska.gov; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Jennifer Diederich; Robin L. Leighty; 'ospdesign@gci.com' (ospdesign@gci.com); dblehm@gci.com; Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; cepoa-rd-s@usace.army.mil; Shane M. McCoy (shane.m.mccoy@usace.army.mil); Capital Projects; Cindy Corey; Bob Walden; Brad Sworts; Sheila Armstrong; Tracy McDaniel; Jennifer Ballinger; Terry Dolan; Jim Jenson; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; Dan Mayfield; brian.young@usps.gov; joeri@mtaonline.net; ken@slauson.us; elliotts@matnet.com
Cc: Platting; jay@valleymarket.com; Kevin Sorensen - Glacier Ridge Properties (ksoren@mtaonline.net); stan.gillespie@gmail.com; jordan@alaskaplans.com; tait@zimmermanteamamak.com; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); winforhim@aol.com
Subject: Request for Comments for Tidewater Estates Case #2015-190 Tech: PH

Good Morning,

Attached is a preliminary plat for a 4 lot subdivision near the south end of Hayfield Road. Please review and provide comments by December 28, 2015.

Let me know if you have any questions.

Peggy Horton
Platting Technician
Matanuska-Susitna Borough
(907) 861-7881 direct
(907) 861-8407 fax
peggy.horton@matsugov.us (email)



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Cultural Resources Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9859 • Fax (907) 745-9876

MEMORANDUM

DATE: 10 December 2015
TO: Peggy Horton, Platting Technician
FROM: Sandra Cook, Architectural Historian
SUBJECT: Preliminary Plat
TITLE: Tidewater Estates
LEGAL: Section 2, T16N, R2W, SM
TAX MAP: OC 03

NO OBJECTION – USE CAUTION

Cultural Resources Division staff has reviewed the above application and finds there is are no known *recorded* sites on said property. This conclusion was derived through research of the documented sites on file in the Cultural Resources Division of the Matanuska-Susitna Borough and sites documented in Alaska Heritage Resource files at the State Office of History and Archaeology.

While we have no objection to the proposed Platting action on the said property, and our records are not complete, we recommend caution during construction or related activities in the event cultural remains may come to light or be recovered. If cultural resources are found as a result of the above mentioned activity we would appreciate the chance to document them to augment our knowledge of local history. Cultural remains may include features such as cache pits, house pits, garbage pits, depressions and/or other non-removable indications of human activity, as well as, artifacts, buildings, machinery, etc.

Recording of cultural resources or other remains does not change ownership status of materials found, they belong to the property owner, nor does it prohibit your activity request. If cultural remains are located please contact this office at (907) 861-8655 as soon as possible. This would enable us to photograph and record any cultural materials that may be observed. Thank you for your cooperation. We appreciate you helping us learn more about our past.

Sincerely

Sandra Cook

NOTE§A.S.11.46.482 (a) of the Alaska Statutes states that

A person commits the crime of criminal mischief in the third degree if, having not right to do so or any reasonable grounds to believe the person have such a right...

(3) If a person knowingly

(A) defaces, damages or desecrates a cemetery or the contents of a cemetery or a tomb, grave, or memorial regardless of whether the tomb, grave, or memorial is in a cemetery or whether the cemetery, tomb, grave, or memorial appears to be abandoned, lost, or neglected; (B) removes human remains or associated burial artifacts from a cemetery, tomb, grave, or memorial regardless of whether the cemetery, tomb, grave, or memorial appears to be abandoned, lost or neglected.

EXHIBIT F

Peggy Horton

From: Zafian, Holly K (DFG) <holly.zafian@alaska.gov>
Sent: Monday, December 28, 2015 11:15 AM
To: Peggy Horton
Cc: Meehan, Joe (DFG); Bethe, Michael L (DFG); Ivey, Samuel S (DFG); Burch, Mark E (DFG); Fink, Mark J (DFG)
Subject: FW: Request for Comments for Tidewater Estates Case #2015-190 Tech: PH
Attachments: rfc & map.pdf; soils.pdf; owners.pdf; Tidewater Est plat.PDF

Good morning,

The Alaska Department of Fish and Game (ADF&G) has reviewed the preliminary plat which request to subdivide Parcel A, MSB Waiver 2000-94-PWm located in Section 2, T. 16 N., R. 2 W., S.M., Alaska in order to create 4 new lots to be known as Tidewater Estates. A portion of the subject property may be crossed by Lucy Creek.

Lucy Creek is specified by ADF&G as important habitat for the spawning, rearing, and migration of anadromous fish species (AWC 247-50-10300-2001). Activities occurring below the ordinary high water mark of Lucy Creek that could affect the spawning, rearing or migration of anadromous fishes, or potentially provide blockages to the efficient passage of resident fish species, are regulated by state law and require a Fish Habitat Permit from ADF&G, Division of Habitat.

There do not appear to be any actions that would block or remove public access to public lands or waters. ADF&G has no objection to the preliminary plat as proposed. Thank you for the opportunity to review and comment on this platting action. If you have any questions or if you would like to discuss our comments, please feel free to call or email me.

Holly Zafian
Habitat Biologist
Access Defense Program
Alaska Department of Fish and Game
333 Raspberry Road
Anchorage, Alaska 99518
Phone 907-267-2292
Fax 907-267-2859
Email holly.zafian@alaska.gov

From: Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting
Sent: Wednesday, December 02, 2015 8:26 AM
To: Zafian, Holly K (DFG); Fink, Mark J (DFG); mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Jennifer Diederich; Robin L. Leighty; 'ospdesign@gci.com' (ospdesign@gci.com); dblehm@gci.com; Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; cepoa-rd-s@usace.army.mil; Shane M. McCoy (shane.m.mccoy@usace.army.mil); Capital Projects; Cindy Corey; Bob Walden; Sworts, Brad (DOT sponsored); O'Donnell-Armstrong, Sheila (DNR sponsored); McDaniel, Tracy (DNR sponsored); Jennifer Ballinger; Terry Dolan; Jim Jenson; Nicole Wilkins; Theresa Taranto; susan.lee@matsugov.us; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; Dan Mayfield; brian.young@usps.gov; joeri@mtaonline.net; ken@slauson.us; elliotts@matnet.com
Cc: Platting; jay@valleymarket.com; Kevin Sorensen - Glacier Ridge Properties (ksoren@mtaonline.net); stan.gillespie@gmail.com; jordan@alaskaplans.com; tait@zimmermanteamak.com; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); winforhim@aol.com
Subject: Request for Comments for Tidewater Estates Case #2015-190 Tech: PH

Good Morning,



ENSTAR Natural Gas Company
A DIVISION OF SEMCO ENERGY
Engineering Department
Right of Way Section
401 E. International Airport Road
P. O. Box 190288
Anchorage, Alaska 99519-0288
(907) 277-5551
FAX (907) 334-7798

December 30, 2015

Peggy Horton, Platting Technician
Matanuska-Susitna Borough, Platting Division
350 East Dahlia Avenue
Palmer, AK 99645-6488

Subject: Revised Response to Preliminary Plat Request for Comments – Tidewater Estates

Dear Ms. Horton:

ENSTAR Natural Gas Company has re-examined the subject Preliminary Plat and has no comments, recommendations, or objections.

Thank you for calling to clarify the proposal and the location. The Mat-Su Borough granted ENSTAR Utility Permit No. U015203 to place, construct, and thereafter routinely maintain the natural gas main within the S. Hayfield Road right-of-way.

Please let me know if you have any additional questions regarding our comments; I can be reached by phone at 907-334-7953 or by email at robin.leighty@enstarnaturalgas.com.

Sincerely,

A handwritten signature in black ink that reads "Robin Leighty". The signature is stylized and includes a large, sweeping flourish at the end.

Robin Leighty
Right-of-Way and Permitting Agent
ENSTAR Natural Gas Company

EXHIBIT H

Peggy Horton

From: Becky Glenn <rglenn@mta-telco.com>
Sent: Thursday, December 03, 2015 10:25 AM
To: Platting
Cc: Jessica Thompson
Subject: RE: Request for Comments for Tidewater Estates Case #2015-190 Tech: PH

Peggy,

MTA has reviewed the plat for Tidewater Estates. MTA has no objections.

Thank you for the opportunity to review and comment.

Becky Glenn

MTA

From: Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting
Sent: Wednesday, December 02, 2015 8:26 AM
To: holly.zafian@alaska.gov; mark.fink@alaska.gov; mearow@matanuska.com; Becky Glenn <rglenn@mta-telco.com>; Jessica Thompson <jthompson@mta-telco.com>; Jennifer Diederich <Jennifer.Diederich@enstarnaturalgas.com>; Robin L. Leighty <Robin.Leighty@enstarnaturalgas.com>; 'ospdesign@gci.com' (ospdesign@gci.com) <ospdesign@gci.com>; dblehm@gci.com; Richard Boothby <Richard.Boothby@matsugov.us>; Elizabeth Weiant <Elizabeth.Weiant@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Sandra Cook <Sandra.Cook@matsugov.us>; cepoa-rd-s@usace.army.mil; Shane M. McCoy (shane.m.mccoy@usace.army.mil) <shane.m.mccoy@usace.army.mil>; Capital Projects <Capital.Projects@matsugov.us>; Cindy Corey <Cindy.Corey@matsugov.us>; Bob Walden <robert.walden@matsugov.us>; Brad Sworts <Brad.Sworts@matsugov.us>; Sheila Armstrong <Sheila.Armstrong@matsugov.us>; Tracy McDaniel <Tracy.McDaniel@matsugov.us>; Jennifer Ballinger <Jennifer.Ballinger@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Nicole Wilkins <Nicole.Wilkins@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Susan Lee <Susan.Lee@matsugov.us>; Eileen Probasco <Eileen.Probasco@matsugov.us>; Jessica Smith <Jessica.Smith@matsugov.us>; Frankie Barker <Frankie.Barker@matsugov.us>; Permit Center <PermitCenter@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Dan Mayfield <Dan.Mayfield@matsugov.us>; brian.young@usps.gov; joeri@mtaonline.net; ken@slauson.us; elliotts@matnet.com
Cc: Platting <Platting@matsugov.us>; jay@valleymarket.com; Kevin Sorensen - Glacier Ridge Properties (ksoren@mtaonline.net) <ksoren@mtaonline.net>; stan.gillespie@gmail.com; jordan@alaskaplans.com; tait@zimmermanteamak.com; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com) <marty@valleymarket.com>; winforhim@aol.com
Subject: Request for Comments for Tidewater Estates Case #2015-190 Tech: PH

Be wary of unsolicited attachments, even from people you know - If something seems suspicious you may want to check with the person who supposedly sent the message to make sure it's legitimate before opening any attachments.

Good Morning,

Attached is a preliminary plat for a 4 lot subdivision near the south end of Hayfield Road. Please review and provide comments by December 28, 2015.

CERTIFICATE OF OWNERSHIP AND DEPOSITION
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED IN THE FOREGOING AND THAT I HAVE READ AND UNDERSTAND THE CONTENTS OF THE SAID CERTIFICATE AND DEPOSITION AND THAT I HAVE SIGNED THE SAME AS THE OWNER OF SAID PROPERTY AND THAT I HAVE NOT BEEN UNDER ANY UNLAWFUL INFLUENCE AT THE TIME I SIGNED THE SAME.

CERTIFICATE OF OWNERSHIP AND DEPOSITION
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED IN THE FOREGOING AND THAT I HAVE READ AND UNDERSTAND THE CONTENTS OF THE SAID CERTIFICATE AND DEPOSITION AND THAT I HAVE SIGNED THE SAME AS THE OWNER OF SAID PROPERTY AND THAT I HAVE NOT BEEN UNDER ANY UNLAWFUL INFLUENCE AT THE TIME I SIGNED THE SAME.

NOTARY PUBLIC STATE OF KANSAS
 My commission expires _____
 My office is located at _____
 My name is _____
 My commission number is _____

NOTARY PUBLIC STATE OF KANSAS
 My commission expires _____
 My office is located at _____
 My name is _____
 My commission number is _____

PLANNING AND LAND USE DIRECTORS CERTIFICATE
 I HEREBY CERTIFY THAT THE SUBMISSION HAS BEEN REVIEWED BY THE PLANNING AND LAND USE DIRECTORS OF THE UNIVERSITY OF KANSAS AND THAT THE SAME IS APPROVED BY THE PLANNING AND LAND USE DIRECTORS OF THE UNIVERSITY OF KANSAS AND THAT THE SAME IS APPROVED BY THE PLANNING AND LAND USE DIRECTORS OF THE UNIVERSITY OF KANSAS AND THAT THE SAME IS APPROVED BY THE PLANNING AND LAND USE DIRECTORS OF THE UNIVERSITY OF KANSAS.

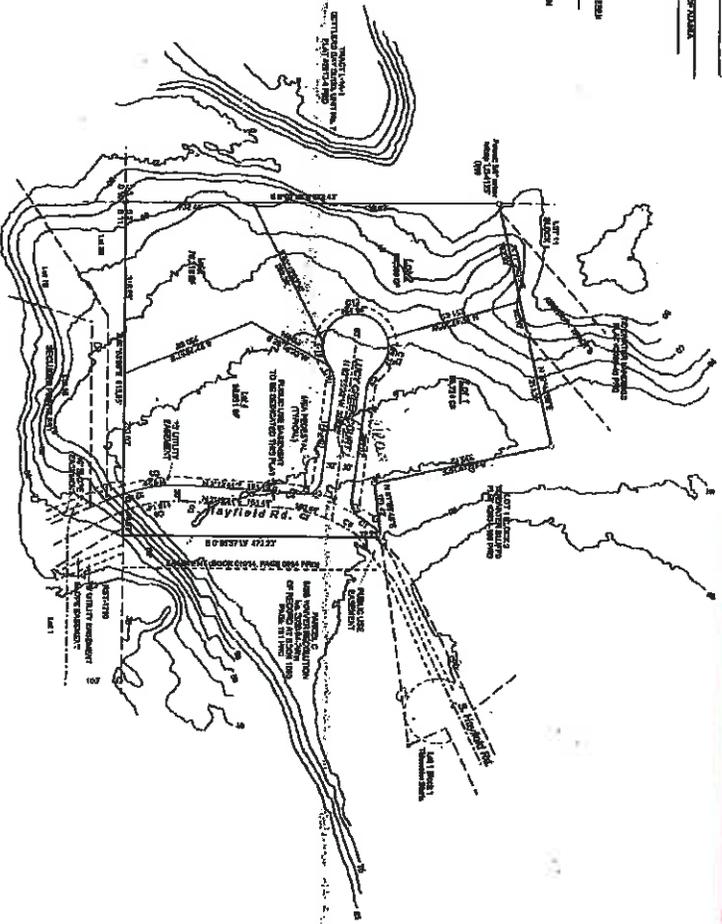
DATE: _____
BY: _____
ATTN: _____

CERTIFICATE OF PAYMENT OF TAXES

I HEREBY CERTIFY THAT ALL COUNTY, TOWN AND SPECIAL DISTRICT TAXES AND INTEREST THEREON ARE PAID TO THE APPROPRIATE AGENCIES AS OF THE DATE OF THE SIGNING OF THIS INSTRUMENT.

DATE: _____
BY: _____

- NOTES:**
1. THERE IS AN EASEMENT, EGRESS AND UTILITIES, REPRESENTING AN EASEMENT AND RIGHT OF WAY FOR THE PURPOSES OF THE UNIVERSITY OF KANSAS, LOCATED ON THE EAST LINE OF THE PROPERTY DESCRIBED IN THE FOREGOING AND THAT THE SAME IS APPROVED BY THE PLANNING AND LAND USE DIRECTORS OF THE UNIVERSITY OF KANSAS AND THAT THE SAME IS APPROVED BY THE PLANNING AND LAND USE DIRECTORS OF THE UNIVERSITY OF KANSAS.
 2. THE PROPERTY DESCRIBED IN THE FOREGOING IS SUBJECT TO A MORTGAGE IN FAVOR OF THE UNIVERSITY OF KANSAS, LOCATED ON THE EAST LINE OF THE PROPERTY DESCRIBED IN THE FOREGOING AND THAT THE SAME IS APPROVED BY THE PLANNING AND LAND USE DIRECTORS OF THE UNIVERSITY OF KANSAS AND THAT THE SAME IS APPROVED BY THE PLANNING AND LAND USE DIRECTORS OF THE UNIVERSITY OF KANSAS.



Color Key

Blue	Water
Green	Vegetation
Yellow	Unimproved Land
Orange	Improved Land
Red	Survey Lines
Purple	Utility Lines
Black	Property Lines
Grey	Other

APPROVED AS SHOWN
CORRECTED
John Shaw
ENGINEERING & DESIGN
DCI CABLE INC.
 12/21/15

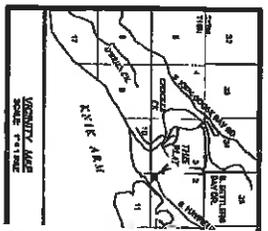


EXHIBIT J

SCALE BAR
 0 10 20 30 40 50 60 70 80 90 100
 FEET

JOHN SHAWK, R.L.S.
 Professional Land Surveyor
 No. 22376
 State of Kansas

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY RECORD AS FILED IN MY OFFICE AND THAT THE SAME IS APPROVED BY ME AS THE SURVEYOR OF SAID RECORD.

REGISTERED LAND SURVEYOR
 12/21/15

SCALE BAR
 0 10 20 30 40 50 60 70 80 90 100
 FEET

REVISION
 NO. 1
 DATE: 12/21/15

TIDEWATER ESTATES
 A PHASE II PLAT OF
 DANIEL A. BERENSON LP
 OF RECORD AT BOOK 1800, PAGE 101
 PLAT NO. 1800-101
 TOWN OF WYANDOTT
 COUNTY OF WYANDOTT, KANSAS

Legend

OWNER	DATE	DESCRIPTION	BY
1	12/21/15	REVISION	1
2	12/21/15	REVISION	1

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION BY MY FREE CONSENT, DEDICATE ALL RIGHTS-OF-WAYS TO THE MATANUSKA-SUSITNA BOROUGH, AND GRANT ALL EASEMENTS TO THE USES SHOWN.

KURT M. NEWCOMB
P.O. BOX 872186
WASILLA, ALASKA 99687

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME
THIS _____ DAY OF _____
FOR _____

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES _____

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION BY MY FREE CONSENT, DEDICATE ALL RIGHTS-OF-WAYS TO THE MATANUSKA-SUSITNA BOROUGH, AND GRANT ALL EASEMENTS TO THE USES SHOWN.

JEANNETTE B. FENNIMORE-NEWCOMB
P.O. BOX 872186
WASILLA, ALASKA 99687

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME
THIS _____ DAY OF _____
FOR _____

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES _____

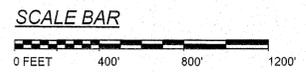
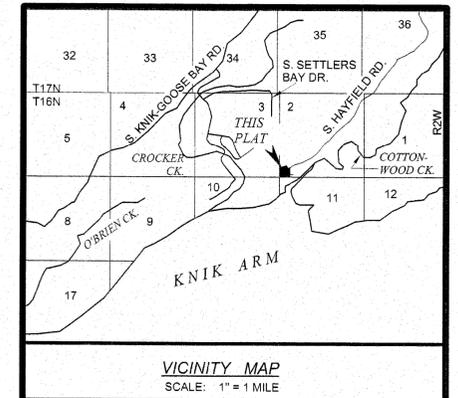
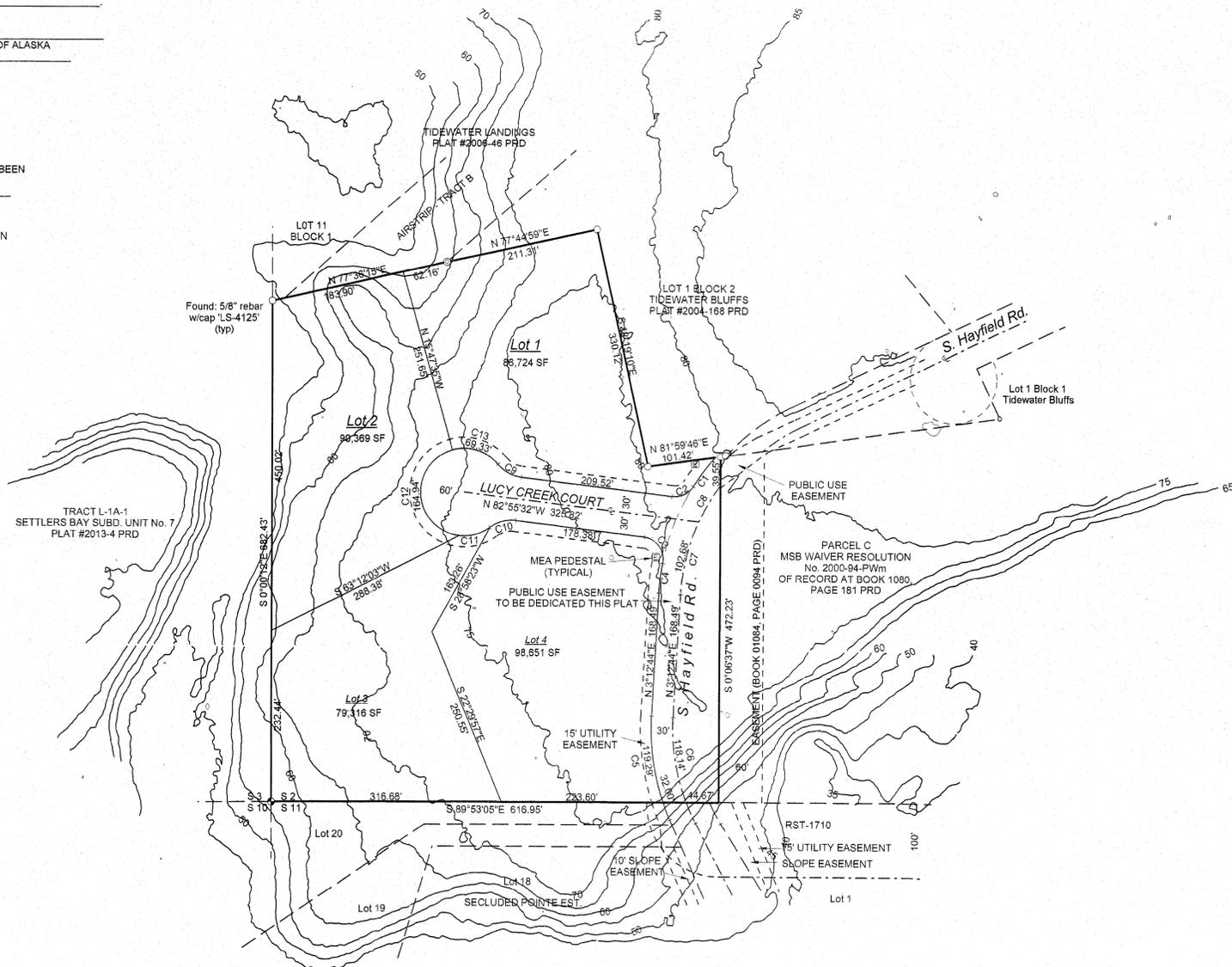
PLANNING AND LAND USE DIRECTOR'S CERTIFICATE

I CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION No. _____

DATED _____
AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, IN WHICH THIS PLAT IS LOCATED.

DATE _____ PLANNING AND LAND USE DIRECTOR _____

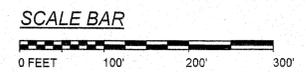
ATTEST: _____ PLATTING CLERK _____



JOHN SHADRACH, R.L.S.
professional land surveyor
P.O. Box 871497
Wasilla, Alaska 99687
(907) 376-2260

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

REGISTERED LAND SURVEYOR LS-5122
DATE 11/18/15



RECEIVED
NOV 9 9 2015
PLATTING

CERTIFICATE OF PAYMENT OF TAXES

I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS THROUGH _____ AGAINST THE PROPERTY INCLUDED IN THE SUBDIVISION OR RESUBDIVISION HEREON HAVE BEEN PAID.

DATE _____ BOROUGH TAX COLLECTION OFFICIAL _____

NOTES

- THERE MAY BE FEDERAL, STATE AND LOCAL REQUIREMENTS GOVERNING LAND USE. IT IS THE RESPONSIBILITY OF THE INDIVIDUAL PARCEL OWNER TO OBTAIN A DETERMINATION WHETHER SUCH REQUIREMENTS APPLY TO THE DEVELOPMENT OF THE PARCELS SHOWN HEREON.
- NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS SUCH SYSTEM IS LOCATED, CONSTRUCTED AND EQUIPPED IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS AND RECOMMENDATIONS OF THE STATE OF ALASKA, DEPARTMENT OF ENVIRONMENTAL CONSERVATION, WHICH GOVERNS THOSE SYSTEMS.
- RESTRICTIVE COVENANTS WERE RECORDED _____ SERIAL NUMBER _____ IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	9°29'02"	305.00	50.48	25.30	50.43	S 37°03'13"W
2	64°45'46"	30.00	33.91	19.02	32.13	S 64°41'35"W
3	93°54'29"	30.00	49.17	32.12	43.85	S 35°58'17"E
4	7°48'13"	305.00	41.36	20.71	41.33	S 7°05'51"W
5	22°24'33"	305.00	119.29	60.42	118.53	S 7°59'30"E
6	24°38'53"	275.00	118.14	60.00	117.24	N 9°05'40"W
7	21°23'32"	275.00	102.68	51.94	102.08	N 13°54'31"E
8	12°12'01"	275.00	58.56	29.39	58.45	N 30°42'17"W
9	43°20'30"	50.00	37.82	19.87	36.93	N 81°15'17"W
10	43°20'30"	50.00	37.82	19.87	36.93	S 75°24'13"W
11	42°58'19"	60.00	45.00	23.62	43.95	S 75°13'07"W
12	157°30'09"	60.00	164.94	301.58	117.69	N 4°32'39"W
13	66°12'33"	60.00	69.33	39.12	65.54	S 72°41'18"E

A PRELIMINARY PLAT OF
TIDEWATER ESTATES
A SUBDIVISION OF
PARCEL A MSB WAIVER #2000-94-PWm,
OF RECORD AT BOOK 1080, PAGE 181,
WITHIN SW1/4 SW1/4 SEC. 2,
T16N, R2W, SEWARD MERIDIAN
PALMER RECORDING DISTRICT,
THIRD JUDICIAL DISTRICT,
STATE OF ALASKA

CONTAINING 9.58 ACRES, MORE OR LESS

DRAWN BY: JS	FIELD BOOK: 2013-02, 2015-5	PROJECT: TIDEWATER EST.
DATE: NOV. 18, 2015		
CHECKED: kn	DRAWING SCALE: 1" = 100'	SHEET: 1 OF 1

5A

Platting Board did not accept the repeal of (A)(1) or (B)(2), and accepted the repeal of (B)(3).

Section __. Amendment of section. MSB 43.15.005, General Administration, is hereby amended as follows:

(A) The platting board shall act upon applications for preliminary plats, variances, public use easements, plat note amendments, and vacations of public interest within the procedures outlined by AS 29.40.110 and this title.

(1) The platting board shall not make conditions of plat approval beyond the authority and specific provisions of this title.

(B) The platting officer shall act upon applications for abbreviated plats, waivers, 40-acre exemptions, right-of-way acquisition plats, and elimination or modification of utility easements as described in MSB 43.15.032.

(1) the platting officer shall determine whether agency, department, or public comments provided are within the regulatory authority of this chapter and whether they should apply to a platting action.

(2) The platting officer shall not recommend or impose conditions of approval for platting actions that are not within the specific authority of this title.

Platting Board did not accept the repeal of (A)(1) or (B)(2), and accepted the repeal of (B)(3).

[(3) THE PLATTING OFFICER SHALL DETERMINE WHETHER UTILITY EASEMENT REQUESTS ARE REASONABLE AND ONLY REQUIRE REASONABLE REQUESTS AS RECOMMENDATIONS TO THE BOARD OR AS CONDITIONS OF APPROVAL. THE PLATTING OFFICER SHALL PROVIDE FINAL APPROVAL ON THE ADEQUACY OF AN EASEMENT(S) PROVIDED FOR PLATTING ACTIONS ON FINAL PLATS AND PLATTING ACTIONS DELEGATED AS BY THIS TITLE, WITHIN 20 DAYS OF ACCEPTANCE OF SUBMISSION.]

(C) Leaseholds located within municipal airports are exempt from the requirement to plat.

(D) Commercial leases of ten years or greater are exempt from this title.

This section of code is titled "*General Administration.*"

Removal of paragraph (A)(1) and (B)(2) is because the Platting Officer or the Platting Board, for that matter, should not be limited to only Title 43. There are many other code provisions that would help the Platting Authority in their promotion of the common good and welfare, such as Title 11, Title 15, Title 17 and the Borough Comprehensive Plan.

Removal of paragraph (B)(3) is because the Platting Officer is not a utility designer, nor is it reasonable that he make a determination whether utility easements are reasonable. The Platting Officer is not the entity to accept or deny easements or provide final approval of the adequacy of easements; that is the Platting Board's responsibility through correspondence received from utility companies, engineers, surveyors, developers, and

Platting Board did not accept the repeal of (A)(1) or (B)(2), and accepted the repeal of (B)(3).

staff. Utility easements can't be dedicated on abbreviated plats, which the platting officer hears pursuant to AS 29.40.090.

Section Amendment of section. MSB 43.15.012, Forty-Acre Exemption, is hereby amended as follows:

(A) Purpose clause. The purpose of this section is to allow the land owner to divide or combine large parcels of land by document in an expedited manner. The 40-Acre Exemption process is not allowed for parcels created via the waiver process.

(B) Exemptions. The platting officer shall exempt parcels from the provisions of this title where all the following conditions are met:

(1) The smallest parcel created is 40 acres in size, or is one-sixteenth of a section as defined by "aliquot part;"

(2) The parcel is to be conveyed by deed;

(3) The parcels or tracts created can be described by:

(a) aliquot part; or

(b) a metes and bounds description, provided the description is under the seal of a land surveyor;

(4) The document does not alter an existing plat of record, including tracts on a cadastral plat;

(5) A certificate to plat shall be required, consistent with the requirements of MSB 43.15.053(E);

Platting Board accepted these changes 11/19/2015

(6) Signatures of consent are provided on affidavits from all parties holding a legal or equitable interest in the property to be recorded with the document;

(7) No more than four parcels shall be created from the parent parcel (s); and

(8) The applicant demonstrates that legal access as defined by MSB 43.20.120 exists to all parcels or tracts created and is suitable for future borough standard road construction.

(a) The suitability of legal access for future road construction shall be documented by the applicant based on the following information available from existing records within the Matanuska-Susitna Borough:

(i) air photos;

(ii) USGS mapping;

(iii) topographic mapping; and

(iv) other available data.

(b) The platting officer shall review within ten working days the legal access documentation and its "suitability" for future road construction.

[(C) FOR THE PURPOSE OF THIS SUBSECTION, "SUITABILITY" IS DEFINED AS THE ABILITY OF THE LEGAL ACCESS TO CONTAIN A BOROUGH STANDARD ROAD.]

(i) Access for parcels located two miles beyond the limits of the core comprehensive planning area may be from a trail shown to be constructible to the trail standards listed in MSB 43.20.055(B)(5); however, no trail construction is required for 40-acre exemption approval.

(d) The applicant[BOROUGH SHALL NOT REQUIRE THE PETITIONER TO PROVIDE A DESIGNED ROAD OR TRAIL TO MEET THE REQUIREMENTS OF THIS SUBSECTION] may be required to submit plan, profile and cross-sections if grades along the proposed route will exceed 10%, or if utilities or other land/water features warrant such a submission as determined by the platting officer.

(9) An as-built of all structures or improvements within the parcel boundaries is provided, or a letter from a land surveyor stating that no setback violations exist or will be created by this platting action;

(a) as-built or surveyor's letter is not required if combining parcels.

(10) For parcels described by metes and bounds, all parcel corners shall be surveyed and monumented and a record of survey or a detailed drawing prepared by a land surveyor to be recorded with the public use easement document. The survey shall be tied to at least two platted subdivision corners or two aliquot part corners set by the state or federal government, or land surveyor, or any combination of the preceding;

(C) Exemption document. The document exempting a parcel from the provisions of this title shall be reviewed by the platting officer. The platting officer shall approve the exemption document within ten working days once the exemption submittal meets the conditions of this subsection. Upon approval of the document, the platting officer shall execute the approved document, signed by the planning director, and it shall be affixed with the platting board seal. It is the responsibility of the applicant to pay all appropriate fees.

(1) The intent of this provision is to allow prompt approval of a 40-acre exemption.

(D) The decision of the platting officer in this matter is final unless appealed to the platting board in writing within ten days.

(E) The applicant may appeal the decision of the platting board to the board of adjustment and appeals in accordance with MSB Title 15.

“These SUBSTANTIAL amendments are drafted showing the existing Title 43 language. If INCONSISTENCIES amendments are made and adopted by the assembly, the language in the SUBSTANTIAL amendments may change slightly, but the resulting change will not alter the justification outlined for each amendment.”

This section of code is titled “*40-Acre Exemption*” and it allows for the creation of 40-acre parcels by document, instead of by plat. Currently the code does not allow the combination 40-acre parcels into larger parcels through this process and staff supports this change as a new way of allowing persons to change their parcel boundaries without submitting a preliminary plat.

Waiver parcels go through a public noticing process and 40-acre exemptions do not. 40-acre exemptions are done in an expedited manner. Once you use a waiver process it’s appropriate that combining those types of lots be held to at least the same process instead of the less restrictive process.

Subparagraph (8)(c) is no longer needed if the suitability standard is addressed in paragraph 8.

When reviewing the constructability of the legal access, if the available information within the items listed is lacking, staff may need additional information to make an informed decision.

Another addition is to require as-built information along parcel lines so setback or encroachment issues are not created. To keep the requirements minimal for this process, a letter from a land surveyor could be submitted instead of a full as-built stating not setback violations exist or will be created. MSB 43.10.060(E) does not allow the platting authority to approve applications where it finds the property is in violation of borough code, like setbacks. Staff wouldn't know if the new parcel lines would create setback or encroachment violations if we did not receive the as-built information or letter.

The other addition is to require those parcels created by metes and bounds legal descriptions to be monumented and a record of survey recorded as it is with waiver subdivisions.

Platting Board accepted these changes 12/3/2015

Section . Amendment of section. MSB 43.15.021, Public Use Easement Acceptance Procedure, is hereby amended as follows:

(A) Prior to acceptance by the borough and recordation, the offeror for a public use easement shall submit a legal description of the proposed easement together with a drawing depicting the location of the proposed easement. If the proposed easement is in the form of a metes and bounds description, the description shall be submitted under the seal of a registered land surveyor.

(B) The legal description shall be reviewed for accuracy and completeness. If discrepancies are found, the offeror shall be notified of the discrepancies and shall resubmit the application for approval.

(C) The offeror shall prove that the public use easement is in a practical location where road construction is feasible in accordance with the subdivision construction manual. The offeror [SHALL NOT] may be required to submit [ROAD DESIGNS]plan, profile and cross-sections if grades along proposed route will exceed 10%; or if utilities or other land/water features warrant such a submission as determined by the platting officer.

[(D) IF ROAD CONSTRUCTION IS PROPOSED, THE OFFEROR SHALL DEMONSTRATE THAT THE PHYSICAL ROAD IS FEASIBLE WITHIN THE PUBLIC USE EASEMENT AND THAT ALL APPROVALS REQUIRED FROM FEDERAL, STATE, BOROUGH, AND OTHER REGULATORY AGENCIES HAVE BEEN ISSUED OR FINAL RECORDING WILL BE CONTINGENT UPON OTHER PERMITS AND APPROVALS.]

(D) Public use easements shall be surveyed, monumented on the exterior, or the centerline if approved by the platting officer, and either shown on a record of survey, an associated plat, or a detailed drawing prepared by a land surveyor to be recorded with the public use easement document.

(E) Upon compliance with subsections (A) through (D)] of this section, a public use easement form with the approved legal description, bearing acknowledgment of acceptance by the borough and being signed by all individuals holding a legal or equitable interest in the property involved, shall be recorded. This provision does not require the signatures of holders of subsurface estate interests in the land being dedicated.

(F) It is the responsibility of the offeror to pay all applicable fees.

“These SUBSTANTIAL amendments are drafted showing the existing Title 43 language. If INCONSISTENCIES amendments are made and adopted by the assembly, the language in the SUBSTANTIAL amendments may change slightly, but the resulting change will not alter the justification outlined for each amendment.”

This section of code is titled “*Public Use Easement Acceptance Procedure*” and it allows for the creation of public use easements, instead of dedicated right-of-ways.

When reviewing the constructability of the legal access, if the available information within the items listed is lacking, staff may need additional information to make an informed decision.

At the time of road construction is when the permits would be acquired. Permits are sometimes time sensitive and conditions may have changed regarding what permits are necessary. This process will create the public use easement, the construction of that easement would be when the permits would be necessary.

Dedicated right-of-ways are monumented at lot corners, curves, etc. on a plat. Public Use Easements should also be monumented to ensure the true limits or boundary of the ROW will be known, whether it be constructed now or in the future. The property owners adjoining the PUE need to know the location of the PUE in regards to setback requirements.

Platting Board did not agree to add (H), which addressed Substantial #6

Section __. Amendment of section. MSB 43.15.049, Final Plat; General Provisions, is hereby amended as follows:

(A) Board review. The platting officer shall review all plats subdividing lands within the borough boundaries.

(B) Review for deficiencies. The platting officer shall review and check all final plats for deficiencies. Where deficiencies are found, the plat shall be returned to the subdivider for alteration or correction by the land surveyor responsible for the survey and the plat. The platting officer shall approve or disapprove the final plat within 20 days of submittal of the plat. If disapproved, the final plat shall be returned to the subdivider with specification of the deficiencies. The platting officer shall approve or disapprove the second final plat within ten days of resubmittal.

(C) Dedication and adoption. When a tract or parcel of land has been subdivided and the plat bears acknowledgement of the owner and the approval of the planning and land use director has been recorded in compliance with this title, all streets and other public areas shown on the plat shall be dedicated to

Platting Board did not agree to add (H), which addressed Substantial #6

the public for the use and purpose specified in the plat.

(D) Duplication of names. Road and subdivision names may not duplicate existing road or subdivision names in spelling or sound to avoid confusion with existing names.

(E) Service area boundary requirements. Because of the constraints of state law, it shall not be a condition of subdivision approval that no lot, tract, or parcel be split by a service area boundary. However, if possible the subdivider should configure a lot, tract, or parcel such that it would not be split by a service area.

(F) Utility easements.

(1) A snow storage easement if granted can be placed within a utility easement if there is no overriding surface conflict.

(2) A utility easement can be placed within a slope easement.

(G) Minor plat alterations.

(1) The purpose of this subsection is to resolve platting issues and/or improve the subdivision design and function without burdening staff, the

Platting Board did not agree to add (H), which addressed Substantial #6

petitioner, and the board with the additional time and costs to rehear the case.

(2) The platting officer is authorized to approve minor changes to an approved preliminary plat or master plan during review of the final plat for the following items. Any amendment or modification of the preliminary plat shall be limited to the following:

(a) The total number of lots may be reduced;

(b) The total number of lots may not be increased;

(c) Individual lot sizes may not be reduced by more than 20 percent per lot, and at no point to less than the minimum requirements that the preliminary plat was approved under. The aggregate of the proposed reductions shall not exceed one acre;

(d) Proposed rights-of-way or easements may be moved up to 25 feet if approved by the platting officer, if changes made do not affect existing properties;

[(E) PROPOSED RIGHTS-OF-WAY OR EASEMENTS MAY BE MOVED BETWEEN 25 FEET AND 100 FEET WITH THE CONCURRENCE OF THE PLATTING OFFICER AND THE DIRECTOR OF THE MATANUSKA-SUSITNA BOROUGH DEPARTMENT

Platting Board did not agree to add (H), which addressed Substantial #6

OF PUBLIC WORKS, AS LONG AS CHANGES DO NOT INCREASE
THE AVERAGE DAILY TRAFFIC COUNT BY MORE THAN 5 PERCENT
OR NECESSITATE A HIGHER ROAD CLASSIFICATION;]

(f) Approved external accesses cannot
be changed; and

(g) Amendments and modifications cannot
create setback violations.

This section of code is titled "*Final Plat; General Provisions.*"

The removal of items (G)(2)(e) is due to the fact that moving a ROW on a plat
between 25 and 100 feet is not a minor change; this could change drainage, access
requirements, lot and block design, lot frontage. It is more appropriate that the
plat needs to be seen by the Platting Board for approval of the change.

Section __. Amendment of subsection. MSB 43.10.060(A),
Platting Authority Procedure, is hereby amended as follows:

(A) The platting board shall act on an application for preliminary plat, variance, public use easement, plat note amendment, elimination or modification of platted utility, drainage, sanitation, slope, snow storage, buffer, and screening easements or vacation of public interest only after holding a public hearing on the application. The platting board shall hear applications for vacations at the hearing on the preliminary plat to which they pertain if an application for plat approval has been filed or is required. The platting board shall consider any preliminary or final plat affected by the vacation of public interest.

Section __. Amendment of subsection. MSB 43.15.005(A),
General Administration, is hereby amended as follows:

(A) The platting board shall act upon applications for preliminary plats, variances, public use easements, plat note amendments, elimination or modification of platted utility, drainage, sanitation, slope, snow storage, buffer, and screening easements

and vacations of public interest within the procedures outlined by AS 29.40.110 and this title.

Section . Amendment of subsection. MSB 43.15.005(B), General Administration, is hereby amended as follows:

(B) The platting officer shall act upon applications for abbreviated plats, waivers, 40-acre exemptions, and right-of-way acquisition plats[, AND ELIMINATION OR MODIFICATION OF UTILITY EASEMENTS AS DESCRIBED IN MSB 43.15.032].

Section . Amendment of section. MSB 43.15.032, Elimination or Modification of Utility, Drainage, Sanitation, and Screening Easements, is hereby amended as follows:

(A) The platting [OFFICER]board shall review and act upon all applications requesting elimination or modification of platted utility, drainage, sanitation, and screening easements; provided, that:

(1) the authority having jurisdiction over the easement consents;

(a) however, if the beneficiary of an easement refuses to authorize a vacation, the platting [OFFICER]board may approve the vacation if the following conditions are met:

(i) there are currently no existing improvements within the subject easement of the easement beneficiary or a portion of the easement will remain which includes the improvements;

(ii) if necessary a substitute easement is provided by document on the plat; and

(iii) findings of facts support granting the vacation;

(2) if the elimination or modification of easement is due to an encroachment, an as-built survey must be submitted with the original application; and

(3) a vacation resolution is recorded along with a graphic representation showing the specific area eliminated and any alternate easements proposed.

(B) In acting on applications under this section the platting [OFFICER]board shall use the standards [AND THE PROCEDURES USED BY THE PLATTING BOARD IN ACTING ON APPLICATIONS] and procedures under MSB 43.10.060. The platting [OFFICER] board shall approve or disapprove the application within [30] 60 calendar days of the acceptance of the application.

[(C) PROPOSED VACATION WILL BE PRESENTED TO THE BOROUGH ASSEMBLY WITHIN 30 DAYS OF THE DATE OF THE WRITTEN DECISION BY THE PLATTING OFFICER.]

These SUBSTANTIAL amendments are drafted showing the existing Title 43 language. If INCONSISTENCIES amendments are made and adopted by the assembly, the language in the SUBSTANTIAL amendments may change slightly, but the resulting change will not alter the justification outlined for each amendment.

There are four places in code where a change to the platting authority over elimination or modification of utility or other types of non-public ROWs has to be made. MSB 43.15.032 is titled "*Elimination or Modification of Utility, Drainage, Sanitation, and Screening Easements.*" The changes above would allow the Platting Board to act upon the elimination or modification of utility and other types of non-public ROW easements instead of the Platting Officer. Currently the Platting Officer's decisions on these types of easements are presented to the assembly after approval; 30 days to the public hearing and another 30 days *or more* to be heard by the assembly. Staff does not consider these types of easements as having the level of importance to be brought before the assembly for legislative action. Having these types of easement eliminations and modifications heard by the Platting Board would streamline the process, saving time and money for all parties involved.

Section __. Amendment of section. MSB 43.15.053, Final Plat; Certificates, is hereby amended as follows:

(A) Certificates of ownership. Each plat of a subdivision filed for record shall contain a certificate of ownership. The certificate shall be signed in black ink and acknowledged by all parties having any legal and equitable interest in the lands subdivided before an officer duly authorized to take acknowledgements of deeds, in the same manner in which deeds are required to be acknowledged. If the title interest is vested in a corporation, it shall also be signed and acknowledged by the designee of the corporation with the authority of its board of directors. Where any person holding any mortgage, lien, or other legal or equitable interest in the lands has not signed the certificate of ownership, the affidavit or title opinion shall be accompanied by the written consent, properly signed and acknowledged, of the person to the approval of the plat. This subsection does not require the signatures of holders of subsurface estate interests in the land being subdivided or dedicated. The ownership and dedication certificate shall be substantially as follows:

(I) (We) certify that (I am) (we are) the owner(s) of the property shown and described in this plan and that (I) (We) adopt this plan of subdivision by (my) (our) free consent(,)(.) (dedicate) (all rights-of-way) (and public areas) (to the Matanuska-Susitna Borough) and (grant all easements to the use shown). (delete inapplicable phrases)

Owner's name and address

Date

(B) Notary's acknowledgments. A notary acknowledgment shall be substantially as follows:

NOTARY'S ACKNOWLEDGMENT

This is to certify that on the _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the state of Alaska, duly commissioned and sworn, personally appeared _____, to me known to be the persons described in and who executed the above instrument; and who acknowledged to me that they signed the same freely and voluntarily for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year in this certificate first above written.

Notary for the state of Alaska

My commission expires: _____

Or:

NOTARY ACKNOWLEDGEMENT

Subscribed and sworn to before me this _____ day of _____, 20____, for _____.

Notary for the state of Alaska

My commission expires: _____

(C) Surveyor's certificate. A surveyor's certificate shall be substantially in one of the forms that follow, whichever is appropriate:

I, (surveyor's name and land surveyor number), hereby certify that I am a registered professional land surveyor in the state of Alaska and that this plat represents a survey made by me or under my direct supervision, and that the monuments shown on the plat actually exist as described, and that all dimensional and other details are true and correct to the best of my knowledge.

(SEAL)

I, (surveyor's name and land surveyor number), hereby certify that I am a registered professional land surveyor in the state of Alaska and that this plat was prepared by me or under my direct supervision using record dimensions from Plat #_____.

(SEAL)

[I, (SURVEYOR'S NAME AND LAND SURVEYOR NUMBER) HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THE PLAT SHALL BE SET ON OR BEFORE _____, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

(SEAL)]

(D) Planning and land use director's certificate. A certificate of approval for signature by the planning and land use director shall be substantially in a form as follows:

I certify that this subdivision plan has been found to comply with the land subdivision regulations of the Matanuska-Susitna Borough, and that the plat has been approved by the platting authority by plat resolution number _____, dated _____ 20__, and that

this plat has been approved for recording in the office of the recorder in the _____ district, Third Judicial District, State of Alaska in which the plat is located.

_____, 20____

Planning and Land Use Director

ATTEST:

Platting Clerk

(E) Certificate to plat. Every final plat of a subdivision submitted for recording shall be accompanied by a certificate to plat, executed no more than 90 days prior to recording, by a title insurance company, confirming that the title of the land described and shown on the plat is in the name of the person signing the certificate of ownership as it is shown on the plat, or in the name of the corporation as shown in the certificate of ownership.

(F) Certificate of payment of taxes. Every final plat of a subdivision submitted for recording shall be accompanied by a certificate from the tax collecting official or city treasurer stating that all special assessments and borough real property taxes levied

against the property are paid in full. In the case of real property taxes, if the taxes are not delinquent, taxes are deemed paid in full with respect to this section. The certificate shall be as follows:

CERTIFICATION OF PAYMENT OF TAXES

I hereby certify that all current taxes and special assessments, through _____, 20____, against the property, included in the subdivision or resubdivision, hereon have been paid.

_____, 20____

Tax Collection Official (Borough)

I hereby certify that all current taxes and special assessments through _____, 20____, against the property, included in the subdivision or resubdivision, hereon have been paid.

Tax Collection Official (City)

Section __. Amendment of subsection. MSB 43.15.054(D), Final Plat; Surveyor Requirements, is hereby amended as follows:

[(D) MONUMENTS AND MARKERS SET AFTER RECORDING OF PLAT. ALL MONUMENTS OR MARKERS, OTHER THAN THE PERMANENT CONTROL MONUMENTS REQUIRED IN SUBSECTION (A) OF THIS SECTION, SHALL BE SET BEFORE THE RECORDING OF

THE PLAT UNLESS THE LAND SURVEYOR INCLUDES IN THE SURVEYOR'S CERTIFICATION ON THE PLAT THAT THE ADDITIONAL MONUMENTS REQUIRED BY THIS TITLE SHALL BE SET ON OR BEFORE A SPECIFIED LATER DATE. THIS SUBSECTION SHALL ONLY BE USED WITH A SIGNED AND APPROVED SUBDIVISION AGREEMENT.]

These SUBSTANTIAL amendments are drafted showing the existing Title 43 language. If INCONSISTENCIES amendments are made and adopted by the assembly, the language in the SUBSTANTIAL amendments may change slightly, but the resulting change will not alter the justification outlined for each amendment.

There are two portions of code that will change if this modification is approved. They both deal with the ability for surveyors to place lot corners after the plat records. MSB 43.15.053 is titled "*Final Plat; Certificates*" and MSB 43.15.054 is titled "*Final Plat; Surveyor Requirements.*" If by some reason, the lot corners are not set after the plat records, the lot owner's ability to understand the boundaries of those lots is in jeopardy. There is a concern that the borough may be placed in the position of installing monumentation if these are not installed prior to recording. If the corners are set by someone other than the original surveyor, owners will never have original corners. On one occasion and possibly more, a developer has defaulted on a subdivision agreement and the corner monuments were not set as the surveyor stated on the plat because he wasn't paid for the work.

Pros for keeping this allowance in code is that sometimes during the utility installation, lot corners are at jeopardy for being disturbed. If they are disturbed, the utility companies are technically responsible for resetting the monuments, therefore they will not be original monuments. If the setting of the lot corners is done via a subdivision agreement, this allows the original surveyor to set corners after utilities and road construction is completed.

Section 4. Amendment of section. MSB 43.15.053, Final Plat, Certificates, is hereby amended as follows:

(A) Certificates of ownership. Each plat of a subdivision filed for record shall contain a certificate of ownership. The certificate shall be signed in black ink and acknowledged by all parties having any legal and equitable interest in the lands subdivided before an officer duly authorized to take acknowledgements of deeds, in the same manner in which deeds are required to be acknowledged. If the title interest is vested in a corporation, it shall also be signed and acknowledged by the designee of the corporation with the authority of its board of directors. Where any person holding any mortgage, lien, or other legal or equitable interest in the lands has not signed the certificate of ownership, the affidavit or title opinion shall be accompanied by the written consent, properly signed and acknowledged, of the person to the approval of the plat. This subsection does not require the signatures of holders of subsurface estate interests in the land being subdivided or dedicated. The ownership and dedication certificate shall be substantially as follows:

(I) (We) certify that (I am) (we are) the owner(s) of the property shown and described in this plan and that (I) (We) adopt this plan of subdivision by (my) (our) free consent(,)(.) (dedicate) (all rights-of-way) (and public areas) (to the Matanuska-Susitna Borough) and (grant all easements to the use shown). (delete inapplicable phrases)

Owner's name and address

Date

(B) Notary's acknowledgments. A notary acknowledgment shall be substantially as follows:

NOTARY'S ACKNOWLEDGMENT

This is to certify that on the _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the state of Alaska, duly commissioned and sworn, personally appeared _____, to me known to be the persons described in and who executed the above instrument; and who acknowledged to me that they signed the same freely and voluntarily for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year in this certificate first above written.

Notary for the state of Alaska

My commission expires: _____

Or:

NOTARY ACKNOWLEDGEMENT

Subscribed and sworn to before me this _____ day of _____, 20____, for _____.

Notary for the state of Alaska

My commission expires: _____

(C) Surveyor's certificate. A surveyor's certificate shall be substantially in one of the forms that follow, whichever is appropriate:

I, (surveyor's name and land surveyor number), hereby certify that I am a registered professional land surveyor in the state of Alaska and that this plat represents a survey made by me or under my direct supervision, and that the monuments shown on the plat actually exist as described, and that all dimensional and other details are true and correct to the best of my knowledge.

(SEAL)

I, (surveyor's name and land surveyor number), hereby certify that I am a registered professional land surveyor in the state of Alaska and that this plat was prepared by me or under my direct supervision using record dimensions from Plat #_____.

(SEAL)

I, (surveyor's name and land surveyor number) hereby certify that I am a registered professional land surveyor in the state of Alaska and that this plat represents a survey made by me or under my direct supervision, and that the monuments shown on the plat shall be set on or before _____, and that all dimensional and other details are true and correct to the best of my knowledge.

(SEAL)

(D) Planning and land use director's certificate. A certificate of approval for signature by the planning and land use director shall be substantially in a form as follows:

I certify that this subdivision plan has been found to comply with the land subdivision regulations of the Matanuska-Susitna Borough, and that the plat has been approved by the platting authority by plat resolution number _____, dated _____ 20__, and that

this plat has been approved for recording in the office of the recorder in the _____ district, Third Judicial District, State of Alaska in which the plat is located.

_____, 20____

Planning and Land Use Director

ATTEST:

Platting Clerk

(E) Certificate to plat. Every final plat of a subdivision submitted for recording shall be accompanied by a certificate to plat, executed no more than [90]14 days prior to recording, by a title insurance company, confirming that the title of the land described and shown on the plat is in the name of the person signing the certificate of ownership as it is shown on the plat, or in the name of the corporation as shown in the certificate of ownership.

(F) Certificate of payment of taxes. Every final plat of a subdivision submitted for recording shall be accompanied by a certificate from the tax collecting official or city treasurer stating that all special assessments and borough real property taxes levied

against the property are paid in full. In the case of real property taxes, if the taxes are not delinquent, taxes are deemed paid in full with respect to this section. The certificate shall be as follows:

CERTIFICATION OF PAYMENT OF TAXES

I hereby certify that all current taxes and special assessments, through _____, 20____, against the property, included in the subdivision or resubdivision, hereon have been paid.

_____, 20____

Tax Collection Official (Borough)

I hereby certify that all current taxes and special assessments through _____, 20____, against the property, included in the subdivision or resubdivision, hereon have been paid.

Tax Collection Official (City)

These SUBSTANTIAL amendments are drafted showing the existing Title 43 language. If INCONSISTENCIES amendments are made and adopted by the assembly, the language in the SUBSTANTIAL amendments may change slightly, but the resulting change will not alter the justification outlined for each amendment.

MSB 43.15.053 is titled “*Final Plat; Certificates.*” This change would require an updated title report within 14 days of recordation of the plat instead of the current 90 days. The object of this amendment is to verify that ownership, easements, and other exceptions listed in the title report have not changed prior to recording the plat. If ownership had changed, or holders of beneficial interest have been added or modified, then the plat would have to be refiled to reflect those changes, which costs both time and money for all involved.

For your information, the Municipality of Anchorage requires an updated title report within 72 hours of plat recordation. The Kenai Peninsula Borough requires a title report, current not more than three business days prior to submittal of the final plat. But if the plat does not record for any reason the title report is only good for 30 days. Fairbanks North Star Borough has a system where they are able to see items that have recorded, so they do not require updated title reports unless changes are noticed in their system.

Section , Amendment of section. MSB 43.20.060, Dedication to Public, is hereby amended as follows:

(A) All roads shall be dedicated to the public, except as provided in subsection [(D)] 43.20.100 (C) of this section; provided, that a subdivider shall be required only to provide the designated right-of-way width within the subdivision, and one-half of the designated right-of-way width of the street on the exterior boundary of the subdivision with the dedication secured from the adjacent property owner before final plat approval.

(B) When accepting roadway dedication, the platting authority shall conduct a public hearing.

(C) Roads shall be dedicated for access to all lots within the subdivision and [PARCELS OF LAND ADJACENT TO THE SUBDIVISION] adjoining stub rights-of-way. Dedications shall be sufficient to carry all traffic generated by the subdivision and to provide residential rights-of-way for projected traffic through the subdivision.

(D) The platting board may require the dedication or improvement, or dedication and improvement of rights-of-way, tracts, or easements no narrower than ten feet in width to accommodate the construction of

walkways up to eight feet in width in any of the following circumstances:

(1) if a walkway is indicated as appropriate in the borough's comprehensive plan or other ordinance, i.e., special land use district (SPUD);

(2) if the walkway is reasonably necessary to provide safe and efficient pedestrian access to a school, playground, park, shopping center, public cemetery, transportation, or other community facility; or

(3) if the walkway is reasonably necessary to provide connectivity to a dedicated right-of-way in an adjoining subdivided or unsubdivided parcel.

(4) The above requirements for dedication of additional right-of-way for a walkway shall apply only where a walkway cannot be contained within the legal right-of-way reserved for a street;

(a) plats or master plans of 20 lots or less shall be exempt from requirements to construct a walkway, unless evidence is presented supporting the need for pedestrian safety or the walkway will provide connectivity to other pedestrian facilities.

These SUBSTANTIAL amendments are drafted showing the existing Title 43 language. If INCONSISTENCIES amendments are made and adopted by the assembly, the language in the SUBSTANTIAL amendments may change slightly, but the resulting change will not alter the justification outlined for each amendment.

Staff recommends a change to a reference in code in Section A as the current reference is to walkways, which is incorrect.

Interconnectivity allows for more efficient flow of traffic. Stub roads that are platted, should be connected to, when the adjoining parcel is subdivided and roads are planned. Providing that stub road, when it isn't a requirement to connect to it, is pointless.

Section __. Amendment of section. MSB 43.20.100, Access Required, is hereby amended as follows:

(A) There shall be legal and physical road access provided to all subdivisions and to all lots within subdivisions, except as allowed by subsection (B) of this section and any other exemption within this title.

(B) Upon finding that no practical means of providing road access to a proposed subdivision exists and upon a showing that permanent public access by air, water, or railroad is both practical and feasible, the platting board shall waive the road requirements of subsection (A) of this section. If other than road access is approved, the mode of access shall be noted on the plat.

(C) Gated subdivisions and private roads shall be approved, provided there is no need for public through traffic and they meet the following criteria:

(1) [ROADS ARE CONSTRUCTED TO THE REQUIRED BOROUGH STANDARDS] internal roads conform to the requirements of the Subdivision Construction Manual for residential standards minimum;

(2) emergency services shall be provided access to deliver services within the private

subdivision[. BOROUGH MAINTENANCE SHALL BE PROVIDED ACCESS TO GET THROUGH THE SUBDIVISION TO PROVIDE SERVICES BEYOND THE PRIVATE SUBDIVISION];

(3) alternate legal access to adjoining properties is available and constructible to Subdivision Construction Manual standards;[.]

(4) private maintenance is guaranteed.

(D) A subdivider proposing to create roads shall ensure access to adjoining [PRIVATELY OWNED] parcel(s) [BEYOND A PROPOSED SUBDIVISION AS FOLLOWS] meets the following standards:

(1) legal access shall be provided along a constructible alignment;

(a) geometrical alignment shall meet a minimum of subcollector standards unless the applicant demonstrates that it is not necessary;

(b) provided that constructing physical access to said adjoiners shall not be a condition of plat approval; and

(2) access to adjoining lands does not have to be provided where legal and constructible alternative access is available.

(E) A subdivision plat whose sole purpose is to separate/divide a home/headquarters site in a

Matanuska-Susitna Borough agricultural rights parcel under former MSB Title 13 is exempt from the road construction standards of the MSB Subdivision Construction Manual; provided, that the following conditions are fulfilled:

(1) prior to preliminary plat submittal the agriculture rights property owner is to obtain assembly approval of the sale of the home/headquarters site through an application made to the borough land and resource management division; and

(2) the maximum parcel size is five acres for the home/headquarters site; and

(3) only two parcels can be created from the farm unit parcel, the home/headquarters site and the remainder;

(4) the applicant demonstrates that legal access as defined in MSB 43.20.120, Legal Access, exists to all parcels or tracts created, and the suitability of the legal access for future residential road construction is documented by a registered land surveyor or civil engineer hired by the applicant;

(5) the property is to be surveyed and monumented and a plat submitted in conformance with MSB 43.15.016, Preliminary plat submittal and

approval, 43.15.049, Final plat; general provisions,
and 43.15.051, Final plat; submitted;

(6) a plat note declaring that the borough
is not responsible for road construction or road
maintenance; and

(7) a plat note restricting further
subdivision of the parcels being created.

These SUBSTANTIAL amendments are drafted showing the existing Title 43 language. If INCONSISTENCIES amendments are made and adopted by the assembly, the language in the SUBSTANTIAL amendments may change slightly, but the resulting change will not alter the justification outlined for each amendment.

Rewording section C allows for the possibility that a gated subdivision may not be approved if there is a need for the public to access beyond the subdivision, say for a public recreation area, or state land.

Rewording section C1 brings this section in line with 43.20.140, *Physical Access*, which requires all subdivision have roads that conform to the Subdivision Construction Manual. It's a consistency issue, meaning there should be no difference in the road construction standard for gated subdivisions with private roads.

Adding C4 will ensure there will be maintenance for the private roads. Allowing gated subdivisions, without ensuring the lots will have *maintained* access is not in the best

interest of the public. The borough gets calls concerning maintenance on private roads. If we know who is maintaining the roads and what they maintain, we can forward those persons to the correct entity.

Section __, Amendment of section. MSB 43.20.140, Physical Access, is hereby amended as follows:

(A) Roads used for access or internal circulation shall:

(1) be located entirely within dedicated or legal rights-of-way; and

(2) conform to existing requirements of the Subdivision Construction Manual.

(B) Within a preliminary plat, the location of roadways within existing or dedicated right-of-ways will be verified by a land surveyor by an as-built of the roadway within the subdivision tied to property corners at sufficient intervals to verify roadway location prior to plat recordation (a copy of final plat can be utilized as base map).

These SUBSTANTIAL amendments are drafted showing the existing Title 43 language. If INCONSISTENCIES amendments are made and adopted by the assembly, the language in the SUBSTANTIAL amendments may change slightly, but the resulting change will not alter the justification outlined for each amendment.

To ensure that subdivision roads are fully within the existing or dedicated rights-of-way after construction. This includes the drivable surface, slopes, cuts, ditches, etc. The only

way to determine this is to have an as-built done that ties the roadway to the property corners. A centerline survey does not provide the same information.

Section . Amendment of section. MSB 43.20.281, Area, is hereby amended as follows:

(A) Unless designated otherwise by another authority having jurisdiction, minimum lot sizes shall be as follows:

(1) Except as allowed under subsections (A) (2), (3), and (4) of this section, all lots within this district shall contain at least 40,000 square feet of area with at least 10,000 square feet of usable building area and 10,000 square feet of contiguous usable septic area. Lots having 20,000 square feet or less of the total of usable building area and usable septic area shall have 10,000 square feet of contiguous usable septic area surrounded by a well exclusion area extending 100 feet from the perimeter, delineated and reserved on the plat at the discretion of the platting board.

(a) Usable septic area is that area where seasonal high water table is a minimum of eight feet below the surface. Where water is encountered at ten feet or less below the surface, the seasonal high subsurface water is to be determined between May 1st and October 30th, and:

(i) that area where slopes are less than 25 percent;

(ii) that area which is more than 100 feet from open water, surface waters, and wetlands;

(iii) that area which is located at least 50 feet from the top of a slope which is greater than 25 percent and has more than ten feet of elevation change;

(iv) that area which is not within an area dedicated to public use;

(v) that area which is outside of utility or other easements that would affect the use of the areas for on-site septic installation;

(vi) that area which is outside of a protective well radius;

(vii) that area which is outside of any known debris burial site; and

(viii) This subsection (A)(1)(a) may be changed to a minimum of six feet below surface if all of the following criteria are met:

(aa) There are special considerations which would preclude reasonably

creating usable area by placing suitable fill to provide eight feet water table clearance;

(bb) A standard design is provided which is certified to meet applicable ADEC requirements at the time of recording by a state of Alaska licensed professional engineer; and

(cc) A note is provided on the plat stating an engineer designed and certified wastewater disposal system or packaged treatment plant meeting ADEC requirements will be required on subject lots (L#B#).

(b) Water table and ability of soils to accept effluent shall be determined by a number of borings or test holes sufficient to indicate subsurface conditions over the entire area of the subdivision. All of the borings and test holes shall be located within the perimeter of the proposed subdivision. Borings and test holes must have the following minimum depths below the ground surface:

(i) in areas known or suspected to contain permafrost, the lesser of:

(aa) twenty feet deep; or

(bb) a depth at which permafrost or an impermeable layer is encountered; and

(ii) the least depth associated with the following conditions, where they apply:

(aa) two feet below the depth where the water table is encountered;

(bb) twelve feet deep for shallow trench or bed systems;

(cc) sixteen feet deep for areas where deep trench or seepage pits will likely be used;

(dd) the depth to bedrock, clay, or other impermeable strata with an expected percolation rate slower than 120 minutes per inch; or

(ee) As determined by the engineer, a lesser depth as required to verify usable areas is acceptable for hand-dug excavations on parcels with limited or no access for heavy equipment.

(c) The minimum number of test holes shall be determined by the engineer.

(d) When the water table is encountered in the test holes, the depth to the seasonal high water table must be determined by:

(i) monitoring test holes or soil borings at times between May and October (inclusive);

(ii) soil mottling or staining analyses;

(iii) interpretation of levels of standing open water;

(iv) local knowledge and experience, if approved by the borough; or

(v) a combination of these methods.

(e) The depth to any seeps must be noted and may require subsequent monitoring.

(f) Soils in a usable wastewater disposal area must be:

(i) clearly shown to be visually classified as GW, GP, SW, or SP under the Unified Soils Classification System and expected to have a percolation rate of 15 minutes per inch or less (faster);

(ii) clearly shown to be GM or SM under the Unified Soils Classification System by a sieve analysis; or

(iii) shown by a percolation test conducted in accordance with (ADEC) Alaska State Department of Environmental Conservation regulations

to have a percolation rate of 60 minutes per inch or less (faster).

(g) These borings or test holes shall be accomplished under the direct supervision of a state of Alaska registered civil engineer, who shall submit soil logs and other findings in writing to the Matanuska-Susitna Borough certifying 10,000 square feet of contiguous usable area for septic drain field use.

(h) Where lots, tracts, or parcels exceed five acres in size, the platting authority may accept a reduced number of test holes or other supporting information, accomplished under the direct supervision of a state of Alaska registered engineer.

(i) The platting authority shall exempt the submission requirements of MSB 43.15.016(A)(2) for purposes of fulfilling usable area requirements for subdivisions of land where:

(i) the lot size is 400,000 square feet or greater and an engineer or land surveyor submits a detailed topographic narrative; or

(ii) the existing subdivision was previously approved by the Alaska State Department of Environmental Conservation or by the borough after

July 1, 1996, and the proposed subdivision action is limited to moving one or more lot lines a distance of ten feet or less.

(2) Lots containing at least 20,000 square feet but less than 40,000 square feet must be serviced by an approved municipal or community water or municipal or community septic system. The platting authority may approve lots having at least 20,000 square feet, provided each lot is serviced by an approved municipal or community water system or municipal or community wastewater system. A community wastewater disposal system shall include a common wastewater disposal site on separate lot(s) that serves the entire subdivision.

(a) Lots containing at least 20,000 square feet but less than 40,000 square feet not served by an approved municipal or community septic system must have a minimum 10,000 square feet of useable septic area and are exempt from providing useable building area.

(3) The platting authority may approve lots having less than 20,000 square feet but at least 7,200 square feet if served by a community or municipal

water system and community or municipal sewage disposal facilities.

(4) For those areas not served by municipal sewer and water, lots less than 20,000 square feet must be approved by a planned unit development as authorized by MSB 17.36.

(B) Within jurisdictions having authority, minimum lot sizes and dimensions shall be those established under or pursuant to the applicable provisions of MSB Title 17; however, where a size or dimension has not been established under or pursuant to MSB Title 17, the applicable provision of this title applies.

(C) If a condemnation by a governmental agency reduces the area of a lot below the minimum required by this section, the area after condemnation shall be the minimum area required for that lot if that lot met the minimum requirements before the condemnation and the resulting area after the condemnation is not less than 80 percent of the minimum required.

(D) Exclusive of open space, lots designated or dedicated for a public or utility purpose with no on-lot sewer shall have no minimum lot size but shall

have restrictions, requirements, designations, or dedications noted on the plat.

(E) Open space incentive. The intent of this subsection is to support the goals, policies, and objectives of the Matanuska-Susitna Borough Parks, Recreation, and Open Space Plan.

(1) Minimum individual lot area may be reduced up to 25 percent by the dedication of an equal area of usable open space within the subdivision; provided, that:

(a) Each non-open space lot has 10,000 square feet of contiguous usable septic area delineated on the plat, unless served by a community wastewater system;

(b) The open space area is connected by public access, or is attached to an existing open space or greenbelt area that has public access. If it is proposed to attach to an existing open space or greenbelt area, the access must be in an area that is feasible for the intended use; and

(c) Open space shall be irrevocably dedicated to the municipality or borough, or irrevocably dedicated to the subdivision owners and cannot be resubdivided.

(2) Additional nonusable area may be attached to the usable open space area, but shall not be used for calculations in the reduction of lot size.

(3) Open space area is exempt from lot configuration; however, the minimum width of any open space area shall be a minimum of 20 feet.

(4) Usable open space area shall be a minimum of 30,000 contiguous square feet.

(a) Usable open space area has a seasonal high groundwater table no closer than two feet below the surface, and is outside of existing or proposed utility, slope, or public use easements and does not include any other existing or proposed easements that would normally disturb the natural vegetative state.

(5) The proposed open space area shall connect to adjacent open space areas when prudent and feasible.

(6) Open space area shall be delineated and identified on the plat.

(7) Community wells and community septic systems shall not be allowed on open space dedicated to a municipality or the borough but are allowed in open space areas if accepted by the subdivision

owners. Protective well radii may be allowed in open space areas.

These SUBSTANTIAL amendments are drafted showing the existing Title 43 language. If INCONSISTENCIES amendments are made and adopted by the assembly, the language in the SUBSTANTIAL amendments may change slightly, but the resulting change will not alter the justification outlined for each amendment.

Changes to subsection (A)(2) make it clear that lots that are less than 40,000 sq ft still need useable septic area if not connected to a community or municipal septic system.

Section , Amendment of section. MSB 43.55.010, Subdivision Agreement Required, is hereby amended as follows:

(A) Agreement. Where subdivision improvements are required under this title as a condition of plat approval the subdivider may enter into a subdivision agreement with the borough in accordance with this chapter. Road access and drainage must be at least 85 percent complete and all signage installed prior to entering into a subdivision agreement.

(B) Application. Application for a subdivision agreement shall be made to the platting division. The application shall include a tentative schedule of all proposed construction of public improvements and utilities and the subdivider's estimate of the cost of each required public improvement, plans, specifications, descriptions of work, the limits of the work area, the methods to be employed, and any other pertinent data and information necessary for the platting division to evaluate the proposed installation. The borough may require a showing of the subdivider's financial responsibility.

(C) Contents of agreement. The subdivision agreement shall include, but need not be limited to, the following provision:

(1) a designation of the public improvements required to be constructed;

(2) the construction and inspection requirements of the borough or utility for which the improvements are constructed;

(3) the time schedule for completing the improvements;

(4) the guarantee required by MSB 43.55.030;

(5) a schedule for any payments required under this chapter;

(6) the allocation of costs between the borough and the subdivider for required public improvements;

(7) the warranty required by MSB 43.55.037;

(8) the consent of the subdivider for the ownership of specified public improvements to vest with the municipality upon final acceptance by the borough;

(9) a warranty that the subdivider has title to the subdivision property and the authority to execute the subdivision agreement;

[(10) WHERE THE SUBDIVISION IS WITHIN THE REGULATORY FLOODWAY, A PROVISION REQUIRING THE SUBDIVIDER TO SUBMIT CERTIFICATION OF FLOODPROOFING,

INFORMATION ON THE ELEVATION OF THE LOWEST HABITABLE FLOOR, AND INFORMATION ON THE ELEVATION TO WHICH THE STRUCTURE IS FLOODPROOF FOR EACH BUILDING OR STRUCTURE TO BE CONSTRUCTED AS PART OF THE SUBDIVISION AGREEMENT;]

(11) a provision that all work shall be performed pursuant to Matanuska-Susitna Borough specifications for subdivision improvements or, where city specifications are applicable, city specifications for such improvements;

(12) a provision that work shall not commence until plans have been approved by the platting division and notice to proceed is given.

Section . Amendment of section. MSB 43.55.025, Cost of Required Public Improvements, is hereby amended as follows:

(A) Elements of cost. The cost of any public improvements includes the cost of design, engineering, contract administration, inspection, testing, and surveillance as well as the work, labor, and materials furnished for the construction of the improvement.
Little Davis-Bacon wages shall be used to estimate costs.

(B) Apportionment. The subdivision agreement shall require the subdivider to pay all the costs as follows:

(1) all direct and indirect costs incurred by the borough in supplying and administering any method of public improvement guarantee provided for in MSB 43.55.030;

(2) all costs for inspection for final acceptance and warranty repairs of any required public improvements. Surveillance shall be performed by the borough during the course of construction and up to the point of final acceptance of the completed project. Inspection shall be performed by the borough during the warranty period;

(3) all direct and indirect costs of plan review, agreement review, and administration and attendant costs;

(4) all costs of all subdivision improvements required as a condition of plat approval, except those costs of an improvement the borough has agreed to pay that are attributable to oversizing;

(5) the manager may promulgate and amend a schedule of fees and charges to recover the costs set out in subsections (B)(1) through (4) of this section.

Section __. Amendment of section MSB 43.55.030, Guarantee of Completion of Public Improvements, is hereby amended as follows:

(A) Guarantee. To assure the installation of required public improvements which are not accepted at the time the final plat is filed, the subdivision agreement shall require the subdivider to guarantee the completion of all the improvements by one or more of the methods specified below. [THE MEANS OF A GUARANTEE MAY BE CHANGED DURING THE GUARANTEE PERIOD THROUGH A WRITTEN MODIFICATION OF THE AGREEMENT. THE AMOUNT OF GUARANTEE SHALL BE DETERMINED ON THE BASIS OF THE BOROUGH'S COST ESTIMATE. THE GUARANTEE SHALL REMAIN IN EFFECT UNTIL FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AND THE POSTING AND ACCEPTANCE OF SECURITY FOR THE WARRANTY PERIOD.]

(1) The means of a guarantee may be changed during the guarantee period through a written modification of the agreement.

(2) The amount of the guarantee shall be determined by one of two ways, whichever is greater:

(a) a cost estimate of the remaining required public improvements prepared by an engineer on behalf of the subdivider; or

(b) 20 percent of the total construction cost estimate as approved during the preconstruction phase.

(3) The guarantee shall remain in effect until final acceptance of the public improvements and the posting and acceptance of security for the warranty period.

(B) Cost estimates. The engineer's [BOROUGH'S] estimate shall state the estimated cost of completion for each required public improvement, using Little Davis Bacon wages. Cost estimates for each required public improvement shall be approved by the [PLATTING DIVISION]borough's civil engineer and shall be adequate for the borough to complete the construction.

For purposes of establishing the amount necessary for the guarantee of completion of public improvements, a percentage of overrun allowance shall be added to the total estimated cost of public improvements as follows:

Total Estimated Cost of Improvement	Percent for Overrun Allowance
\$0 to \$500,000	20 percent
Over \$500,000	10 percent

(C) Methods of public improvement guarantee. The subdivision agreement shall include one or more of the following methods to guarantee the construction of required public improvements:

(1) Performance bond. The subdivider may provide a surety bond from a company authorized to do such business in the state of Alaska. The bond shall be in an amount equal to the estimated cost of the remaining [ALL] required public improvements plus an overrun allowance as provided in subsection (B) of this section. The bond shall be payable to the borough in the event that any required public improvements are not finally accepted in accordance with the provisions of this title and shall be posted by no person other than the subdivider.

(2) Deposit in escrow. The subdivider may elect to deposit a cash sum equal to the estimated cost of the remaining [ALL] required public improvements plus overrun allowances as provided above either with the borough or in escrow with the responsible financial institution authorized to do such business in the state of Alaska. In the case of an escrow account, the subdivider shall file with the

borough an escrow agreement which includes the following terms:

(a) Funds of the escrow account shall be held in trust until released by the borough and may not be used or pledged by the subdivider as security in any matter during the period other than payment for the improvements. The funds may be released upon authorization by the borough for payment of improvements as made, except that the escrow holder shall always withhold from disbursement so much of the fund as is estimated by the borough as being necessary to complete the construction and installation of the improvements, plus an overrun at the percentage under subsection (B) of this section that is applicable to the cost of the remaining construction.

(b) In the case of a failure on the part of the subdivider to complete any improvement within the required time period, the institution shall immediately make all funds in the account available to the borough for use in the completion of those improvements.

(3) Letter of credit. The subdivider may elect to provide from a bank or other responsible financial institution authorized to do such business

in the state of Alaska an irrevocable letter of credit that is good until a time as the borough authorizes its revocation. The letter shall be filed with the borough and shall certify the following:

(a) that the creditor irrevocably guarantees funds in an amount equal to the estimated cost of the remaining [ALL] required public improvements plus overrun allowances as required in subsection (B) of this section for the completion of all such improvements;

(b) that in the case of failure on the part of the subdivider to complete any specified improvements within the required time period, the creditor shall pay to the borough immediately and without further action the funds as the borough determines are necessary to finance the completion of those improvements up to the limit of credit stated in the letter.

Section . Amendment of section MSB 43.55.050, Release of Warranty, is hereby amended as follows:

(A) Inspection shall be made by the borough at the end of the warranty period and prior to the release of guarantees. All deficiencies shall be

corrected prior to release of the warranty security. Upon satisfactory correction of all deficiencies, the borough shall release the remaining security.

Section __. Amendment of section MSB 43.55.055, Default, is hereby amended as follows:

(A) Default on agreement or warranty. In the event the subdivider defaults on any obligation to construct required public improvements, to repair the improvements under the warranty, or to pay the costs or fees to the borough as are due it, the borough may demand immediate payment on the performance or warranty guarantee. In the case of a performance bond, deposits in escrow, or letter of credit, the borough may demand immediate payment of a portion of all sums obligated for the payment of costs and fees or for the construction or warranty of any improvements. All funds received by the borough shall be used for any construction, repair, or reconstruction necessary to ensure:

(1) that all required public improvements are built to specifications necessary to receive final acceptance; and

(2) the improvements remain in good condition for the completion of the warranty period.

(B) Use of proceeds. The borough may use guarantee funds for the construction, repair, or maintenance of required public improvements from the date of initial default which is the date of expiration of the subdivision agreement when the subdivider has failed to complete the public improvements. In the event that the funds are not appropriated by the borough for the construction, repair, or maintenance of required public improvements within three years of default then the funds shall be appropriated to a road service area budget if the project is located in an established road service area or, if not, to the general fund. [UNTIL THREE YEARS AFTER THE FUNDS HAVE BECOME AVAILABLE TO THE BOROUGH FOR THE USE, EXCEPT THAT NO USE SHALL BE MADE OF THE FUNDS LATER THAN TWO YEARS AFTER SATISFACTORY COMPLETION AND FINAL ACCEPTANCE OF THE WORK. THE BOROUGH SHALL PAY THE SUBDIVIDER ALL GUARANTEE FUNDS WHICH WERE NOT USED OR OBLIGATED FOR THE COMPLETION OF THE IMPROVEMENTS AFTER EITHER:

(1) THE FINAL ACCEPTANCE OF ALL PUBLIC IMPROVEMENTS AND POSTING OF THE WARRANTY SECURITY;

(2) SUCCESSFUL COMPLETION OF THE WARRANTY PERIOD; OR
(3) THE THREE-YEAR PERIOD PROVIDED FOR ABOVE.]

These SUBSTANTIAL amendments are drafted showing the existing Title 43 language. If INCONSISTENCIES amendments are made and adopted by the assembly, the language in the SUBSTANTIAL amendments may change slightly, but the resulting change will not alter the justification outlined for each amendment.

The majority of the changes above will make it less likely that defaulted subdivision agreements will occur and protect the borough's taxpayers from costs associated with finishing the construction of subdivision improvements if a developer does default. Current code allows for subdivision agreements to be entered into if road access is not fully available for emergency vehicles or purchasers of the lots. Signage facilitates emergency response, which is a safety issue, so should be installed prior to entering into a subdivision agreement. Adequate guarantees are necessary for the borough to complete the improvements agreed upon if the developer defaults.

43.55.010(C)(10) is being removed because the construction of habitable structures is not a public improvement and therefore would not be included in a subdivision agreement.

The changes to 43.55.055(B) would require that if a subdivider defaults on a subdivision agreement and the borough uses the guarantee funds to make the improvements, any

monies left over are brought into the RSA or the borough's general fund, instead of being returned to the subdivider, who defaulted.