

AGENDA

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD
AGENDA**

REGULAR MEETING

1:00 P.M.

JUNE 2, 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 process the official actions of the board. Conversation, discussion and testimony will be recorded and saved on record.

Access and ability to have needed information from the recordings (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
LaMarr Anderson
Jordan Rausa
Patrick Johnson
Amy Hansen
Marty Van Diest, Alt #1
Gregory Pugh, Alt #2



PLATTING DEPARTMENT

Fred Wagner, Platting Officer
VickieLee Fenster, Platting Assistant
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*

**JUNE 2, 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. May 19, 2016

3. UNFINISHED BUSINESS

4. PUBLIC HEARINGS

- A. **DENNIS BYLER** (owners/petitioners): The request is to create twelve lots and one tract from Tax Parcel B4, to be known as **WOODLAND GLADE MASTER PLAN**, containing 22.51 acres +/- . Petitioner will be constructing interior streets for access from W. Conner Court. Petitioner will also dedicate 30' wide right-of-way on the southern boundary and construct W. Dora Circle to Borough residential street standards for a distance of 223'. Petitioner is also applying for variances from MSB 43.20.140 Physical Access and MSB 43.20.060 Dedication to the public. Located within S ½ NW ¼ SE ¼ NW ¼, SW ¼ SE ¼ NW ¼, SW ¼ NE ¼ SE ¼ NW ¼, W ½ SE ¼ SE ¼ NW ¼ of Sec 35, T17N, R02W, S.M. AK, lying west of W. Lupine Lane and W. Fairview Loop. Community Council: Knik-Fairview, Assembly District: #5: Dan Mayfield

- B. **MARK & ANITA SOQUET AND CARL & LILLIAN STRUBHAR** (owners/petitioners): The request is to create a Public Use Easement within Lot 2, Strubhar, the NE ¼ SE ¼ Section 33 and the NW ¼ SW ¼ Section 34, along the section line common to Sections 33 & 34, to be known as **SOQUET PUE**. The public use easement is of various widths due to topographic constraints. Located within S ½ of Sec 33 & 34, T16N, R04W, S.M. AK, lying north of W. Point Mackenzie Road. Community Council: Pt. Mackenzie, Assembly District: #5: Dan Mayfield

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

6. MISCELLANEOUS

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

7. RECONSIDERATIONS/APPEALS

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 May 19, 2016, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 1:00 P.M. by the Vice Chairman, Mr. Tait Zimmerman.

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 (Chairman) (**Excused Absence**)
- Mr. LaMarr Anderson, District #2 (**Excused Absence**)
- Mr. Stan Gillespie, District #3
- Mr. Jordan Rausa, District #4
- Mr. Tait Zimmerman, District #5 (Vice Chairman)
- Mr. Patrick Johnson, District #6 (**Arrived Late**)
- Ms. Amy Hansen, District #7
- Mr. Marty Van Diest, Alternate 1 (**Absent**)
- Mr. Gregory Pugh, Alternate 2

Staff in attendance:

- Ms. Sloan Von Gunten, Administrative Specialist
- Mr. Fred Wagner, 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. Stan Gillespie.

C. APPROVAL OF THE AGENDA

The Vice Chairman, Tait Zimmerman inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

2. APPROVAL OF MINUTES

The Vice Chairman, Tait Zimmerman inquired if there were any changes to the minutes.

GENERAL CONSENT: The minutes for May 5, 2016, were approved without objection.

3. UNFINISHED BUSINESS

A. MARTIN HEIGHTS

Sloan Von Gunten (Administrative Specialist)

- Stated that 24 public hearing notices were mailed out on April 28, 2016, to this date there have been no returns, 2 objections, no non-objections, and no concerns.

Peggy Horton (Platting Technician)

- Gave an overview of the case.

Mr. Johnson arrived at the platting board hearing.

Tait Zimmerman (Vice Chairman)

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

John Shadrach (Petitioner's Representative)

- Agrees with all the recommendations.

MOTION:

- Mr. Johnson moved to approve the Martin Heights Master Plan revision to 3 phases and a 5-year extension until December 31, 2023, seconded by Mr. Gillespie. Modify recommendation #3 and finding #10. Add Finding #11.

DISCUSSION:

- Discussion about extensions.

RECOMMENDATIONS:

- Modify #3: Plat the 4 lots adjoining Spence Lane and the proposed rights-of-way between them on the first phase plat. No construction needed.

FINDINGS:

- Modify #10: There were no objections from borough departments, outside agencies as a result of the noticing.
- Add #11: There were two objections received as a result of the public noticing. They object to the platting of the lots due to the additional traffic, noise, etc.

VOTE:

- The motion passed with 5 in favor and 1 against. (Mr. Pugh) There are 11 findings.

TIME: 1:28 P.M.

CD: 0:28:21

4. PUBLIC HEARINGS

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

6. MISCELLANEOUS

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

Mr. Tait Zimmerman suspended the Rules for the work session

Peggy Horton (Platting Technician)

- Gave an introduction of borough staff from DPW and Finance to speak during the work session on Title 43.
- Talked about subdivision agreements, bonds, and finances under Title 43.
- Went over other proposed amendments and changes to the Title 43.

TIME: 2:50 P.M.

CD: 01:50:32

BREAK

TIME: 3:00 P.M.

CD: 02:00:50

Peggy Horton (Platting Technician)

- Continued going over proposed amendments and changes to Title 43.

Tait Zimmerman canceled the suspension of the rules and returned the meeting back to order.

7. RECONSIDERATIONS/APPEALS

8. PLATTING OFFICER COMMENTS

- There will be 2 cases to be heard at the next platting board meeting.

9. BOARD COMMENTS

- No comments.

Adjourned 4:00 P.M.

CD: 02:59:30

Jay Van Diest, Chairman
Tait Zimmerman, Vice Chairman

Sloan Von Gunten
Administrative Specialist

4A

construct interior streets for access to the lots in Phase 2 from the temporary cul-de-sac on W. Conner Court and reclaim the temporary cul-de-sac (see **Recommendation #6**). Access for all lots will be from W. Serene Circle and W. Conner Circle once they are constructed. Access for Tract A will be from W. Dora Circle. Lots range in size from 1.03 to 1.23 in size; Tract A is 6.27 acres. See **Exhibit A-4** for sketch of access streets from W. Fairview Loop.

Variance #1

Variance from MSB 43.20.140(A)(2) Physical Access, conform to the existing requirements of the Subdivision Construction Manual (SCM), specifically A11.3 Stub Streets – Temporary Turnarounds. Petitioner wishes to construct 223’ of W. Dora Circle without a temporary turnaround. Petitioner's response to criteria is as follows:

The granting of the variance shall not be detrimental to the public health, safety, or welfare, or injurious to adjacent property. The request is to be able to construct a stub road to one tract within the proposed subdivision. This is for access to the existing home on Tract A. Traffic to Tract A will remain as it is now. A turnaround is not necessary now and this subdivision is not generating a need for one at this time. In fact, the applicant is upgrading this short stub section of road to MSB standards where currently it is a driveway.

The conditions upon which the variance application is based do not apply generally to properties for which the variance is sought. *Typically a temporary turnaround is required when there is phasing proposed (SCM A11.1). There is no additional future development proposed for this tract. If in the future that situation changes, the applicant at that time would have to extend the road and upgrade to the required standard. This is only 23’ further than what is stated in the SCM.*

Because of unusual physical surroundings, shape or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB 43.20 shall result in undue substantial hardship to the owner of the property. *As stated in A above, this stub road will not change the status quo and will in fact improve upon the status quo. Were we to build a temporary turnaround, it would not be providing a useful purpose and would only need to be removed in the future should MSB decide to extend the road or if the adjoining property owner 1,100’ to the west decides to subdivide, which in either case, the current driveway situation would have to be changed to meet MSB specifications. In addition, there would be a conflict with existing utilities were we to construct a temporary turnaround which again would provide no improvement to what exists at the current time and would have to be removed at some future date.*

Variance #2

Variance from MSB 43.20.060(C) Dedication to the public, “...dedications shall be a minimum of 60’ wide and sufficient to carry all traffic generated by the subdivision...” Petitioner wishes to dedicate a 30’ wide right-of-way, with an adjoining 20’ wide utility easement along the south boundary of the subject parcel. There is an existing 25’ wide Public Use Easement on the north boundary of the south adjacent property. Petitioner's response to criteria is as follows:

The granting of the variance shall not be detrimental to the public health, safety, or welfare, or injurious to adjacent property. *The request is to be able to dedicate 30' of right-of-way along the south boundary of the subdivision. There is no detriment, only a benefit to the public. This subdivision does not require the dedication of W. Dora Circle along the length of the south subdivision boundary. The dedication is a desire on my part and on the developers' part to "do the right thing" and provide the MSB and the adjoining land owners with the opportunity for future road extension. This proposed dedication serves no purpose to this subdivision other than to provide access to proposed Tract A which by itself would only necessitates a short dedication of 60' (and possibly a temporary turnaround that would serve no useful purpose in this case). We could "flag" Tract A up to Serene Circle in order to provide access to Tract A.*

This subdivision also does not necessitate the need for a 20' wide utility easement along the north side of W. Dora Circle. This was also the desire of both myself and the developer to again "do the right thing" and provide someplace for utilities to go if the MSB or the adjoining landowners wanted to extend W. Dora Circle. Again, this is being proposed at no cost to the MSB or the adjoining landowners, where normally this easement, along with the road dedication, would have to be purchased from the owner of proposed Tract A.

In addition, there are no topographical limitations to constructing a MSB standard road in 55' or even in 50' of width which was the required width when the 25' Public Use Easement to the south of our subdivision was created.

The conditions upon which the variance application is based do not apply generally to properties for which the variance is sought. Typically "half dedications" are what is proposed here with the other half taken from the adjoining property. In this case that would create a right-of-way of only 55' instead of the 60' that is typically created, as there is only 25' of right-of-way to the south of this subdivision. I also do not think that it is typical for applicants with similar property to donate right-of-way for which the subdivision does not generate the requirement.

Because of unusual physical surroundings, shape or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB 43.20 shall result in undue substantial hardship to the owner of the property. *As stated in A above, this dedication is for the benefit of the public. We are dedicating approximately 1.14 acres of right-of-way and utility easement that does not improve our subdivision, but is being done in order to benefit the public. The strict application of the code would be a hardship on the public as a requirement of dedicating 35' of right-of-way would not be acceptable to the applicant and so we would not dedicate anything along W. Dora Circle, but would instead be forced to "flag" Tract A north to W. Serene Circle.*

Soils: Geotechnical report, submitted per MSB 43.20.281(A) at **Exhibit D**. Dan Steiner, PE, Steiner Design & Construction Services, LLC, obtained soil data by excavating four testholes within the proposed subdivision. A testhole location map and testhole logs are attached. The

upper portion of the soil is a gravely sand. In two testholes there was sandy silt at deeper elevations. No groundwater was encountered. Based on the soil data and topography, there is a minimum of 10,000 sf of contiguous useable septic area within each of the proposed lots. The parcel currently has a gentle slope to the south and southeast. There is approximately 18' of elevation change with an average grade of 2%. There are no slopes over 25%.

Construction and Drainage: Two new roads will be constructed, totaling approximately 11,350', built to residential standard. Both roads will be cul-de-sacs with a centerline slope of less than 6%. All lots will have an acceptable grade for driveways. Both roads will drain toward the cul-de-sac bulbs. With the existing soils of gravely sands, these soils will be able to infiltrate all runoff from within the rights-of-way. Additional infiltration areas may be needed. A drainage map is attached, showing the direction of the proposed roads and possible location of infiltration areas, if needed. The drainage patterns of the proposed roads and existing soil conditions will allow for adequate drainage and absorption of runoff from within the rights-of-way.

Access: Legal and physical access to the proposed lots are required pursuant to MSB 43.20.100 Access Required, MSB 43.20.120 Legal Access and MSB 43.20.140 Physical Access. Access requirements will be met with the dedication and construction of the streets. Pursuant to MSB 43.20.320 Frontage, each lot will have over 60' frontage onto Borough residential standards streets, with the exception of Lots 4 and 10, which will have 45' of frontage onto the cul-de-sac. *Staff notes Title 43 does not require the upgrade of streets leading into the subdivision, if they are owned and maintained by MSB. MSB maintains W. Lupine Lane, S. Cardiff Lane, S. Norwich Lane, W. Bromley Circle, W. Conner Court, S. Hilander Drive and a small portion of W. Dora Circle.*

Surveyor's comments regarding the width of W. Dora Circle and the construction of a temporary turnaround at **Exhibit C**.

Comments: Department of Public Works Operations & Maintenance (**Exhibit E**) supports the variance for the 55' width of right-of-way, instead of 60' wide. DPW would really like a temporary turnaround on W. Dora Circle. Code Compliance notes (**Exhibit F**) this parcel is in FIRM #8065, Zone X, no open cases, not in a Special Land Use District (SpUD), and has no further comments. Planning Division (**Exhibit G**) notes existing structures should be in compliance with setback requirements. Land and Resource Management Division (**Exhibit H**) notes no MSB owned lands are affected and has no objection to the subdivision. Cultural Resources (**Exhibit I**) has no objection to the platting action; however, they recommend caution during construction or related activities in the event cultural remains are recovered.

Department of Emergency Services and #130 Fire Service Area Central Mat-Su (**Exhibit J**) objects to this subdivision. There are already over 30 houses constructed off this single access road. The 2009 International Fire Code (IFC) states that not more than 30 one- or two-family dwellings can be built on a single access road. With the additional twelve lots and one tract, vehicle load and homes will increase. Will Mr. Byler be building detached 4-plexes on these lots? The roads in that area need to be connected for a secondary ingress/egress. IFC Chapter 5 is attached. *Staff notes again the IFC is not listed under MSB 43.05.015 Purpose*

and Scope, which lists the documents incorporated within MSB Title 43 as the BLM manual of survey instructions, the platting procedures pamphlet and the Subdivision Construction Manual. Staff also notes the end use of the lots is a land use issue. The dedication of the 30' wide right-of-way along the south boundary may facilitate the connection of roads in the area in the future.

Site visit report with photos, dated May 25, 2016 at **Exhibit L**.

Utilities: (Exhibit K) MTA requests a 10' wide utility easement along the west boundary of proposed Lot 11, Block 1 (see **Recommendation #4**). Enstar has no recommendations, comments or objections. MEA and GCI did not respond

General Public: (Exhibit M)

Thor and Sue Ryan, owners of Lot 2, Block 3, Hilander Hills, directly north of the subject parcel, have concerns about the unacceptable amount of dust in yards and homes due to the increase in traffic; ruts and washboard roads, as both Conner Court and Bromley are dirt roads; risk to children being hit by traffic; increased traffic but only one road for egress. Suggested solutions are: Pave Conner Court and Bromley; add speed bumps to each street; improve the path from Dora to Lupine to an actual dirt or paved road for secondary egress; provide another egress for the proposed subdivision exiting onto W. Dora Circle.

James "Cole" Justice, owner of Lot 3, Block 3, Hilander Hills, north of the subject parcel, states "11 single family homes would be a large addition, but 44 homes is unacceptable. This would increase traffic on the only entrance to the subdivision. The current amount of traffic creates ruts and potholes. Adding this amount of people will create a safety concern for emergency response and evacuation, as there is only one gravel access road to the entire area, and no alternate entrance or exit. The increase of 44 multi-family units will also change the dynamic of the neighborhood. We will go from a quiet desirable single family home on a cul-de-sac to multi-family revolving door of renters. The noise will be bothersome and drive down the price of my residence as well as my neighbors. If this multi-family unit addition goes in, my family and I will be moving to find another neighborhood like the one we used to have."

David and Malia Miller, owners of Lot 1, Block 3, Hilander Hills, directly north of subject parcel, object to the subdivision. Their concerns are the neighborhood will no longer be a quiet sanctuary. If the 11 lots are developed with 4-plexes on each lot, an additional 44 house will be built right next to their property. If they are rental units, it could potentially lead to a rise in crime and drug use. There are not any through roads into or out of the subdivision; this could be a significant issue if there were a fire in the area. If there are two-three cars per house, an additional 88-132 cars per day will be passing by and this increased traffic will create an enormous amount of dust in their yard and home. Suggested solutions: Don't allow the subdivision; allow only one house per acre; have the contractor install a privacy fence along the property line where it meets the adjoining development; pave the roads and add speed bumps for the safety of children and animals; create an additional road through the proposed development to reduce traffic and fire department access.

Mike Billmaier, owner of Lot 4 and Lot 6, Block 2, Hilander Hills, directly northeast and east of the subject parcel, objects to granting of the variances. The density of the development will be four dwelling units per acre, significantly higher than any of the surrounding developments. Not counting future development of Tract A, 44 new dwelling units will be constructed, which will bring a significantly higher traffic load to the area and all access roads leading to the development should be constructed to existing standards referenced in MSB 43.20.140. Of particular concern is the upgrade of the existing W. Conner Court and W. Bromley Drive.

Bobbi Kousoulous, owner of Lot 1, Block 1, Hilander Hills, northeast of the subject parcel, is opposed to rentals in an area where people assumed they were safe and free from a rental area. Our neighborhood is a nice quiet area where our children play together in each others yards and homes, which means they cross the road often and ride bikes. There are no sidewalks. This would no longer be possible with that much additional traffic. The current road is only 28' wide. There would be additional dust and pot holes as the road is gravel. We also have a blind hill at the corner of Bromley Norwich Lane, which is where the bus stop is for the middle and highschoolers. When I purchased my home I received the homeowners' association manual which states no rentals. I was not aware the subject parcel was "grandfathered" in and doesn't have to follow the association guidelines. *Staff notes the parent parcel of the proposed subdivision is not part of the Hilander Hills subdivision and therefore not subject to the association guidelines.* I am a single mother of two children. If 44 rentals are allowed, we would no longer be a safe neighborhood. It is proven that rental properties bring in more theft, vandalism and drug activity. I am not opposed to single family owned dwellings as I know and expect change and growth. Giving the requested variances will allow roadway dedication without conducting a public hearing, which is taking away our voice with what goes on in our neighborhood. It also allows the developed to bypass having to fix our current road to meet the minimum required 60' wide and sufficient to carry all traffic generated by the subdivision.

Shonda Erickson, owner of Lot 1A, Block 1, Fairview Acres, to the northeast of subject parcel, has contacted the residents of Hilander Hills and Fairview Acres, regarding concerns of this project. To date, 100% of the homeowners-current property tax payers have voiced their opposition to the amount of traffic and lack of proper physical access through W. Dora Circle to W. Lupine Lane. The road was to be constructed by the first developer, Scott McCloud. This road would have provided the adequate physical access needed for public services and emergency personnel access and general public access. It remains unusable throughout the winter and rutted with deep mud throughout the summer months. This road has yet to be addressed and built to Borough requirements. This development would put substantial stresses on the current surrounding neighborhoods by over doubling our existing residency. This development will lower our property value instead of increasing it. On the conservative side, averaging three vehicles per home will create 144 new vehicles on our ONLY road. We welcome responsible development of our area and request your denial of the variances. The letter was signed by Ms. Erickson, Tom and Brenda Mathis, Anthony Docamus, Bobbie Kousoulos (see previous comments); Craig Ingraham, Jane Bartlett (see subsequent comments); Mike and Terry Dennison, Gerald and Patty Loftus, Janice Carpenter, Thomas Ficcaglia, Jack Ferguson, Laura and Steven Miller, Emalee Strunk, Phil Walczak,

Mike and Terry Dennison, David Miller, Sue Ryan (see previous comments); Cole Justice (see previous comments), Richard Seil, and Robert Barton. A map is attached showing ownership of the signers.

Mark and Jane Bartlett, owners of Lot 4, Block 1, Hilander Hills, northeast of the subject parcel, has numerous questions about the development of this subdivision (see **Exhibit M-16 & M-17** for the list of questions). The area surrounding the proposed subdivision has homes that are minimum property size of one acres and one single family dwelling house per acre. The petitioner is requesting he would like to have 44 possible new homes in a 22 acre parcel, right in the middle of an already established neighborhood. We are not anti-progress and anti-build, but believe in responsible growth in our communities. I hope Mr. Mayfield and Mr. Nueman are aware of this meeting and I encourage them to be there for it. Any public official representing any aforementioned agencies would be very welcome.

*Staff notes the objections, concerns and questions of the neighborhoods have been addressed in the staff report. Staff also notes some of the letters from the neighbors have been paraphrased for brevity, and the comments in full are at **Exhibit M**.*

At the time of staff report write-up, there were no responses to the Request for Comments (RFC) from US Army Corps of Engineers; ADF&G; Knik-Fairview Community Council; Road Service Area #17 Knik; MSB Assessments, Permit Center, and Pre-Design Division; MEA or GCI.

CONCLUSION: The preliminary plat of Woodland Glade MSP is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.016 Preliminary Plats. The variances from MSB 43.20.140(A)(2) Physical Access and MSB 43.20.060(C) are consistent with MSB 43.15.075 Variances; Standard of Approval. There were no objections to the plat or variances from any federal or state agency, or utilities. Central Mat-Su Fire Service Area #130 and Department of Emergency Services objected to the subdivision. Twenty-two objections were received from the general public in response to the Notice of Public Hearing; one concern was received. Legal and physical access will be provided to the proposed lots, consistent with MSB 43.20.100 Access Required, MSB 43.20.120 Legal Access and MSB 43.20.140 Physical Access. Frontage for the subdivision will exist pursuant to MSB 43.20.320 Frontage. The engineer has provided a geotechnical report pursuant to MSB 43.20.281(A).

RECOMMENDATION FOR APPROVAL OF PRELIMINARY PLAT

Suggested motion: "I move to approve the preliminary plat of Woodland Glade Master Plan and Variances from MSB 43.20.140 Physical Access and MSB 43.20.060 Dedication to Public, Section 35, Township 17 North, Range 02 West, Seward Meridian, Alaska, contingent on staff recommendations:"

1. Taxes and special assessments must be current prior to recording each phase plat, pursuant to MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.
2. Pay mailing and advertising fees of \$56.80.

3. Provide updated Certificate to Plat executed within 90 days of recording of each phase plat and submit Beneficiary Acknowledgement for any holder of a beneficial interest.
4. Grant a 10' wide utility easement along the west boundary of Lot 11, Block 1, as requested by MTA.
5. Show or list all easements of record on each phase plat.
6. Construct W. Conner Circle, W. Serene Circle, and a portion of W. Dora Circle, to residential street standards:
 - a. Submit cost estimate, arrange a pre-construction meeting with Department of Public Works (DPW), pay inspection fee and obtain a Notice to Proceed from Platting staff for each phase. Submit the *No Engineer Left Behind* for final road inspection.
 - b. Provide proof to Platting staff that the temporary cul-de-sac on W. Conner Court has been removed.
 - c. Provide DPW acceptance of the roads to Platting staff.
7. Submit recording fee payable to State of Alaska, Department of Natural Resources (SOA/DNR).
8. Submit each phase final plat in full compliance with Title 43.

FINDINGS for PRELIMINARY PLAT

1. The plat of Woodland Glade Master Plan is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.016 Preliminary Plats.
2. The variances from MSB 43.20.140(A)(2) Physical Access and MSB 43.20.060(C) are consistent with MSB 43.15.075 Variances; Standard of Approval.
3. Petitioner's response to criteria for Variance from MSB 43.20.140(A)(2) Physical Access:
 - a) The granting of the variance shall not be detrimental to the public health, safety, or welfare, or injurious to adjacent property. *The request is to be able to construct a stub road to one tract within the proposed subdivision. This is for access to the existing home on Tract A. Traffic to Tract A will remain as it is now. A turnaround is not necessary now and this subdivision is not generating a need for one at this time. In fact, the applicant is upgrading this short stub section of road to MSB standards where currently it is a driveway.*
 - b) The conditions upon which the variance application is based do not apply generally to properties for which the variance is sought. *Typically a temporary turnaround is required when there is phasing proposed (SCM A11.1). There is no additional future development proposed for this tract. If in the future that situation changes, the applicant at that time would have to extend the road and upgrade to the required standard. This is only 23' further than what is stated in the SCM.*
 - c) Because of unusual physical surroundings, shape or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB 43.20 shall result in undue substantial hardship to the owner of the property. *As stated in A above, this stub road will not change the status quo and will in fact improve upon the status quo. Were we to build a temporary turnaround, it would not be providing a useful purpose and would only need to be removed in the future should MSB decide to extend the road or if the adjoining property owner 1,100' to the west decides to subdivide, which in either case, the current driveway situation would have to be changed to meet MSB specifications. In*

addition, there would be a conflict with existing utilities were we to construct a temporary turnaround which again would provide no improvement to what exists at the current time and would have to be removed at some future date.

4. Petitioner's response to criteria for variance to MSB 43.20.060 Dedication to Public:

- a) *The granting of the variance shall not be detrimental to the public health, safety, or welfare, or injurious to adjacent property. The request is to be able to dedicate 30' of right-of-way along the south boundary of the subdivision. There is no detriment, only a benefit to the public. This subdivision does not require the dedication of W. Dora Circle along the length of the south subdivision boundary. The dedication is a desire on my part and on the developers' part to "do the right thing" and provide the MSB and the adjoining land owners with the opportunity for future road extension. This proposed dedication serves no purpose to this subdivision other than to provide access to proposed Tract A which by itself would only necessitates a short dedication of 60' (and possibly a temporary turnaround that would serve no useful purpose in this case). We could "flag" Tract A up to Serene Circle in order to provide access to Tract A.*

This subdivision also does not necessitate the need for a 20' wide utility easement along the north side of W. Dora Circle. This was also the desire of both myself and the developer to again "do the right thing" and provide someplace for utilities to go if the MSB or the adjoining landowners wanted to extend W. Dora Circle. Again, this is being proposed at no cost to the MSB or the adjoining landowners, where normally this easement, along with the road dedication, would have to be purchased from the owner of proposed Tract A.

In addition, there are no topographical limitations to constructing a MSB standard road in 55' or even in 50' of width which was the required width when the 25' Public Use Easement to the south of our subdivision was created.

- b) *The conditions upon which the variance application is based do not apply generally to properties for which the variance is sought. Typically "half dedications" are what is proposed here with the other half taken from the adjoining property. In this case that would create a right-of-way of only 55' instead of the 60' that is typically created, as there is only 25' of right-of-way to the south of this subdivision. I also do not think that it is typical for applicants with similar property to donate right-of-way for which the subdivision does not generate the requirement.*
- c) *Because of unusual physical surroundings, shape or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB 43.20 shall result in undue substantial hardship to the owner of the property. As stated in A above, this dedication is for the benefit of the public. We are dedicating approximately 1.14 acres of right-of-way and utility easement that does not improve our subdivision, but is being done in order to benefit the public. The strict application of the code would be a hardship on the public as a requirement of dedicating 35' of right-of-way would not be acceptable to the applicant and so we would not dedicate anything along W. Dora Circle, but would instead be forced to "flag" Tract A north to W. Serene Circle.*

5. There were no objections to the plat or the variances from any federal or state agencies, or utilities.

6. Department of Emergency Services and Central Mat-Su Fire Service Area #130 objected to the subdivision.
7. There were twenty-two objections from the general public in response to the Notice of Public Hearing.
8. One concern from the general public was received in response to the Notice of Public Hearing.
9. At the time of staff report write-up, there were no responses to the Request for Comments (RFC) from US Army Corps of Engineers; ADF&G; Knik-Fairview Community Council; Road Service Area #17 Knik; MSB Assessments, Permit Center, and Pre-Design Division; MEA or GCI.
10. Lot sizes and useable area are consistent with MSB 43.20.281(A)(2) Area.
11. Petitioners' engineer of record submitted an engineering statement pursuant to MSB 43.20.281(A) Area, verifying all proposed lots have 10,000 sf of contiguous useable septic area.
12. Frontage for the subdivision will exist pursuant to MSB 43.20.320 Frontage.
13. Legal and physical access will be provided to the proposed lots, consistent with MSB 43.20.100 Access Required, MSB 43.20.120 Legal Access, and MSB 43.20.140 Physical Access.

35
B9

33' SECTION LINE ESMT

50' SECTION LINE ESMT

(2507)

(2)

15 14 13 12
FAIRVIEW ACRES

TRACT A

W BROMLEY DR

1 2
(4)

W BROMLEY DR

HILANDER HILLS

1A
(5646)

(1)

(2507)

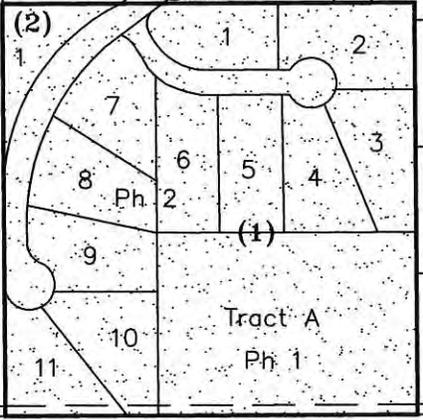
B10

**SUBJECT
PROPERTY**



W CONNER CT

(5855)



A3

A13

SAGE'S
3
PARK
(7456)
2
PLACE
A16

W CHRISTINA CT

A11

1 2
(4895)

A7

W LUPINE LN

ORACLE WOOD

1 (6998)

**FRIENDLY
ACRES**

TRACT A

(1)

(2)

D2

20' PUBLIC USE ESMT

C6

25' PUBLIC USE ESMT

25' PUBLIC USE ESMT

W DORA CIR

**JOHN R NICHOLS
MEMORIAL PARK**

(3914)

N/C

C8

D14

D15

VICINITY MAP

FOR PROPOSED WOODLAND GLADE
LOCATED WITHIN

SECTION 35, T17N, R02W, SEWARD MERIDIAN,
ALASKA

HOUSTON 16 MAP

W WILD IRIS AVE

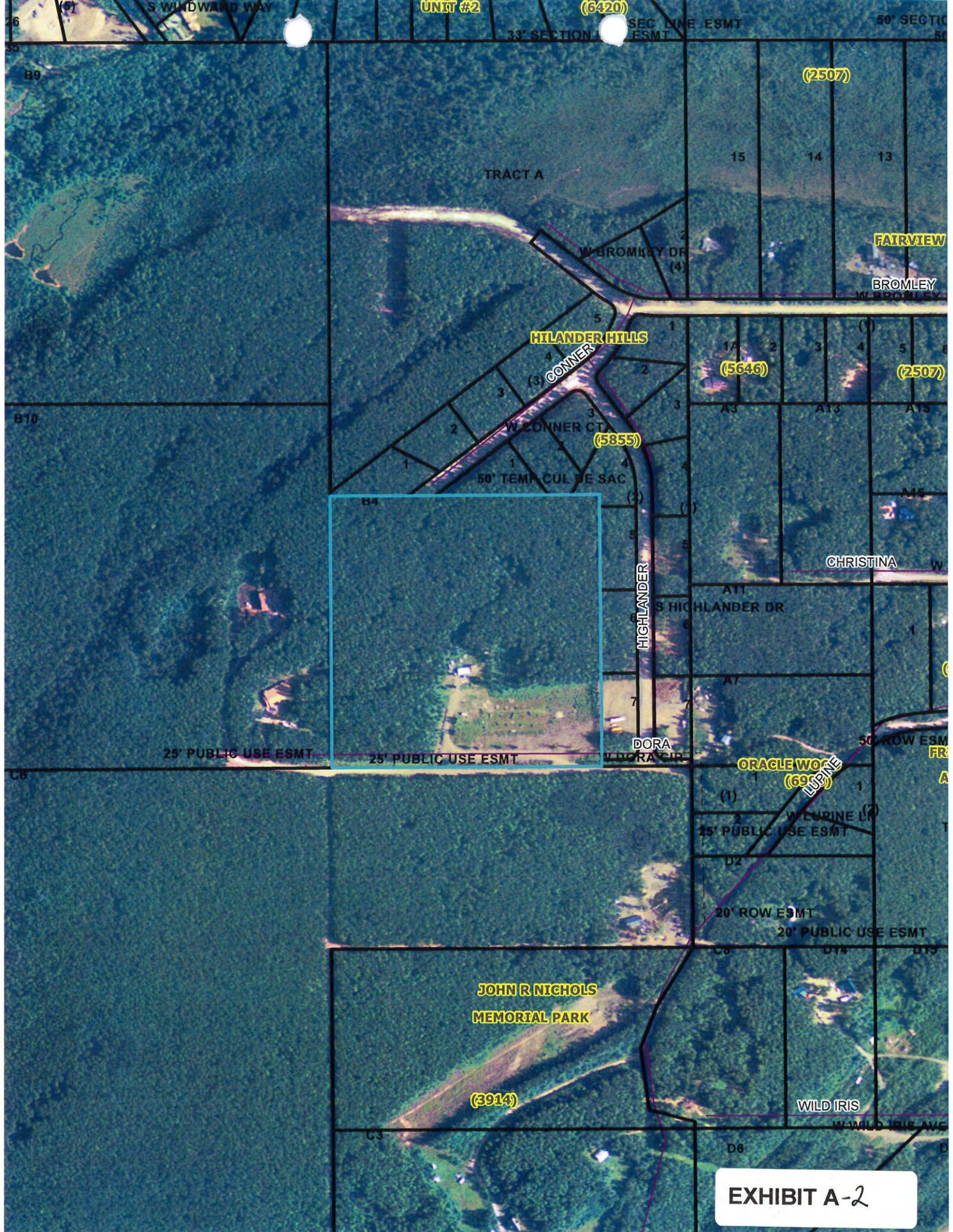
60' ESMT

D6

D7

EXHIBIT A -/

D8



UNIT #2

(6420)

(2507)

TRACT A

FAIRVIEW

BROMLEY

HIGHLANDER HILLS

(5646)

(2507)

CONNER

(5855)

CHRISTINA

HIGHLANDER

S HIGHLANDER DR

DORA

ORACLE WOOD LUPINE

(699)

25' PUBLIC USE ESMT

25' PUBLIC USE ESMT

25' PUBLIC USE ESMT

20' ROW ESMT

20' PUBLIC USE ESMT

JOHN R NICHOLS
MEMORIAL PARK

(3914)

WILD IRIS

EXHIBIT A-2

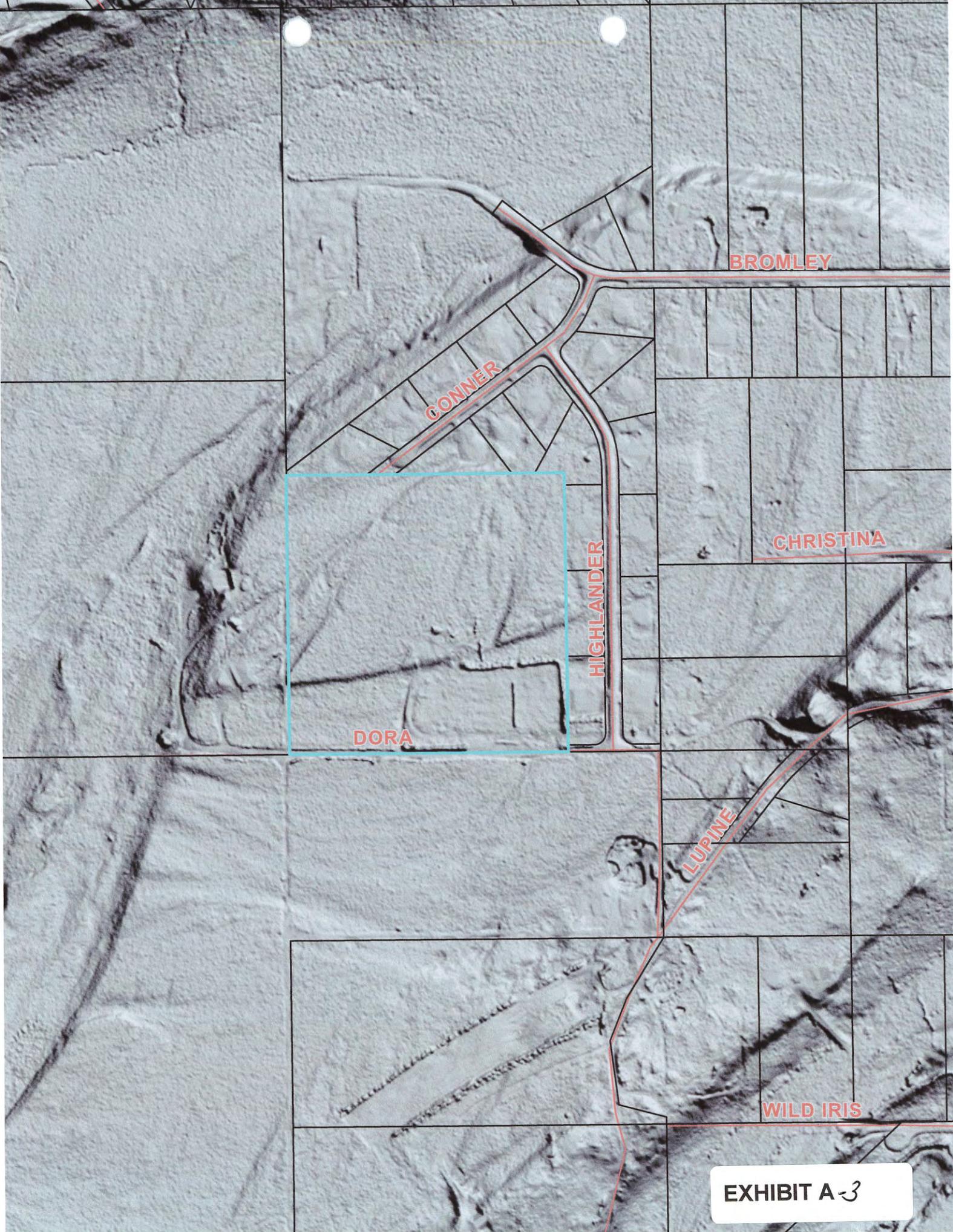




EXHIBIT A-4

VARIANCE APPLICATION

This application is to the Matanuska-Susitna Borough Platting Board for a variance from the Subdivision Ordinance, Title 43. The application must include all of the information listed below. Incomplete applications will not be processed.

Legal description of property:__

MSB TAX PARCEL: B04

LOCATED IN THE (aliquot part) NW1/4

Section(s) 35 Township(s) 17 N Range(s) 02 W SEWARD Meridian, Alaska.

An application for a variance from a requirement of Title 43 shall contain:

1. The preliminary plat to which the variance pertains or a copy of the plat or record if it has previously been approved and recorded;
2. A description of the variance requested including the code section reference;
3. Explain the special circumstances for the variance *on separate pages*, addressing criteria A, B, & C as required in MSB 43.15.075.
 - A. *The granting of the variance shall not be detrimental to the public health, safety or welfare, or injurious to adjacent property; and*
 - B. *The conditions upon which the variance application is based do not apply generally to properties for which the variance is sought; and*
 - C. *Because of unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB 43.20 shall result in undue substantial hardship to the owner of the property.*

I, GARY LORUSSO the owner (or owner's representative) of the above described property apply for a variance from Section MSB 43.20.140 A11.3 of the Borough Code in order to allow:

STUB ROAD CONSTRUCTION OF 223 FEET (Variances from Road Design Standards are variances from MSB 43.20.140, described within the Subdivision Construction Manual).

APPLICANT:

OR Mailing Address: DENNIS E. BYLER, P.O. BOX 877750, WASILLA, ALASKA Zip: 99687-7750

OWNER Contact Person: DENNIS Phone: 357-3073

SURVEYOR Name (FIRM): KEYSTONE SURVEYING & MAPPING

Mailing Address: P.O. BOX 2216, PALMER, ALASKA Zip: 99645

Contact Person: GARY LoRUSSO Phone: 376-7811

EXHIBIT B -/



GARY LORUSSO

KEYSTONE SURVEYING AND MAPPING

P.O. Box 2216

Palmer, Alaska 99645

Email: garyl@mtaonline.net

Phone: (907) 376-7811

WOODLAND GLADE VARIANCE CRITERIA

A. The request is to be able to construct a stub road to one Tract within the proposed subdivision. This is for access to the existing home on Tract A. Traffic to Tract A will remain as it is now. A turnaround is not necessary now and the this subdivision is not generating a need for one at this time. In fact, the applicant is upgrading this short stub section of road to MSB standards where currently it is a driveway.

B. Typically a temporary turn around is required when there is phasing proposed (A11.1). There is no additional future development proposed for this Tract. If in the future that situation changed the applicant at that time would have to extend the road and upgrade to the required standard. This is only 23' further than what is stated in the construction manual.

C. As stated in A. above, this stub road will not change the status quo and will in fact improve upon the status quo. Were we to build a temporary turnaround it would not be providing a useful purpose and would only need to be removed in the future should the MSB decide to extend the road or if the adjoining property owner 1100 feet to the west decides to subdivide which in either case the current driveway situation would have to be changed to meet MSB specifications. In addition, there would be a conflict with existing utilities were we to construct a temporary turnaround which again would provide no improvement to what exists at the current time and would have to be removed at some future date.

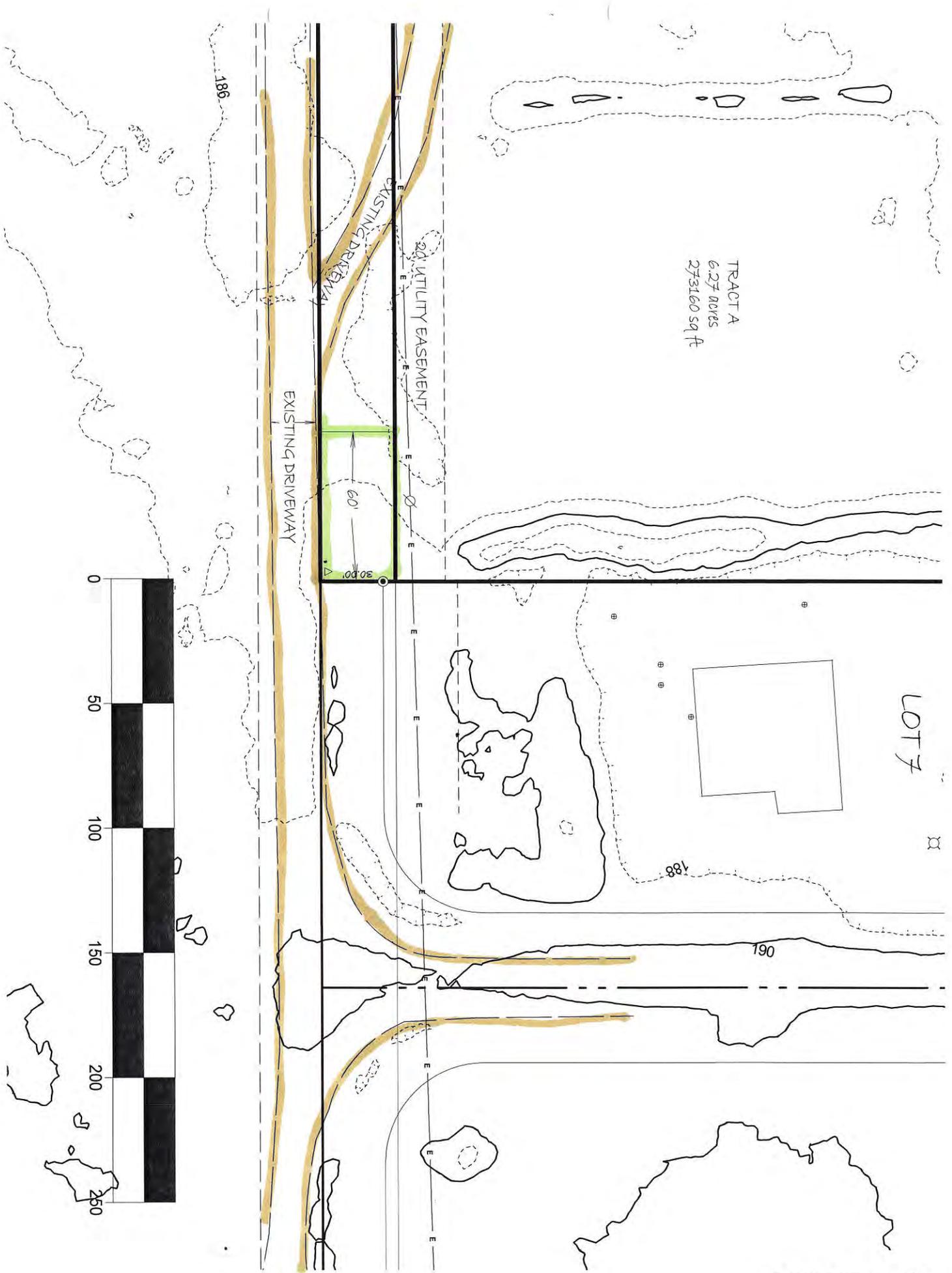


EXHIBIT B-3

VARIANCE APPLICATION

This application is to the Matanuska-Susitna Borough Platting Board for a variance from the Subdivision Ordinance, Title 43. The application must include all of the information listed below. Incomplete applications will not be processed.

RECEIVED

APR 24 2016

PLATTING

Legal description of property: __

MSB TAX PARCEL: B04

LOCATED IN THE (aliquot part) NW1/4

Section(s) 35 Township(s) 17 N Range(s) 02 W SEWARD Meridian, Alaska.

An application for a variance from a requirement of Title 43 shall contain:

1. The preliminary plat to which the variance pertains or a copy of the plat or record if it has previously been approved and recorded;
2. A description of the variance requested including the code section reference;
3. Explain the special circumstances for the variance *on separate pages*, addressing criteria A, B, & C as required in MSB 43.20.060 (c).
 - A. *The granting of the variance shall not be detrimental to the public health, safety or welfare, or injurious to adjacent property; and*
 - B. *The conditions upon which the variance application is based do not apply generally to properties for which the variance is sought; and*
 - C. *Because of unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB 43.20 shall result in undue substantial hardship to the owner of the property.*

I, GARY LORUSSO the owner (or owner's representative) of the above described property apply for a variance from Section MSB 43.20.140 A11.3 of the Borough Code in order to allow:

Dedication of 30 feet of right of way along the south boundary of the subdivision for the benefit of the public.

(Variances from Road Design Standards are variances from MSB 43.20.140, described within the Subdivision Construction Manual).

APPLICANT:

OR Mailing Address: DENNIS E. BYLER, P.O. BOX 877750, WASILLA, ALASKA Zip: 99687-7750

OWNER Contact Person: DENNIS Phone: 357-3073

SURVEYOR Name (FIRM): KEYSTONE SURVEYING & MAPPING

Mailing Address: P.O. BOX 2216, PALMER, ALASKA Zip: 99645

Contact Person: GARY LoRUSSO Phone: 376-7811

EXHIBIT B *4*



GARY LORUSSO

KEYSTONE SURVEYING AND MAPPING

P.O. Box 2216

Palmer, Alaska 99645

Email: garyl@mtaonline.net

Phone: (907) 376-7811

WOODLAND GLADE VARIANCE CRITERIA 2

A. The request is to be able to dedicate 30 feet of right of way along the south boundary of the subdivision. There is no detriment, only a benefit to the public. This subdivision does not require the dedication of W. Dora Circle along the length of the south subdivision boundary. The dedication is a desire on my part and on the developers part to "do the right thing" and provide the MSB and the adjoining land owners with the opportunity for future road extension. This proposed dedication serves no purpose to this subdivision other than to provide access to proposed Tract A which by itself would only necessitate a short dedication of 60' (and possibly a temporary turnaround that would serve no useful purpose in this case). We could "flag" Tract A up to Serene Circle in order to provide access to Tract A.

This subdivision also does not necessitate the need for a 20' wide utility easement along the north side of the Dora. This was also the desire of both myself and the developer to again "do the right thing" and provide someplace for utilities to go if the MSB or the adjoining landowners wanted to extend Dora Circle. Again this is being proposed at no cost to the MSB or the adjoining landowners where normally this easement along with the road dedication would have to be purchased from the owner of proposed Tract A.

In addition, there are no topographical limitations to constructing a MSB standard road in 55' or even in 50' of width which was the required width when the 25' PUE to the south of our subdivision was created.

B. Typically "half dedications" are what is proposed here with the other half taken from the adjoining property. In this case that would create a right of way of only 55' instead of the 60' that is typically created as there is only 25' of right of way to the south of this subdivision. I also do not think that it is typical for applicants with similar property to donate right of way that the subdivision does not generate the requirement for.

C. As stated in A. above, this dedication is for the benefit of the public. We are dedicating approximately 1.14 acres of right of way and utility easement that does not improve our subdivision but is being done in order to benefit the public. The strict application of the code would be a hardship on the public as a requirement of dedicating 35' of right of way would not be acceptable to the applicant and so we would not dedicate anything along Dora but would instead be forced to "flag" Tract A north to Serene Circle.

Amy Otto-Buchanan

From: Fred Wagner
Sent: Monday, April 25, 2016 11:18 AM
To: Gary LoRusso; Amy Otto-Buchanan
Subject: RE: woodland glade

My opinion is that the 30 foot dedication is sufficient. Furthermore, requiring a 35 foot dedication would make for a 10 foot jog to the north as the ROW width coming into and out is 25 feet, that in my opinion is unacceptable and would make for a difficult road alignment. I also recognize that the petitioner is not required to dedicate this land at this time and is in fact doing so to alleviate the borough's possible need for future ROW and utilities to connect Fairview to Settler's Bay.

As such, I would be in support of a variance in this case.

Respectfully,

Fred Wagner, PLS
Platting Officer
Matanuska-Susitna Borough
Office: (907) 861-7870
Fax: (907) 861-8407

From: Gary LoRusso [<mailto:garyl@mtaonline.net>]
Sent: Saturday, April 23, 2016 12:05 PM
To: Amy Otto-Buchanan
Cc: Fred Wagner; Brad Sworts
Subject: woodland glade

Amy,

I received your call about the width of W. Dora Circle. Thank you for always calling when something arises that needs to be addressed. This avoids the delays and frustration which occurs when there is no communication between staff and the applicant. It seems that since the days of Murph O'Brian and Bill Klebesadel the communication with staff (other than platting) has gone to zero. So many problems can be resolved early with a simple call from staff to the applicant or their representative when a question needs to be answered or a problem worked out. This benefits everyone because as I have always said, I view these projects as a joint effort between all involved. It seems that over the past few years the attitude has changed. Other than Platting staff, the last time staff called to discuss a project issue was when Murph and Bill were at the MSB which has been some time now. Anyways, thanks for the call.

Discussion: W. Dora Circle

It would again seem that no good deed goes unpunished.

This subdivision does not require the dedication of W. Dora Circle along the length of the south subdivision boundary. The dedication was a desire on my part and on the developers part to "do the right thing" and provide the MSB with the opportunity to get Right of Way for free along a path that could easily serve as a connection to Settlers Bay at some point in the future. This proposed dedication serves no purpose

to this subdivision other than to provide access to proposed Tract A which by itself would only necessitate a short dedication of 60' (and possibly a temporary turnaround that would serve no useful purpose in this case). Nothing more.

This subdivision also does not necessitate the need for a 20' wide utility easement along the north side of the Dora. This was also the desire of both myself and the developer to again "do the right thing" and provide someplace for utilities to go if the MSB were to use this path to connect to Settlers Bay. Again this is being proposed at no cost to the MSB where normally this easement along with the road dedication would have to be purchased from the adjoining land owner.

The current code would require us to dedicate 35' along the south boundary of our subdivision (only far enough to provide 60' of frontage on Tract A). 35' from one side of the line property owner we feel is excessive and as separation distances between wells and septic tanks and building sites, etc, always seems to be tight, the 35' along Dora would not be acceptable. Especially since both myself and the developer have proposed this dedication for no other reason than to "do the right thing" with no direct benefit to the project and in fact is a detriment to the project (1.14 acres of land donated for right of way and utility easement). In addition, there are no topographical limitations to constructing a MSB standard road in 55' or even in 50' of width which was the required width when the 25' PUE to the south of our subdivision was created.

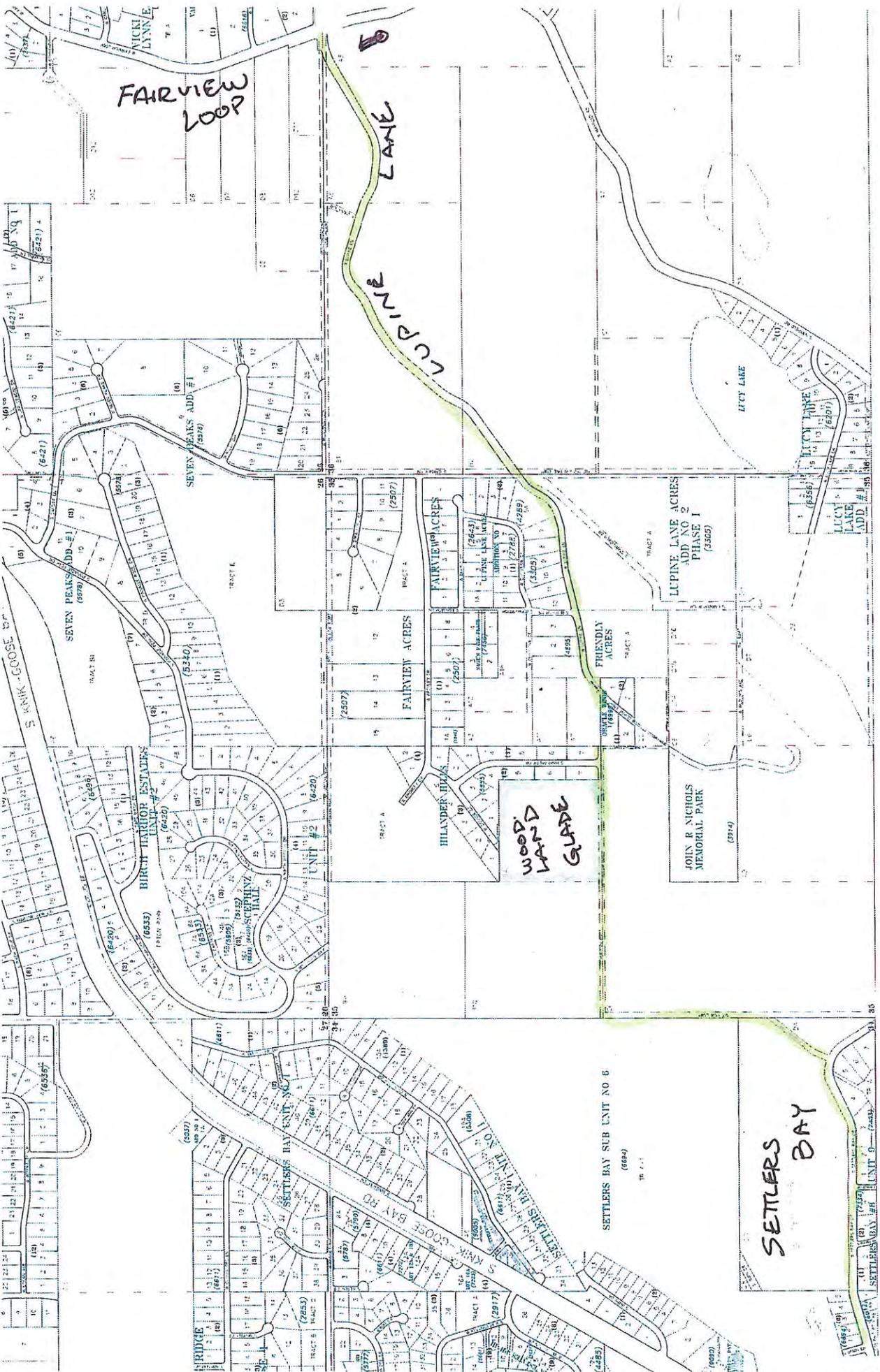
So, I have included a 4 page attachment showing various options in order to get some kind of direction in which to proceed. Either one of these options is acceptable.

If you would like I could meet with you further to discuss but please let me know as soon as you can so that we can continue with the current application un-delayed in order to be on the June 2nd Platting Board agenda.

Thanks again Amy.

Gary LoRusso

Keystone Surveying & Mapping, Inc.
P.O. Box 2216, Palmer, Alaska 99645
(907) 376-7811
Fax: (907) 376-5780
Email: garyl@mtaonline.net



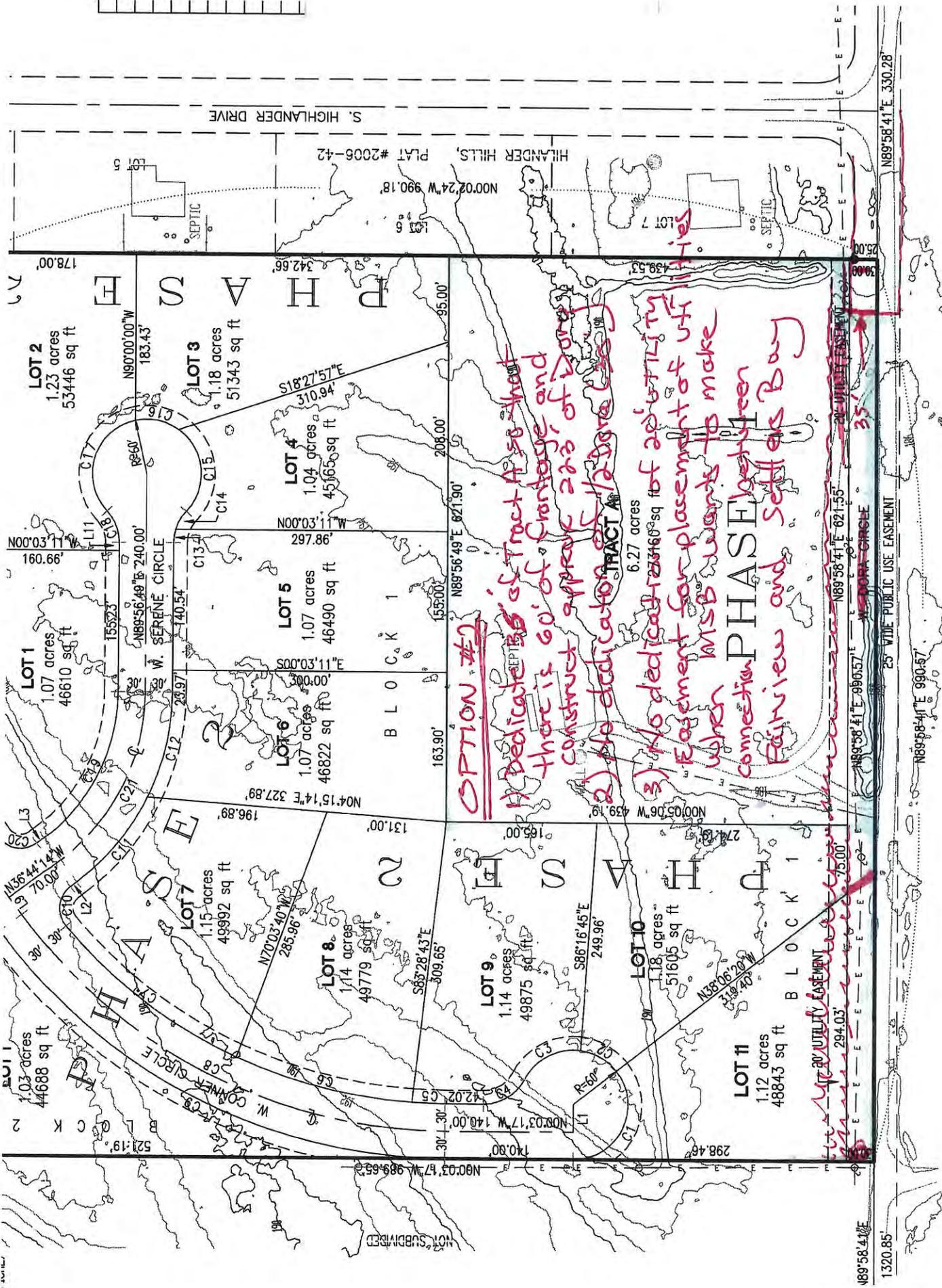
FAIRVIEW LOOP

LUPINE LANE

WOODWAY GLADE

SETTLERS BAY

SEE 5007

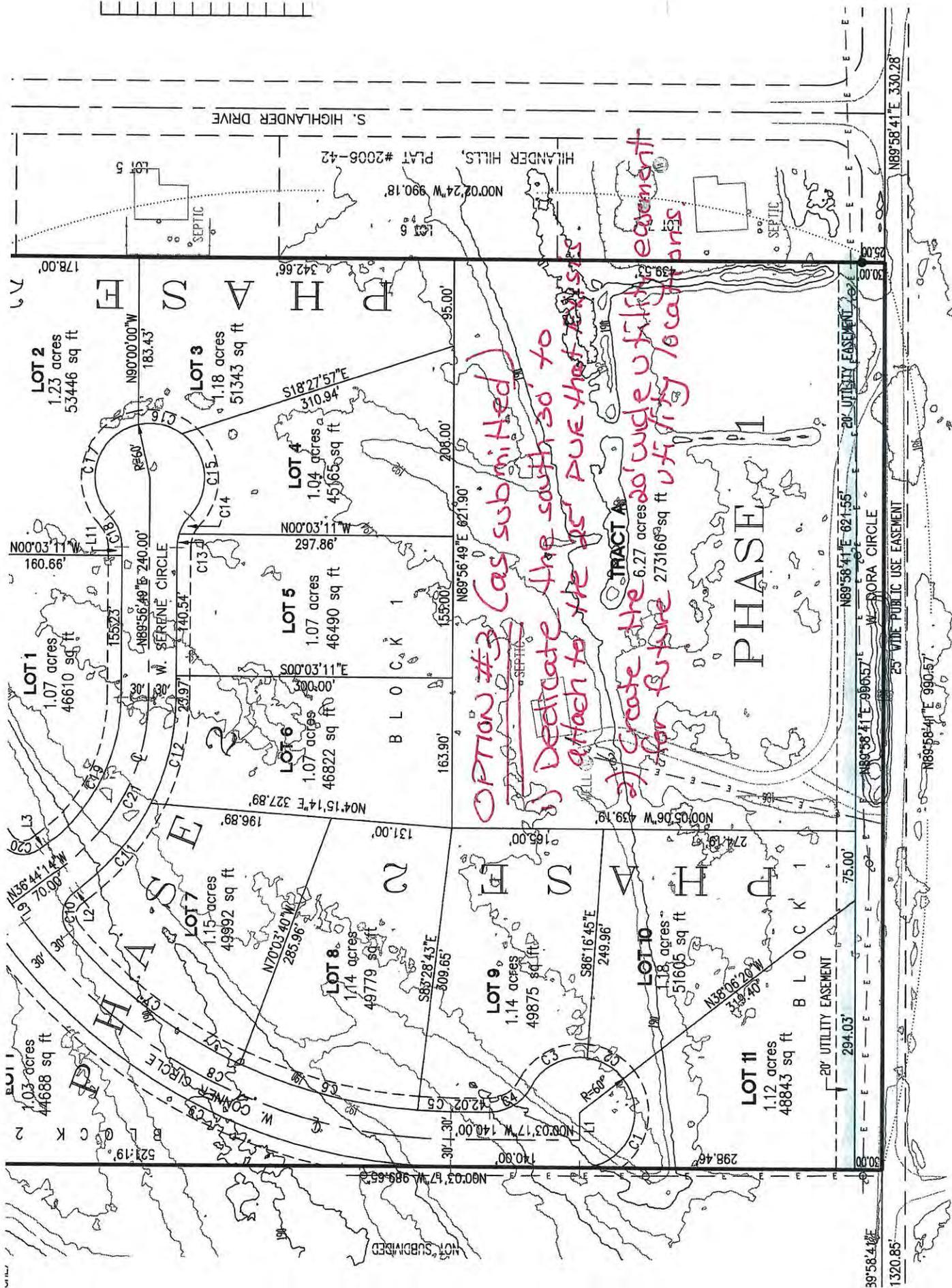


OPTION #2

- 1) Dedicated to Tract #2 so that there is 60' of frontage and construct approx 200' of 20" dia
- 2) No dedication of 1/2 acre to TRACT #1
- 3) No dedication of 27,346 sq ft of 20" utility Easement for placement of utilities when MSB wants to make connection PHASE between Fairview and Settlers Bay

Handwritten note: 20" UTILITY EASEMENT 35'

NOT SUBMITTED



OPTION #3 (as submitted)
 1) Dedicate the south 50' to attach to the 1st AVE that exists.
 2) Create the 6.27 acres 20' wide utility easement for future utility locations.

5900 W. Dewberry Dr
Wasilla, AK 99623

SDCS, LLC

STEINER DESIGN & CONSTRUCTION SERVICES, LLC

Phone: (907) 357-5609
Fax: (907) 357-5608

April 18, 2016

Platting Officer
Matanuska-Susitna Borough
350 E. Dahlia Ave.
Palmer, AK 99645-6488

RECEIVED

APR 18 2016

PLATTING

Re: Engineering Report– Woodland Glade Subdivision

To Whom it May Concern,

This letter is to serve for the engineering report for the above referenced subdivision and platting action. The platting action is to subdivide a 22.51 acre parcel into 11 lots including proposed roads. These lots range in size from 1.03 to 1.23 acres. This parcel is accessed from an existing Mat-Su Borough (MSB) road, W. Conner Court. A vicinity map is included with the report, as Figure 1.

Topography

The parcel currently has a gentle slope to the south and southeast. This is approximately 18' of elevation change over the parcel resulting in an average grade of 2%. There are no parts of the subdivision that has a slope of over 25%.

Soils Investigation

Soil information is needed to determine if existing soil conditions are suitable for onsite wastewater disposal systems. This includes soils capable of supporting a soil absorption system that meets all ADEC offset requirements from groundwater and bedrock.

Soil data was obtained by excavating four test holes within the proposed subdivision. Figure 2 shows the locations of the test holes. The soils were very consistent throughout the subdivision. The upper portion of the soil is a gravely sand. In two test holes there was a sandy silt at deeper elevations. No groundwater was encountered in any of the test holes. Logs of the test holes are included with this report.

Based on this soil data and the parcel topography, there is a minimum of 10,000 square feet of contiguous usable septic area within each of the proposed lots.

Road Construction

There will be two new roads constructed as part of this subdivision totaling approximately 1,350 lf. The roads will be built to MSB standards for residential roads. Both roads will be cul-de-sacs. All roads will have a centerline slope of less than 6%. All lots will be able to have a driveway access within acceptable grades.

Drainage Plan

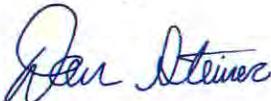
As previously mentioned, all roads will have a centerline slope of less than 6%. Both roads will drain toward the cul-de-sac bulb. With the existing soils consisting of gravelly sands, these soils will be able to infiltrate all runoff from within the right of way. If it is determined during construction that additional infiltration areas are needed, they can be constructed at the low points of the cul-de-sac bulbs. Figure 3 shows the direction of drainage of the proposed roads and the possible location of infiltration area if needed.

Summary

Based on the soils data and existing topography, there is a minimum of 10,000 square feet of contiguous usable septic area within each of the proposed lots as required by the Matanuska-Susitna Borough Subdivision Regulations.

The drainage patterns of the proposed roads and existing soil conditions will allow for adequate drainage and absorption of runoff from within the right-of-way.

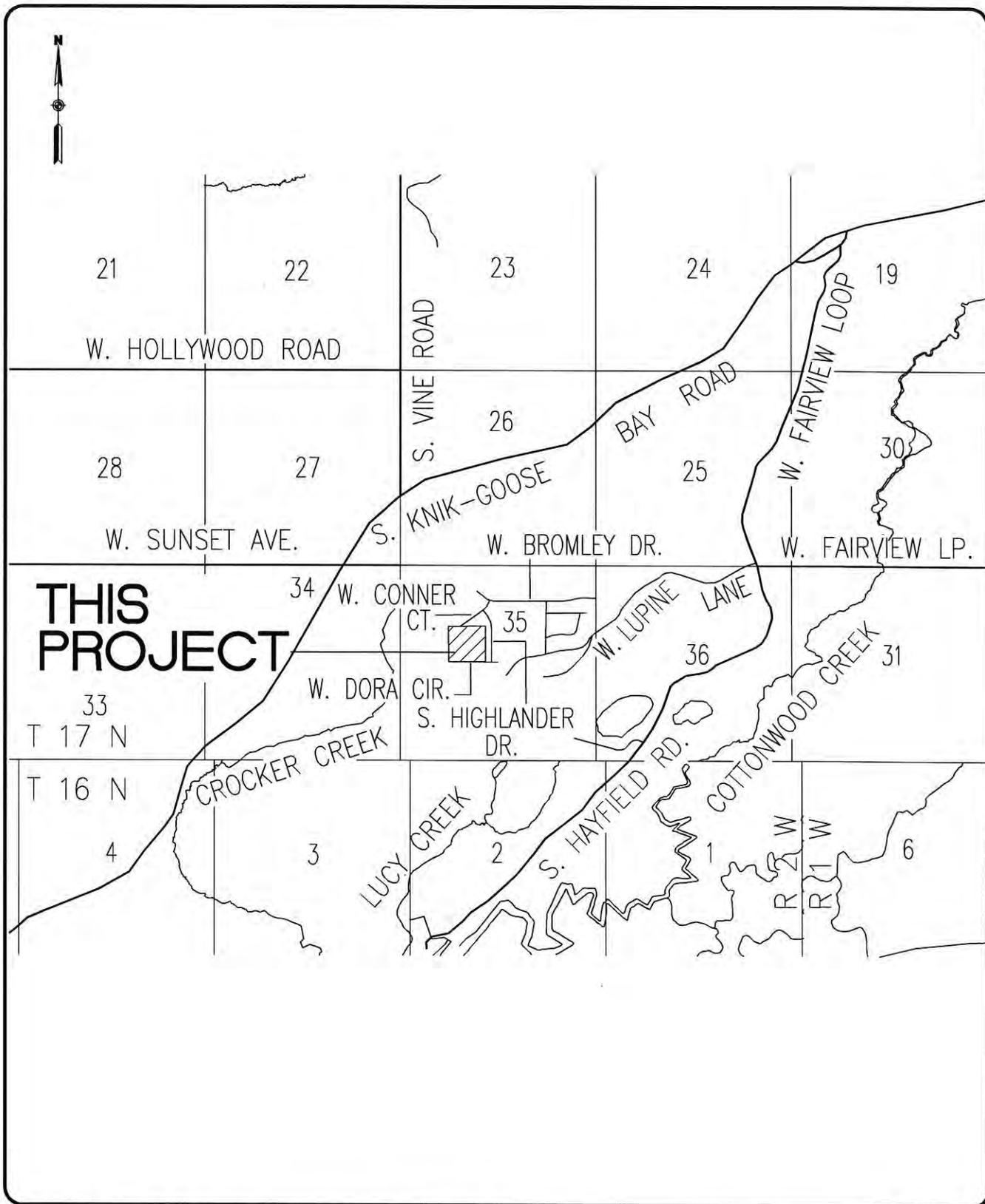
Sincerely,



Dan Steiner, P.E.
Manager

des
encl.

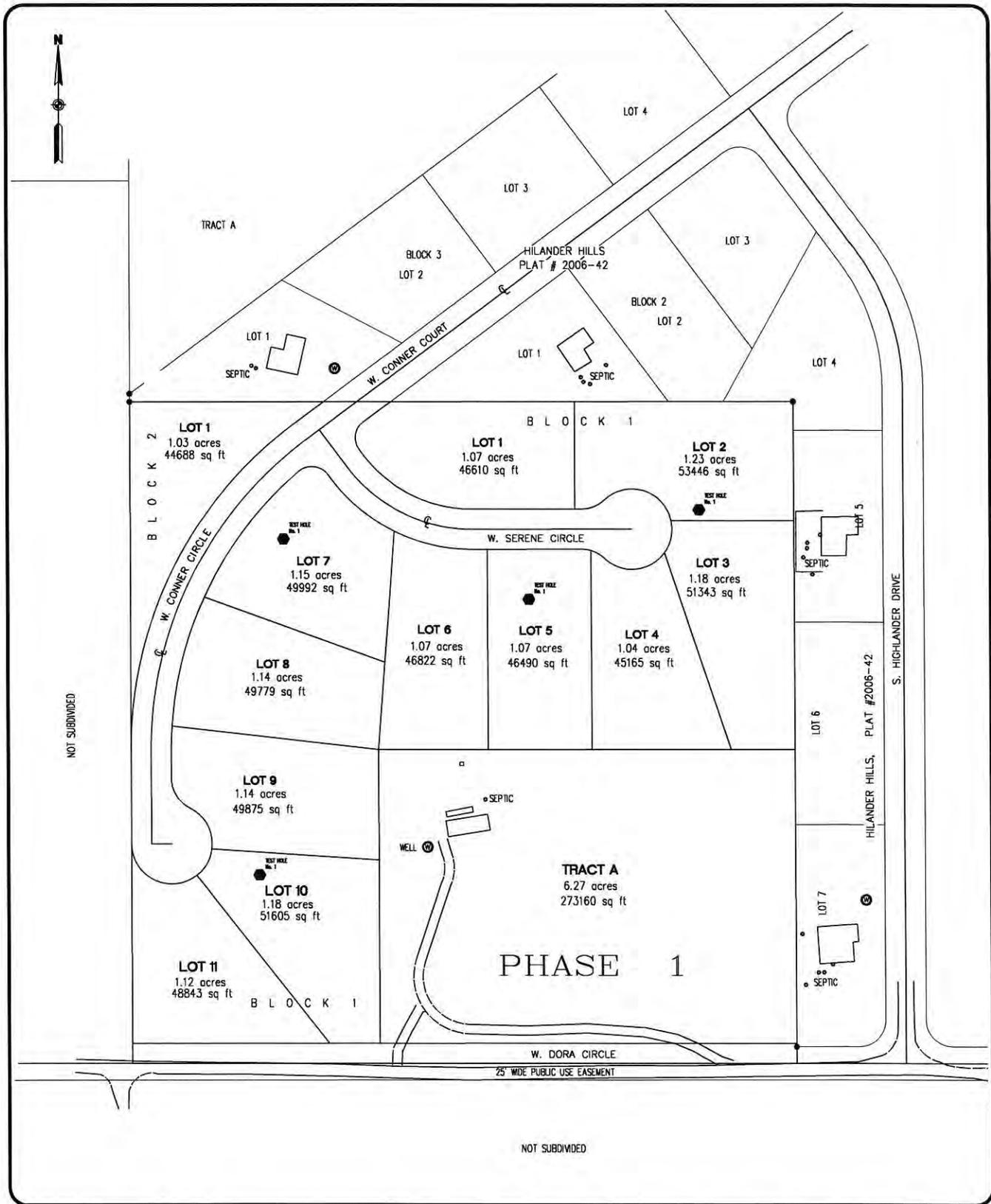




SDCS, LLC
 STEINER DESIGN & CONSTRUCTION SERVICES, LLC
 5900 W. DEWBERRY DR. PH: (907) 357-5609
 WASILLA, AK 99623 FAX: (907) 357-5608

WOODLAND GLADE – ENGINEER’S REPORT
 VICINITY MAP
 EXHIBIT D-3

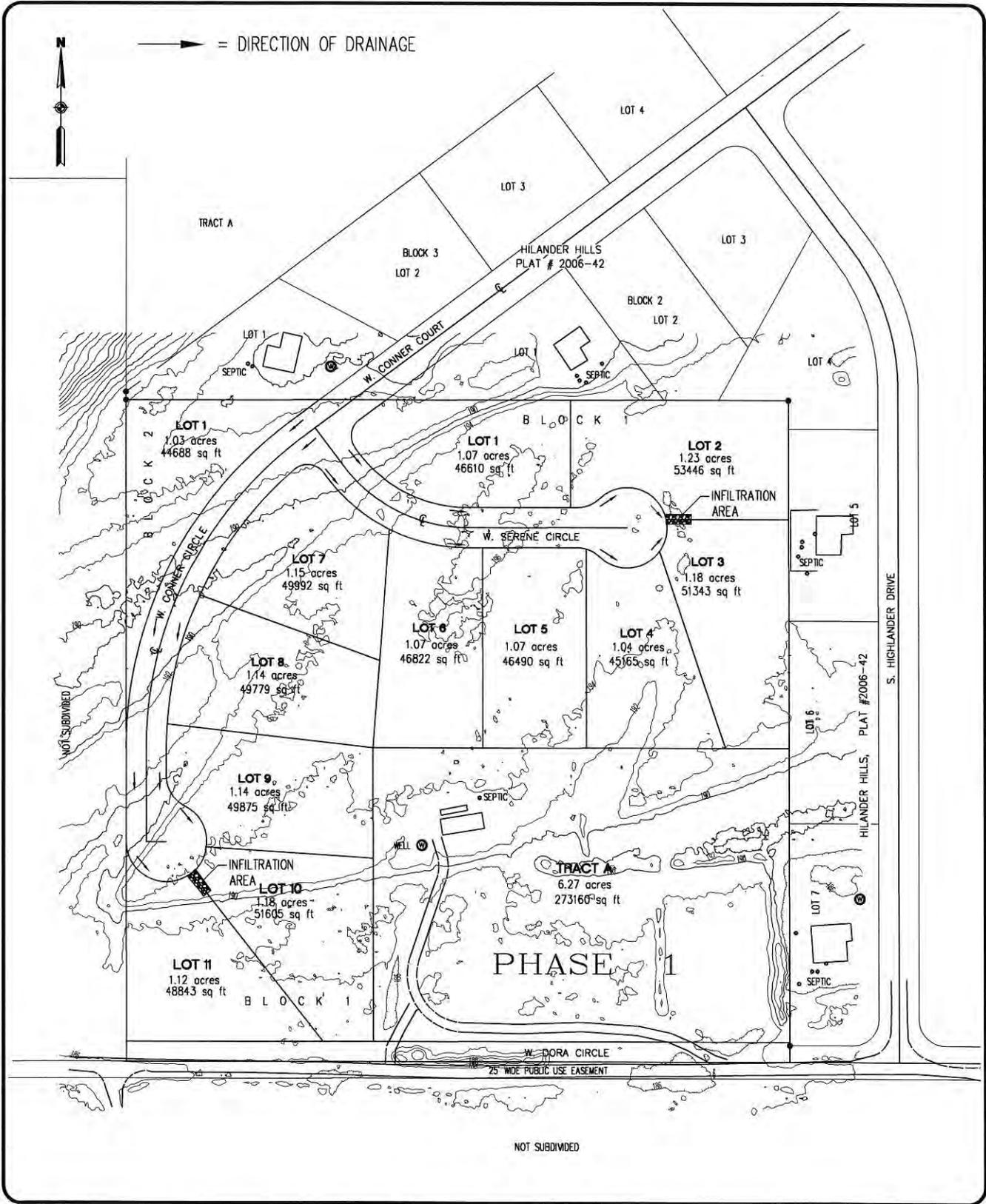
FIGURE
 1



SDCS, LLC
 STEINER DESIGN & CONSTRUCTION SERVICES, LLC
 5900 W. DEWBERRY DR. PH: (907) 357-5609
 WASILLA, AK 99623 FAX: (907) 357-5608

WOODLAND GLADE - ENGINEER'S REPORT
 TEST HOLE LOCATIONS
 EXHIBIT D-4

FIGURE
 2



SDCS, LLC
 STEINER DESIGN & CONSTRUCTION SERVICES, LLC
 5900 W. DEWBERRY DR. PH: (907) 357-5609
 WASILLA, AK 99623 FAX: (907) 357-5608

WOODLAND GLADE - ENGINEER'S REPORT
 SUBDIVISION DRAINAGE
 EXHIBIT D - 5

FIGURE
 3

STEINER DESIGN & CONSTRUCTION SERVICES, LLC

5900 W. Dewberry Dr.
Wasilla, AK 99623

Phone: (907) 357-5609
Fax: (907) 357-5608



TEST HOLE / PERCOLATION TEST

TEST HOLE # 4 DATE: 3/21/2016
 PERFORMED BY: Dan Steiner, P.E.
 PROJECT: Woodland Glade Sub.
 LEGAL DESC. _____
 PROJECT NO. 16-015

SEAL

DEPTH, FT		SOIL TYPE
1-	0-1'	Topsoil / roots and organics
2-	1' - 2.5'	Brown Sandy Loam w/ Roots (OL)
3-	2.5' - 12'	Gravely Sand w/ few cobbles (SP)
4-		
5-		
6-		
7-		
8-		
9-		
10-		
11-		
12-		
13-	12'-13'	Sandy Silt w/ Traces of Gravel
14-	BOH	

SLOPE

SITE PLAN

GROUNDWATER ENCOUNTERED? No
 AT WHAT DEPTH? n/a
 DEPTH AFTER MONITORING? n/a

SLOPE

PERCOLATION TEST					
READING	DATE	TIME	NET TIME	DEPTH TO WATER	NET DROP

PERC. RATE _____ (min/in) PERC. HOLE DIA. _____ APPLICATION RATE: _____ g/d/sf
 TEST RUN BETWEEN _____ ft & _____ ft
 COMMENTS: _____

PERFORMED BY: _____ DATE: _____

Amy Otto-Buchanan

From: Jamie Taylor
Sent: Thursday, May 12, 2016 1:14 PM
To: Platting
Cc: Amy Otto-Buchanan
Subject: RE: Revised Woodland Glade #16-055 Tech AOB

- DPW supports the variance for the 55' of ROW instead of 60'
- DPW would really like a temporary turnaround on Dora Circle

Jamie Taylor, PE

Civil Engineer

Matanuska-Susitna Borough

Department of Public Works

Operations & Maintenance

t: 907-861-7765 c: 907-355-9810

jamie.taylor@matsugov.us

<http://www.matsugov.us/>

From: Amy Otto-Buchanan **On Behalf Of** Platting

Sent: Monday, April 25, 2016 2:29 PM

To: Zafian, Holly K (DFG) (holly.zafian@alaska.gov); Mark Whisenhunt; regpagemaster@usace.army.mil; brian.young@usps.gov; John Aschenbrenner; Dan Mayfield; 'kelleyg@mtaonline.net' (kelleyg@mtaonline.net); 'ken.slauson@gmail.com' (ken.slauson@gmail.com); mikeasaun@yahoo.com; Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; Michael Weller; Sheila Armstrong; Tracy McDaniel; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; MEA; MTA; Jessica Thompson (jthompson@mta-telco.com); jennifer.diederich@enstarnaturalgas.com; row@enstarnaturalgas.com; Robin L. Leighty (Robin.Leighty@enstarnaturalgas.com); 'ospdesign@gci.com' (ospdesign@gci.com); 'dblehm@gci.com' (dblehm@gci.com)

Subject: Revised Woodland Glade #16-055 Tech AOB

Attached is a revised Request for Comments for Woodland Glade, MSB Case #2016-055, Tech AOB. Also attached is the Vicinity Map and the two variances from MSB has applied for two variances from MSB 43.20.140 and SCM A11.3 to construct 223' of a stub road without an temporary turnaround and also dedicating 30' of right-of-way for a total of a 55' wide right-of-way (not 60'). **If you have already submitted your comments and do not have any other comments, you do not need to resubmit comments.** Thanks, A.

Amy Otto-Buchanan

Platting Technician

email: amy.otto@matsugov.us

Phone: 861.7872 (direct line)



2MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

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

Matanuska - Susitna Borough
Development Services

APR 25 2016

Comments Due: May 20, 2016

Date: April 24, 2016

REVISED Preliminary Plat Request for Comments

Received

AK Dept. of Transportation – Anchorage	MSB – Emergency Services
AK Dept. of Transportation – Fairview	MSB – Community Development
AK Dept. of Transportation – Palmer	Open Cases Y or N <input checked="" type="checkbox"/>
AK DNR, Division of Mining/Land Conservation	SpUD Y or N <input checked="" type="checkbox"/>
AK DNR, Public Access Deferral	FIRM # 8065 Zone X
AK DNR, Division of Agriculture	Comments: _____
AK DF&G, Habitat Mgmt. & Planning	_____
AK DF&G, Division of Sport and Recreation	_____
AK Railroad, Engineering Department	_____
Corp of Engineers	Date: 5/18/16 By: <i>[Signature]</i>
City of:	Enstar
MSB – Borough Attorney	GCI
Community Council: Knik-Fairview	Assembly District #5 Dan Mayfield
Fire Service Area: #130 Central Mat Su	
Road Service Area: #17 Knik	
U.S. Postmaster	

RECEIVED

MAY 19 2016

PLATTING

Title:	WOODLAND GLADE
Location:	SEC 35, T17N, R02W, S.M, AK
Petitioners:	DENNIS BYLER
Address:	PO BOX 877750 WASILLA AK 99687-7750
Surveyor:	KEYSTONE SURVEYING, GARY LoRUSSO, PLS
Address:	PO BOX 2216 PALMER AK 99645
Engineer:	STEINER DESIGN & CONSTRUCTION SERVICES, LLC
Address:	5900 W. DEWBERRY DRIVE WASILLA AK 99623

The request is to create twelve lots and one tract from Tax Parcel B4, Section 35, Township 17 North, Range 02 West, SM AK, to be known as WOODLAND GLADE MASTER PLAN, containing 22.51+ acres. Petitioner will be constructing interior streets for access. Petitioner will also dedicate 30' wide right-of-way on the southern boundary and construct W. Dora Circle to Borough residential street standards for a distance of 180'. Petitioner has applied for two variances from MSB 43.20.140 and SCM A11.3 to 1) construct 223' of stub road without a temporary turnaround or cul-de-sac; and 2) dedicate 30' of right-of-way along the south boundary for a total of 55' wide right-of-way.

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 **May 20, 2016** so that we may incorporate this information into our recommendations to the Platting Board, for the public hearing to be held on **June 2, 2016**.

Sincerely,

Amy Otto-Buchanan

Amy Otto-Buchanan

Platting Technician

direct line: 861-7872

amy.otto-buchanan@matsugov.us

Providing Outstanding Borough Services to the Matanuska-Susitna Community.

Amy Otto-Buchanan

From: Susan Lee
Sent: Tuesday, April 26, 2016 9:18 AM
To: Platting
Subject: RE: Revised Woodland Glade #16-055 Tech AOB

Structure should be in compliance with setback requirements.

Susan

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

From: Amy Otto-Buchanan **On Behalf Of** Platting
Sent: Monday, April 25, 2016 2:29 PM
To: Zafian, Holly K (DFG) (holly.zafian@alaska.gov); Mark Whisenhunt; regpagemaster@usace.army.mil; brian.young@usps.gov; John Aschenbrenner; Dan Mayfield; 'kelleyg@mtaonline.net' (kelleyg@mtaonline.net); 'ken.slauson@gmail.com' (ken.slauson@gmail.com); mikeasaun@yahoo.com; Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; Michael Weller; Sheila Armstrong; Tracy McDaniel; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; MEA; MTA; Jessica Thompson (jthompson@mta-telco.com); jennifer.diederich@enstarnaturalgas.com; row@enstarnaturalgas.com; Robin L. Leighty (Robin.Leighty@enstarnaturalgas.com); 'ospdesign@gci.com' (ospdesign@gci.com); 'dblehm@gci.com' (dblehm@gci.com)
Subject: Revised Woodland Glade #16-055 Tech AOB

Attached is a revised Request for Comments for Woodland Glade, MSB Case #2016-055, Tech AOB. Also attached is the Vicinity Map and the two variances from MSB has applied for two variances from MSB 43.20.140 and SCM A11.3 to construct 223' of a stub road without an temporary turnaround and also dedicating 30' of right-of-way for a total of a 55' wide right-of-way (not 60'). **If you have already submitted your comments and do not have any other comments, you do not need to resubmit comments.** Thanks, A.

Amy Otto-Buchanan
Platting Technician
email: amy.otto@matsugov.us
Phone: 861.7872 (direct line)



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

RECEIVED

APR 20 2016

PLATTING

MEMORANDUM

DATE: April 20, 2016
TO: Fred Wagner, Platting Officer
FROM: Land & Resource Management *NSC*
SUBJECT: Preliminary Plat Comments / Case #2016-055

Platting Tech: Amy Otto-Buchanan
Public Hearing: June 2, 2016
Applicant / Petitioner: Bylar
TRS: 17N02W35
Tax ID: 17N02W35B004
Subd: Woodland Glade
Tax Map: HO 16

Comments:

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

EXHIBIT H



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 May 2016
TO: Amy Otto-Buchanan, Platting Technician
FROM: Sandra Cook, Architectural Historian
SUBJECT: Preliminary Plat
TITLE: Woodland Glade)
LEGAL: Section 35, T17N, R02W, SM
TAX MAP: HO 16

NO OBJECTION

Cultural Resources Division staff has reviewed the above application and finds there 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.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 I

From: Richard Boothby
Sent: Friday, April 22, 2016 10:11 AM
To: Platting
Cc: James Steele; Michael Keenan; Ken Barkley; Bill Gamble
Subject: RE: Woodland Glade 16-055 AOB

The Central Mat-Su FSA objects to this divide. There are already over 30 houses constructed off this single access road. The adopted code, 2009 International Fire Code, (IFC) states that not more than 30 one or two family dwellings can be built off a single access road. By adding the 12 lots and one tract adds to the vehicle load and homes. Will Mr. Byler be building detached 4-plex on these lots. The roads in that area need to be connected for a secondary ingress/egress. I have attached the adopted code, by state statute, for your review. D-107

IFC[®]

INTERNATIONAL FIRE CODE[®]

CHAPTER 5 FIRE SERVICE FEATURES

SECTION 502 DEFINITIONS

502.1 Definitions. The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

FIRE APPARATUS ACCESS ROAD. A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as *fire lane*, public street, private street, parking lot lane and access roadway.

SECTION 503 FIRE APPARATUS ACCESS ROADS

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities. *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Exception: The *fire code official* is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies.

503.1.2 Additional access. The *fire code official* is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for *high-piled combustible storage* shall comply with the applicable provisions of Chapter 23.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority. The *fire code official* shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities.

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be determined by the *fire code official*.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an *approved* area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the *fire code official*. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, *approved* barriers, *approved* signs or both shall be installed and maintained when required by the *fire code official*.

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the *fire code official* based on the fire department's apparatus.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the *fire code official* based on the fire department's apparatus.

503.3 Marking. Where required by the *fire code official*, *approved* signs or other *approved* notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which *fire lanes* are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

503.5 Required gates or barricades. The *fire code official* is authorized to require the installation and maintenance of gates or other *approved* barricades across fire apparatus access roads, trails or other access ways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

503.5.1 Secured gates and barricades. When required, gates and barricades shall be secured in an *approved* manner. Roads, trails and other access ways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the *owner* and the *fire code official*.

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be *approved* by the fire chief. Where security gates are installed, they shall have an *approved* means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

APPENDIX D

FIRE APPARATUS ACCESS ROADS

SECTION D101

GENERAL

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

SECTION D102

REQUIRED ACCESS

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

SECTION D103

MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).

D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as *approved* by the fire chief.

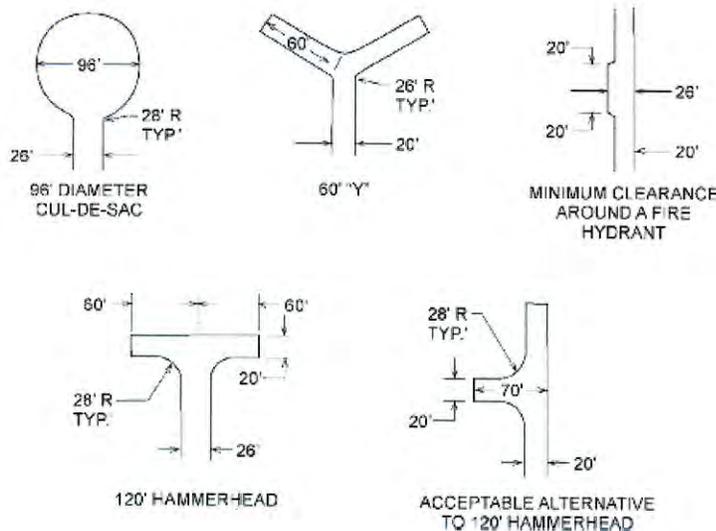
D103.3 Turning radius. The minimum turning radius shall be determined by the *fire code official*.

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

**TABLE D103.4
REQUIREMENTS FOR DEAD-END FIRE
APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

For SI: 1 foot = 304.8 mm.



For SI: 1 foot = 304.8 mm.

**FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND**

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet (6096 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one *person*.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be *approved* by the *fire code official*.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.

7. Locking device specifications shall be submitted for approval by the *fire code official*.
8. Electric gate operators, where provided, shall be *listed* in accordance with UL 325.
9. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

D103.6 Signs. Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

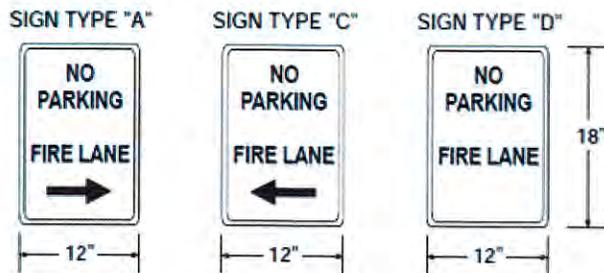


FIGURE D103.6
FIRE LANE SIGNS

D103.6.1 Roads 20 to 26 feet in width. Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a *fire lane*.

D103.6.2 Roads more than 26 feet in width. Fire apparatus access roads more than 26 feet wide (7925 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as a *fire lane*.

SECTION D104

COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

D104.1 Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.

D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross *building area* of more than 62,000 square feet (5760 m²) shall be provided with two separate and *approved* fire apparatus access roads.

Exception: Projects having a gross *building area* of up to 124,000 square feet (11 520m²) that have a single *approved* fire apparatus access road when all buildings are equipped throughout with *approved automatic sprinkler systems*.

D104.3 Remoteness. Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

SECTION D105

AERIAL FIRE APPARATUS ACCESS ROADS

D105.1 Where required. Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with *approved* fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.

SECTION D106

MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 *dwelling units* shall be equipped throughout with two separate and *approved* fire apparatus access roads.

Exception: Projects having up to 200 *dwelling units* may have a single *approved* fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with *approved automatic sprinkler systems* installed in accordance with Section 903.3.1.1 or 903.3.1.2.

D106.2 Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 *dwelling units* shall be provided with two separate and *approved* fire apparatus access roads regardless of whether they are equipped with an *approved automatic sprinkler system*.

SECTION D107

ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family *dwelling units* where the number of *dwelling units* exceeds 30 shall be provided with separate and *approved* fire apparatus access roads and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are more than 30 *dwelling units* on a single public or private fire apparatus access road and all *dwelling units* are equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the *International Fire Code*, access from two directions shall not be required.
2. The number of *dwelling units* on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

D108

REFERENCED STANDARDS

ASTM F 2200-05 Standard Specification for Automated Vehicular Gate Construction D103.5

ICC IFC-09 International Fire Code D101.5, D107.1

UL 325-02 Door, Drapery, Gate, Louver, and Window Operators and Systems, with revisions through February 2006 D103.5

From: Amy Otto-Buchanan **On Behalf Of** Platting

Sent: Tuesday, April 19, 2016 4:40 PM

To: Zafian, Holly K (DFG) (holly.zafian@alaska.gov); mark.fink@alaska.gov; regpagemaster@usace.army.mil; brian.young@usps.gov; John Aschenbrenner; Dan Mayfield; 'kelleyg@mtaonline.net' (kelleyg@mtaonline.net); 'ken.slauson@gmail.com' (ken.slauson@gmail.com); mikeasaun@yahoo.com; Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; Michael Weller; Sheila Armstrong; Tracy McDaniel; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; MEA; MTA; Jessica Thompson (jthompson@mta-telco.com); jennifer.diederich@enstarnaturalgas.com; Robin L. Leighty (Robin.Leighty@enstarnaturalgas.com); row@enstarnaturalgas.com; 'ospdesign@gci.com' (ospdesign@gci.com); 'dblehm@gci.com' (dblehm@gci.com)

Cc: jay@valleymarket.com; lamarra05@gmail.com; stan.gillespie@gmail.com; jordan@alaskaplans.com; tait@zimmermanteamak.com; patrickjhnsn@hotmail.com; amyhansenhomes@gmail.com; marty@valleymarket.com; winforhim@aol.com

Subject: Woodland Glade 16-055 AOB

Attached is the Request for Comments (RFC) for Woodland Glade, MSB Case #2016-055 Tech AOB. Also attached is the vicinity map, Owner's Statement, soils report and preliminary plat. Comments are due by **May 20, 2016**. Please let me know if you have any questions. Thanks. A.

Amy Otto-Buchanan

Platting Technician

email: amy.otto@matsugov.us

Phone: 861.7872 (direct line)

Amy Otto-Buchanan

From: Becky Glenn <rglenn@mta-telco.com>
Sent: Thursday, April 21, 2016 7:36 AM
To: Platting
Subject: RE: Woodland Glade 16-055 AOB

Amy,

MTA has reviewed the preliminary plat for Woodland Glade. MTA respectfully requests a 10 foot wide telecommunications and electric easement along the west boundary of proposed Lot 11, Block 1.

Thank you for the opportunity to review and comment.

Becky Glenn
MTA

From: Amy Otto-Buchanan [<mailto:Amy.Otto-Buchanan@matsugov.us>] **On Behalf Of** Platting
Sent: Tuesday, April 19, 2016 4:40 PM
To: Zafian, Holly K (DFG) (holly.zafian@alaska.gov) <holly.zafian@alaska.gov>; mark.fink@alaska.gov; regpagemaster@usace.army.mil; brian.young@usps.gov; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Dan Mayfield <Dan.Mayfield@matsugov.us>; 'kelleyg@mtaonline.net' (kelleyg@mtaonline.net) <kelleyg@mtaonline.net>; 'ken.slauson@gmail.com' (ken.slauson@gmail.com) <ken.slauson@gmail.com>; mikeasaun@yahoo.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>; Michael Weller <Michael.Weller@matsugov.us>; Sheila Armstrong <Sheila.Armstrong@matsugov.us>; Tracy McDaniel <Tracy.McDaniel@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Jamie Taylor <Jamie.Taylor@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>; MEA <mearow@matanuska.com>; Becky Glenn <rglenn@mta-telco.com>; Jessica Thompson <jthompson@mta-telco.com>; jennifer.diederich@enstarnaturalgas.com; Robin L. Leighty (Robin.Leighty@enstarnaturalgas.com) <Robin.Leighty@enstarnaturalgas.com>; row@enstarnaturalgas.com; 'ospdesign@gci.com' (ospdesign@gci.com) <ospdesign@gci.com>; 'dblehm@gci.com' (dblehm@gci.com) <dblehm@gci.com>
Cc: jay@valleymarket.com; lamarra05@gmail.com; stan.gillespie@gmail.com; jordan@alaskaplans.com; tait@zimmermanteamak.com; patrickjhnsn@hotmail.com; amyhansenhomes@gmail.com; marty@valleymarket.com; winforsim@aol.com
Subject: Woodland Glade 16-055 AOB

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 the Request for Comments (RFC) for Woodland Glade, MSB Case #2016-055 Tech AOB. Also attached is the vicinity map, Owner's Statement, soils report and preliminary plat. Comments are due by **May 20, 2016**. Please let me know if you have any questions. Thanks. A.



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

April 27, 2016

Amy Otto-Buchanan, Platting Technician
Matanuska-Susitna Borough, Platting Division
350 East Dahlia Avenue
Palmer, AK 99645-6488

Subject: *(Revised)* Preliminary Plat Request for Comments – **Woodland Glade**
(Case No. 2016-055)

Dear Ms. Otto-Buchanan:

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

If you have any questions, please feel free to contact me at 907-334-7953 or by email at robin.leighty@enstarnaturalgas.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robin Leighty", with a stylized flourish at the end.

Robin Leighty
Right-of-Way and Permitting Agent

Sent via e-mail to platting@matsugov.us

EXHIBIT K-2

SITE VISIT REPORT

Case Name: Woodland Glade	Date: May 25, 2016 Time: 3:36pm
Owner: Dennis Byler	Case Number: 2016-055
Surveyor/Engineer: Keystone/Steiner	Tax ID #: 217N02W35B004
Subdivision: NA	Regarding: 12 lot MSP

SITE CONDITIONS

Weather: Sunny	Temperature: 65°
Wind: None	
General Site Condition: Home site and Greenhouses on proposed Tract A.	

Personnel on site: Amy Otto-Buchanan, Cheryl Scott and Peggy Horton, Platting Technicians

Equipment in use: Camera

Current phase of work: To be heard by the Platting Board, June 2, 2016

Reason for Visit/Remarks: Check where the continuation of W. Conner Court will enter the subdivision and the condition of the temporary cul-de-sac. Check where W. Dora Circle will be extended; the location of the existing 25' wide public use easement and where the proposed 30' wide public use easement and 15' wide utility easement will go. Check the condition of the construction of W. Dora Circle.

(See attached photos)

Signed By: Amy Otto-Buchanan, Platting Technician *ADD*

Date: May 26, 2016

35

B9

33' SECTION LINE ESMT

50' SECTION LINE ESMT

(2507)

(2)

15 14 13 12
FAIRVIEW ACRES

TRACT A

W BROMLEY DR

W BROMLEY DR

HILANDER HILLS

1A
(5646)

(1)

(2507)

SAGE'S
PARK
(7456)
PLACE

B10

**SUBJECT
PROPERTY**



W CONNER CT

(5855)

W CONNER CT

C6

25' PUBLIC USE ESMT

25' PUBLIC USE ESMT

W DORA CIR

ORACLE WOOD

(6998)

(1)

2

D2

W LUPINE LN

**FRIENDLY
ACRES**
TRACT A

(4895)

Norwich Lane

**JOHN R NICHOLS
MEMORIAL PARK**

(3914)

C8

N/C

D14

D15

W WILD IRIS AVE

D6

D7

60' ESMT

VICINITY MAP

FOR PROPOSED WOODLAND GLADE
LOCATED WITHIN

SECTION 35, T17N, R02W, SEWARD MERIDIAN,
ALASKA

HOUSTON 16 MAP

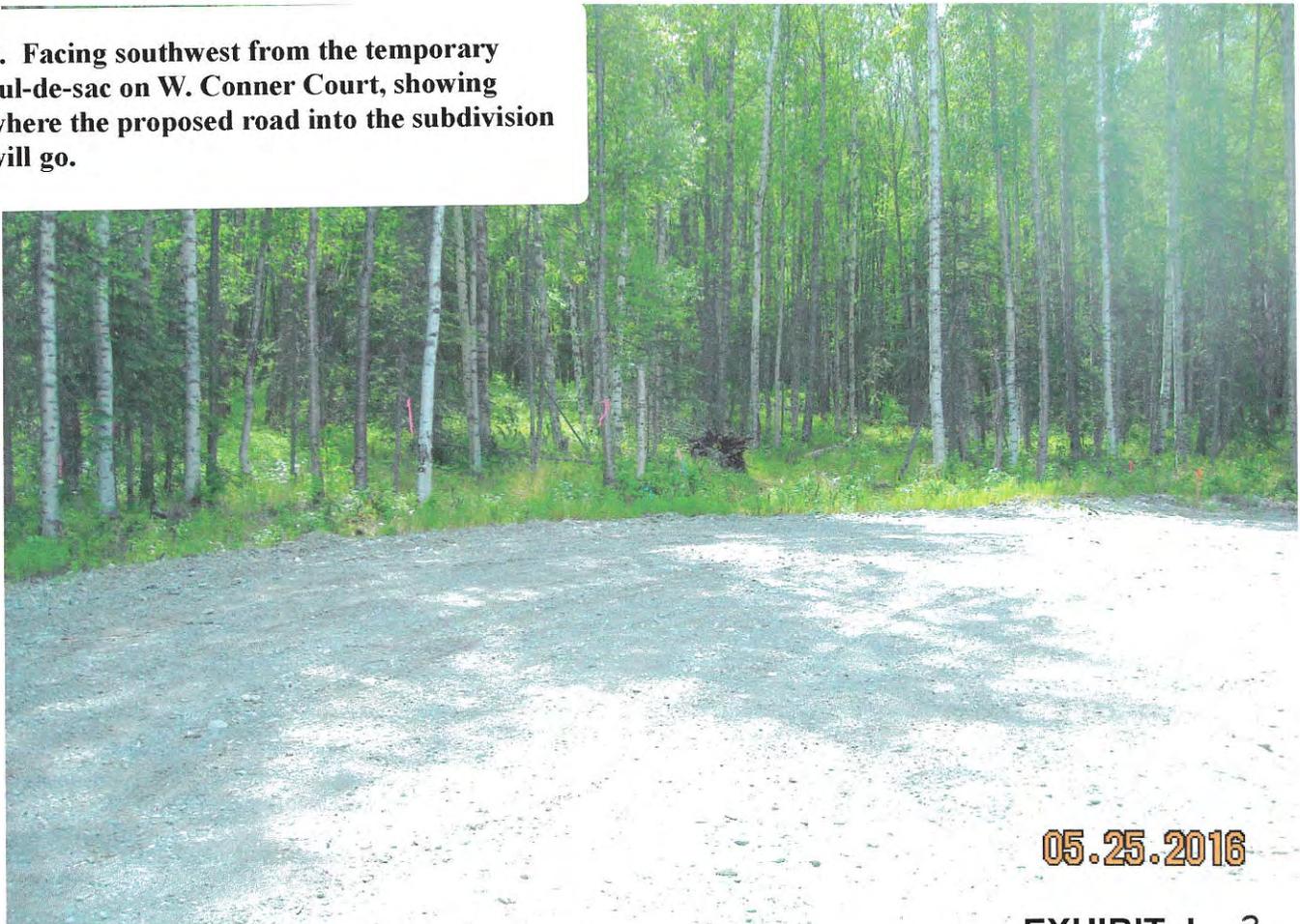
EXHIBIT L-2

D8

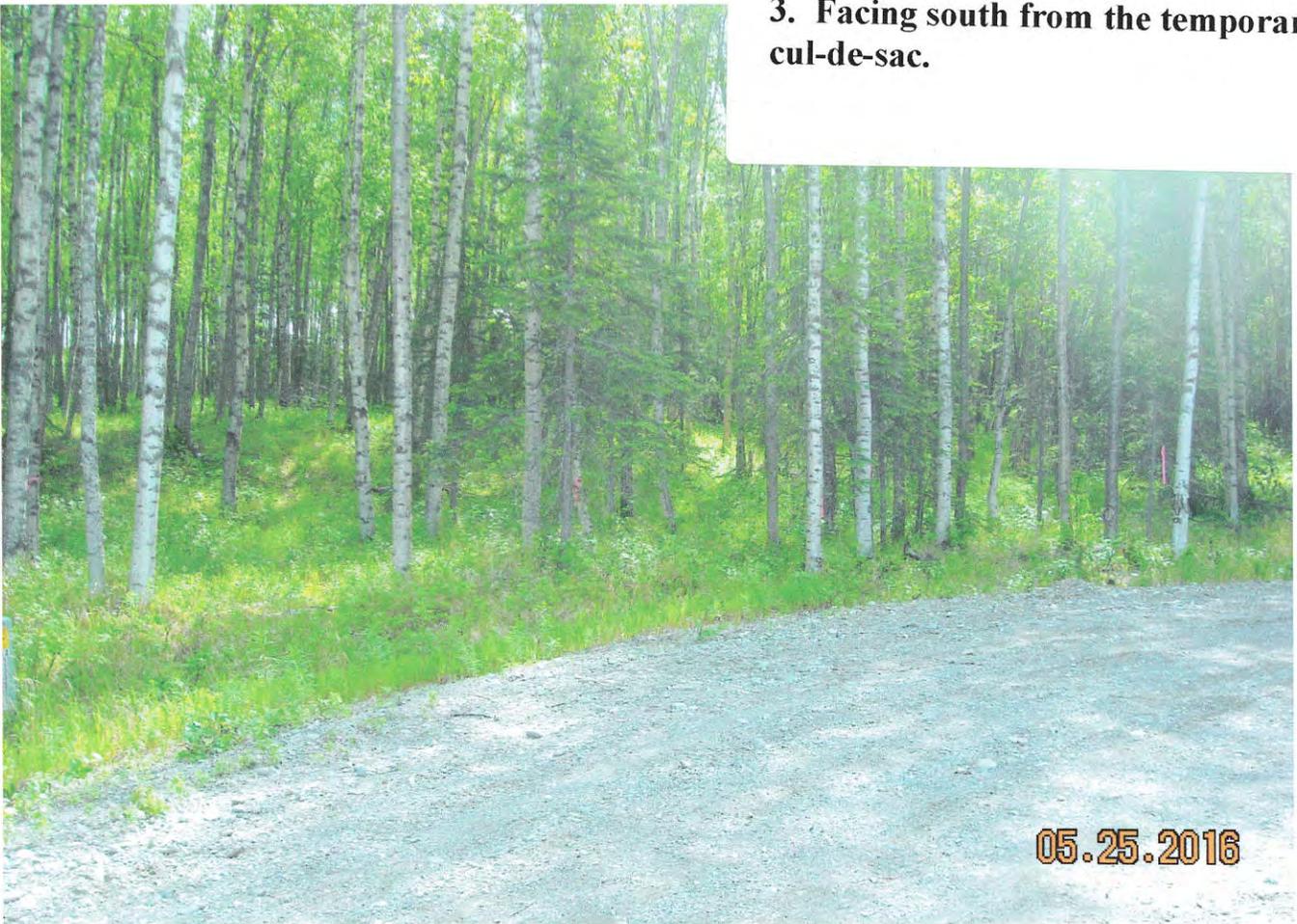
1. Facing west from the cul-de-sac on W. Conner Court, showing the structure on Lot 1, Block 3, Hildander Hills.



2. Facing southwest from the temporary cul-de-sac on W. Conner Court, showing where the proposed road into the subdivision will go.



3. Facing south from the temporary cul-de-sac.



4. Facing southwest, stake shows the centerline of the street right-of-way.



5. Facing southwest from the temporary cul-de-sac on W. Conner Court.



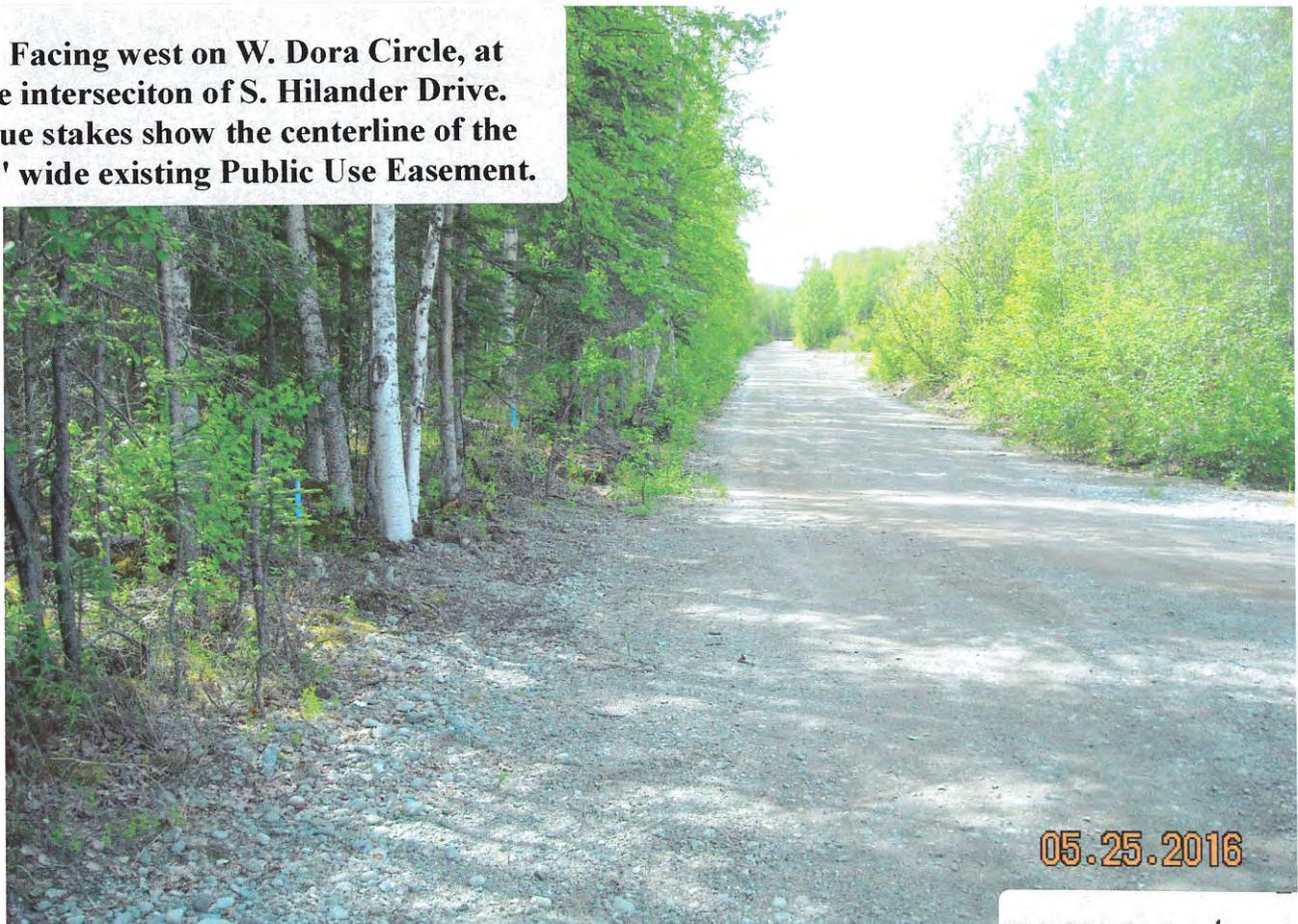
6. Facing southwest from the temporary cul-de-sac on W. Conner Court.



**7. Facing east on W. Dora Circle.
Proposed Tract A's driveway on the
left.**



**8. Facing west on W. Dora Circle, at
the intersection of S. Hilander Drive.
Blue stakes show the centerline of the
25' wide existing Public Use Easement.**



Dear Assembly Member Mayfield,

We were made aware of the proposed new subdivision, Woodland Glade, that is slated to be built at the end of our street, Conner Court. We received the information from the realtor representing the builder and later by mail from the Borough.

We have lived near the end of this cul-de-sac for 7.5 years and have loved our peaceful, quiet setting nestled in the birch trees. Very few cars travel to the end of our street on any given day, so our children are free to ride bikes, walk and fly their kites without fear of being hit by a car.

One major concern that we have with Mr. Byler's project is that our quiet neighborhood will dramatically change. Eleven parcels of land, each with four 2-3 bedroom homes, would mean 44 homes with 2-3 cars per house, or 88-132 cars per day. Add in an average of 1.5 two-way trips per day and we would see an increase of 264 to 396 cars driving by our home each day. Since Conner Court and the connecting street of Bromley are both dirt roads, the dust kicked up by this increased traffic will be considerable.

According to the covenants and restrictions that are in place for our subdivision, Highlander Hills, the lots are set up as single family dwellings with the square footage to be no less than 1300 feet. The square footage of the proposed homes range between 672 sq. ft and 1410 sq. ft.

We understand the need for affordable rental units here in the valley. We support people using their property in the way they deem best, as long as it doesn't negatively impact other people or their property.

We are concerned about the negative impacts from increased traffic:

- An unacceptable amount of dust in our yards and homes
- Ruts and washboard roads
- Risk to children being hit by traffic
- Increased traffic but only one road for egress

We propose the following mitigations to address these negative impacts:

- Pave Connor Ct & Bromley
- Add speed bumps to Connor Ct & Bromley
- Improve the path from Dora to Lupine to an actual dirt or paved road for secondary egress
- Woodland Glade Subdivision have another egress exiting onto W. Dora Circle

One of us plans to attend the Platting Board meeting regarding this development on June 2nd. Thank you for attention to this matter.

Sincerely,

Thor and Sue Ryan
5216 W Conner Ct.
Wasilla, AK 99623



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



FIRST CLASS

55855B03L002 37
 RYAN THOR MATTHEW
 RYAN SUE LEWIS
 PO BOX 877409
 WASILLA AK 99687-7409

996877409 3204
NOTIFICATION OF PUBLIC HEARING

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

PETITIONER: DENNIS BYLER (owners/petitioners)

REQUEST: The request is to create twelve lots and one tract from Tax Parcel B4, to be known as **WOODLAND GLADE MASTER PLAN**. Petitioner will be constructing interior streets for access from W. Conner Court. Petitioner will also dedicate 30' wide right-of-way on the southern boundary and construct W. Dora Circle to Borough residential street standards for a distance of 223'. Petitioner is also applying for variances from MSB 43.20.140 Physical Access and MSB 43.20.060 Dedication to the public.

LOCATION: Located within S 1/2 NW 1/4 SE 1/4 NW 1/4, SW 1/4 SE 1/4 NW 1/4, SW 1/4 NE 1/4 SE 1/4 NW 1/4, W 1/2 SE 1/4 SE 1/4 NW 1/4 of Sec 35, T17N, R02W, S.M. AK, lying west of W. Lupine Lane and W. Fairview Loop.

Community Council: Knik-Fairview **Assembly District:** #5: Dan Mayfield **Area:** 22.51 Acres +/-

The Matanuska-Susitna Borough **Platting Board** will hold a public hearing in the **Assembly Chambers** of the **Dorothy Swanda es Building**, 350 E. Dahlia Avenue, Palmer, Alaska on the proposed **Subdivision Master Plan** on **June 2, 2016**. The meeting is at **1:00 p.m.** We are sending you this notice as required by State Law and Borough Ordinances because your property is in the subdivision or within 1200' of the petition area. This will be heard before the **PLATTING BOARD** and you are invited to attend.

If you would like to send comments regarding the proposed action, this form may be used for your convenience by filling in the information below and mail this notice to the MSB, Platting Division, 350 E. Dahlia, Palmer, Alaska 99645 or Fax (907) 861-8407 or e-mail: plattting@matsugov.us. Comments received by 3:00 PM one week prior to the meeting, **May 25, 2016**, will be included in the Platting Board packet. Comments received from the public up to 4:00 PM one day prior to the meeting will be given to the Platting Board in a "Hand-Out" packet the day of the meeting. To request additional information please contact the Platting Technician, Amy Otto-Buchanan at (907) 861-7872 or the Platting Secretary at (907) 861-8573.

In order to be eligible to file an appeal from a decision of the Platting Board, a person must be designated an *interested party*. See MSB 15.39.010 for definition of "interested Party". 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, (www.matsugov.us), in the Borough Clerk's office, or at various libraries within the borough

Please do not send comments or questions directly to the Platting Board members. Board members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

Name: Thor & Sue Ryan Address: 5216 W Conner Ct. Wasilla, AK
 Comments: please see attached page for comments

Case #16-055 AOB

Note: Vicinity Map Located on Reverse Side

EXHIBIT M-2



Multi Family Prices and Plans

These prices are for the Mat-Su Borough. Prices are subject to change. These prices do NOT include land costs. There is a \$5,000 charge for working outside of a Byler Contracting Development. There is a \$3,500 fee to mix and match detached floor plans.

This price sheet effective 04/11/2016

Detached Four Plex

Master #20	2 Bedroom, 1 Bathroom, Total living space= 915 sq ft, Garage Area=310 sq ft	\$439,000
Master #32	3 Bedroom, 1.5 Bathroom, Total living space= 1,063 sq ft, Garage Area=313 sq ft	\$484,000
Master #33	3 Bedroom, 1.75 Bathroom, Total living space= 1,137 sq ft, Garage Area=327 sq ft	\$495,000
Master #34	3 Bedroom, 2 Bathroom, Total living space= 1,209 sq ft, Garage Area=313 sq ft	\$510,000
Master #35	3 Bedroom, 2 Bathroom, Total living space= 1,288 sq ft, Garage Area=412 sq ft	\$540,000
Master #36	3 Bedroom, 2 Bathroom, Total living space= 1,410 sq ft, Garage Area=498 sq ft	\$580,000
Master #38	3 Bedroom, 2 Bathroom, Total living space= 1,133 sq ft, Garage Area=359 sq ft	\$510,000
Master #16	3 Bedroom, 2 Bathroom, Total living space= 1403 sq ft, Garage Area= 756 sq ft	\$680,000
Master #21	2 Bedroom, 1 Bathroom, Total living space= 956 sq ft	\$395,000
Master #13	3 Bedroom, 2 Bathroom, Total living space= 1,110 sq ft	\$465,000
Master #22	2 Bedroom, 1 Bathroom, Total living space= 956 sq ft, Garage Area= 336 sq ft	\$454,000
Master #14	3 Bedroom, 2 Bathroom, Total living=1,260 sq ft Garage= 576 sq ft	\$580,000
Master #14	3 Bedroom, 2 Bathroom, Total living=1,260 sq ft No Garage	\$490,000
Master #45	1 bed, 1 bath, Total Living Space= 672 sq.ft No Garage	\$302,500

+55K for
land

Amy Otto-Buchanan

From: Cole <jcjustice@gmail.com>
Sent: Tuesday, May 24, 2016 12:57 PM
To: Amy Otto-Buchanan
Subject: Woodland Glade Variance

To whom it may concern,

My name is James "Cole" Justice and I own the property at 5170 w Conner Ct. (Lot 3 Block 3 Highlander Hills)

I am writing in reference to the variances requested to extend our road and add 44 Multi family units. This will change the dynamic of our quiet neighborhood in which there is currently 37 single family homes between the two subdivisions. 11 single family homes would be a large addition but 44 homes is unacceptable. The addition will add an amount of vehicular traffic which our ONLY entrance to the subdivision will not support. Currently with the amount of traffic we have now we are constantly calling to have the road graded due to ruts and potholes. Adding this amount of people living in this area also creates a safety concern for emergency response and evacuation as there is only the one gravel access road to the entire area. If there is a vehicle accident or other emergency on the roadway, there is no alternate entrance or exit to people's homes.

Placing the 44 multi-family units in this location will also change the dynamic of the neighborhood. We will go from a quiet desirable single family home cul-de-sac to a multi family revolving door of renters. The noise from the addition of that many families in such close proximity will be bothersome to us all. I believe that this will drive down the price of my residence as well as my neighbors. I chose to live in this neighborhood for the ambiance as much as the residence. If this multi-family unit addition goes in, my family and I will be moving to find another neighborhood like the one we used to have.

James "Cole" Justice

May 24, 2016

Mat-Su Borough, Platting Division
350 E. Dahlia
Palmer, AK 99645
platting@matsugov.us

To Whom It May Concern:

We were recently made aware of the proposed new subdivision, Woodland Glade, which would be built at the end of W. Conner Court in Wasilla where we live and would directly affect our quality of life.

We have lived here since August 2007 when we had the house built. We chose this lot because of the surrounding woods, quiet neighborhood and very little traffic on our road. We commute to Anchorage for work and have made the sacrifice to enjoy living in this quiet and peaceful area instead of being in a crowded city environment.

Below are our concerns with this proposed subdivision:

- Our neighborhood will no longer be the quiet sanctuary that we have loved for nearly 9 years.
- If there are 11 lots developed with 4 duplexes per lot that is an additional 44 houses that will be built right next to our property. My understanding is that they will also end up being rental units, which would potentially lead to a rise in crime and drug use.
- According to the proposed master plan, there are also not any through roads into or out of this subdivision. By not having any through roads, it seems this could be a significant issue if there were a fire in the area.
- In addition, that means if there are 2-3 cars per house, which could add an additional 88-132 cars per day passing by.
- This increased traffic will create an enormous amount of dust in our yard and home.

Below are some solutions to address our concerns:

- **PLEASE DON'T ALLOW THIS SUBDIVISION TO BE BUILT.**
- Only one house allowed per acre.
- Since our property is the most affected by this, it would be appreciated if the contractor installed a privacy fence along our property line where it meets the proposed adjoining development.
- Paved roads with speed bumps for the safety of children and animals.
- Create an additional road through the proposed development to reduce traffic and fire department access.

One of us plans to attend the Platting Board meeting on June 2nd regarding this development. We appreciate your time and consideration in this matter.

Sincerely,

David and Malia Miller
5258 W. Conner Court
Wasilla, AK 99623

EXHIBIT M -5



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



U.S. POSTAGE PITNEY BOWES
 ZIP 99645 \$ 000.46⁵
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 0001359485 MAY 12 2016

FIRST CLASS

55855B03L001 32
 MILLER DAVID P & MALIA M
 PO BOX 871096
 WASILLA, AK 99687-1096

99687#1096 RD15
NOTIFICATION OF PUBLIC HEARING

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

PETITIONER: DENNIS BYLER (owners/petitioners)

REQUEST: The request is to create twelve lots and one tract from Tax Parcel B4, to be known as **WOODLAND GLADE MASTER PLAN**. Petitioner will be constructing interior streets for access from W. Conner Court. Petitioner will also dedicate 30' wide right-of-way on the southern boundary and construct W. Dora Circle to Borough residential street standards for a distance of 223'. Petitioner is also applying for variances from MSB 43.20.140 Physical Access and MSB 43.20.060 Dedication to the public.

LOCATION: Located within S 1/2 NW 1/4 SE 1/4 NW 1/4, SW 1/4 SE 1/4 NW 1/4, SW 1/4 NE 1/4 SE 1/4 NW 1/4, W 1/2 SE 1/4 SE 1/4 NW 1/4 of Sec 35, T17N, R02W, S.M. AK, lying west of W. Lupine Lane and W. Fairview Loop.

Community Council: Knik-Fairview **Assembly District:** #5: Dan Mayfield **Area:** 22.51 Acres +/-

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Please do not send comments or questions directly to the Platting Board members. Board members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

Name: Malia + David Miller Address: 5258 W. Conner Ct. Wasilla, AK
 Comments: Please see attached letter.

Amy Otto-Buchanan

From: Malia Miller <malia0605@yahoo.com>
Sent: Tuesday, May 24, 2016 7:58 PM
To: Platting
Subject: Woodland Glade Proposed Subdivision Comments
Attachments: Woodland Glade MSB Letter 05-24-16.pdf

Please see our attached comments to the proposed Woodland Glade Subdivision.

Thank you.

Malia and David Miller
406-579-2442

Response from Mike Billmaier (owner of Lots 4 and 6 of Block 2, Hilander Hills Subdivision) to Matanuska-Susitna Borough Platting Division Case #16-055 AOB

I, Mike Billmaier (owner of two lots abutting the proposed development), am opposed to granting a variance from MSB 43.20.140 Physical Access and MSB 43.20.060 Dedication to the public. As I understand the proposed development, the density of the new development will be at approximately four (4) dwelling units per acre, significantly higher than any of the surrounding developments. Not counting any future development of the proposed tract A, 44 new dwelling units will be constructed. The persons residing in those units will bring a significantly higher traffic load to the area and all access roads leading to the development should be constructed to existing standards referenced in MSB 43.20.140 and 43.20.140. Of particular concern to me would be upgrading the existing W. Conner Court and W. Browley Drive. Again, I am OPPOSED to the granting of any variances for this project.

Respectfully,

A handwritten signature in black ink, appearing to read 'Mike Billmaier', with a long horizontal flourish extending to the right.

Mike Billmaier

Amy Otto-Buchanan

From: Mike Billmaier <mbillmaier@gmail.com>
Sent: Wednesday, May 25, 2016 7:54 AM
To: Platting
Subject: Response ref MSB Platting Case 16-055 AOB
Attachments: Response from Mike Billmaier.docx

Attached is my response to subject platting case. If you are unable to open/read my response, please let me know so I can send it via other means.

Thanks,

Mike Billmaier

5855 B02 L004 + L006

Amy Otto-Buchanan

From: Bobbi Kousoulos <tcsunshine10@yahoo.com>
Sent: Wednesday, May 25, 2016 8:46 AM
To: Platting
Subject: protest on the Woodland Glade Master Plan case#16-055 AOB

I am writing in regards to the Woodland Glade Master Plan by Dennis Byler that he is wanting to build in my neighborhood. It is my understanding that he is wanting to build stand alone 4 plexes on 11 lots which makes it a total of 44 individual dwellings. Each household generally has 2-3 vehicles which would roughly put an additional 88-110 vehicles traveling our 28' wide gravel road. Our neighborhood is a nice quiet area where our children all play together in each others yards and houses which means they cross this road often and ride their bikes on. There are no sidewalks in our neighborhood which means the children must use the road to get places. This will no longer be possible with that much additional traffic in our neighborhood as it will be very dangerous. There is hardly enough room for vehicles to pass each other with the current road only being 28' wide so I am fearful for what will happen when we increase the traffic with an additional 88-110 vehicles. I cannot even imagine the amount of dust and pot holes these additional vehicles will create as our road is gravel. We also have a blind hill at the corner of Bromley and Norwich Lane which is where the bus stop is for the middle and highschoolers. To increase the traffic flow on top of an already narrow road and a blind intersection where children wait for the bus is not safe.

When I purchased my home I received my homeowners association manual which states no rentals. I chose to live and purchase in an area where there were no rentals. I was not aware that the property Dennis Byler purchased was "grandfathered" in and doesn't have to follow the association guidelines. I am a single mother of 2 children who purchased my house because of the location and quiet neighborhood. If 44 rentals are allowed to be built and added to our quiet neighborhood, we would no longer be a safe neighborhood to live in. It is proven that rental properties bring in more theft, vandalism and drug activity.

I am not opposed to single family owned dwellings as I know and expect change and growth to happen. I am opposed to stuffing rentals into an area where people purchased their property assuming they were safe and free from a rental area. There is currently only 1 road in and out of our neighborhood for emergency personal. This is not safe to add 44 more dwellings with only 1 access road for emergency personal.

Dennis Byler is also applying for variances from MSB 43.20.140 Physical Access and MSB 43.20.060 Dedication to the public. Giving him these variances would allow him to accept roadway dedication without conducting a public hearing, which is taking away our voice with what goes on in our neighborhood. This variance would also allow him to bypass having to fix our current road to meet the minimum required 60-foot-wide and sufficient to carry all traffic generated by the subdivision. Once again our current road is 28 feet wide and is gravel.

I hope you agree that this current plan to build so many buildings in an area that is not set up to handle the increased population and the variances Dennis Byler is asking for is unacceptable for the safety of the public.

Thank you for your time,

Bobbi Kousoulos
907-315-7005
5043 W Conner Ct
Wasilla, AK 99623

5855 B012001

RECEIVED

MAY 25 2016

PLATTING

May 25, 2016

To the Mat-Su Borough Platting Board,

This letter is a general opposition letter regarding the development of Woodland Glade Master Plan.

For the past 5 days, I have been contacting the residences of Hilander Hills and Fairview Acres regarding their concerns on this development.

To date, 100% of homeowner-current property tax payers that I have contacted and present their signatures to you,

have voiced their opposition in regards to the amount of traffic and the lack of proper physical access through W. Dora Circle to W. Lupine Lane.

This road was to be constructed by the first developer, Scott McCloud. This road would have provided the adequate physical access needed for public services and emergency personnel access and general public access. It remains unusable throughout the winter and rutted with deep mud throughout the summer months.

As we have had numerous developers come in and continue to build, this road has yet to be addressed and built to Borough requirements.

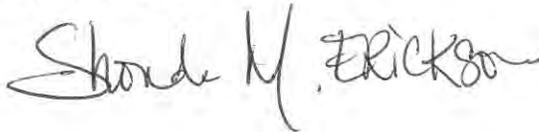
The development of Woodland Glade Master Plan would put substantial stresses on the current surrounding neighborhoods by over doubling our existing residency.

The average home in this area is Single family and valued over 200K. This development will lower our property value instead of increasing it.

On the conservative side, averaging 3 vehicles per home= $48 \times 3 = 144$ new vehicles on our ONLY road.

We welcome responsible development of our area and request your Denial of the variances of MSB 43.20.140 Physical Access and a Denial of MSB 43.20.060 Dedication to the public.

Thank you for time,



Shonda M. Erickson
5360 W. Bromley Dr.

56460010001A

Fairview Acres

EXHIBIT M -//

35
B9

*Greg Johnson
PO Box 877201*

*Kyle
Molly*

TRACT A

50' SECTION-LINE ESMT

(2507)

43 44

(2)

15 14 13 12

FAIRVIEW ACRES

W BROWLEY DR

1 2
(4)

W BROWLEY DR

HILANDER HILLS

1A
(5846)

2

3

(1)

4

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6

7

(2507)

W CONNER CT

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B10

**SUBJECT
PROPERTY**

*Mike + Terry
Dennison
373-7374*



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SAGE'S
3
PARK
(7456)
PLACE
A16

Phil

W CHRISTINA CT

A11

1 2
(4895)

A7

ORACLE WOOD
1 (6998)

(1)

2

2

(2)

FRIENDLY
ACRES

TRACT A

C6

JOHN R NICHOLS
MEMORIAL PARK
(3914)

N/C

C8

D14

D15

W WILD IRIS AVE

60' ESMT

D6

D7

VICINITY MAP

FOR PROPOSED WOODLAND GLADE
LOCATED WITHIN
SECTION 35, T17N, R02W, SEWARD MERIDIAN,
ALASKA

TUSTON 16 MAP

D8

EXHIBIT M-12

	<u>Highlander Hills</u>	<u>Owner.</u>	<u>Signature</u>
(4)	Lot 1	Tom Mathis / Thomas Mathis	Brenda Mathis / Brenda Mathis
	Lot 2	Anthony Docamus	
(1)	Lot 1	Bobbi Kousoulos	Bobbi Kousoulos
	Lot 2	CRAIG M. INGRAHAM	Craig M. Ingraham
	Lot 3		
(1)	Lot 4	Jane & Bill / JANE L. BARTLETT	
	Lot 5		
	Lot 6	Mike ^{& Terry} Dennison	Lenny Dennis
	Lot 7		
(2)	Lot 1		
(5855)	Lot 2	- vacant	
	Lot 3		
	Lot 4		
	Lot 5	- Patty Loftus PATRICIA LOFTUS	Patty Loftus / GERALD LOFTUS
	Lot 6		
	Lot 7		

<u>Fairview Acres</u>	<u>Owner</u>	<u>Signature</u>
(2507) Lot 15	JANICE A CARPENTER	JANICE A CARPENTER
Lot 14	THOMAS FICCAGLIA	THOMAS FICCAGLIA
Lot 13	Jack Ferguson	Jack Ferguson
Lot 12	Jack Ferguson	Jack Ferguson
Lot 7.	Laura + Steven Millen	LAURA + STEVEN MILLEN
Lot 6	EMALEE STRUNK	
Lot 5	Emalee Strunk	Emalee Strunk
Lot 4	Emalee Strunk	Emalee Strunk
Lot 3	Emalee Strunk	Emalee Strunk
Lot 2		
(5046) - Lot 1A	ERICK ERICKSON & SHONDA ERICKSON	SHONDA M. ERICKSON
Lot A3	Phil Walczak	Phil Walczak
Lot A13	Phil Walczak	Phil Walczak
Lot A14		
B10 -	Terry + Mike Dennison	Terry + Mike Dennison

Highlander Hills

Owner

Signature

3) Lot 1	David P. Millos	
Lot 2		
Lot 3	Sue Ryan	Susan L. Ryan
Lot 4	Cde Justina	
Lot 5	RICHARD SEIL	
	Robert C. Barton	

From: Mark bartlema66@gmail.com
Subject: Woodland Glade Municipality
Date: Today at 7:45 PM
To: Janie Bartlett snowdrift.janie@gmail.com, Mark bartlema66@gmail.com



Woodland Glade. Quite a name. A planned home subdivision with that name would imply that there would be "woods" there. Well, I submit to you, that in such a small amount of land for a project of this magnitude would negate any trees to grow or propagate. In an area all around it are homes that are minimum property size of one acre. One single family dwelling house per acre. Some houses have more than one acre; many more acres in fact. In this proposed Woodland Glade Subdivision, the petitioner is requesting that he would like to have 44 possible new homes in a 22 acre parcel--right in the middle of an already established neighborhood of the aforementioned homes--at 4 times the ratio. Woodland Glade, I believe is a misnomer.

This, of course, is the opinion of my wife Jane L. Bartlett and myself Mark A. Bartlett who live at 5533 South Highlander right adjacent to area in question.

Questions that we have, at this moment, about this proposed project are as follows--but not limited to:

- 1) Time frame of this project request from this point forward to completion for occupancy?
- 2) Animal zoning? Has Mat-Su Animal Control been advised of project or any coordination with an animal agency?
- 3) Has Wasilla Police Department or the Alaska State Troopers been advised of this proposed project to see if they can support the sheer number of new families in this area for security patrolling, etc.?
- 4) Has Wasilla Fire Department been advised of this proposed project to make sure that they can support the new families in such a concentrated community safely?
- 5) Is there now contact with our local school superintendent to make sure that all children in these new 44 homes will be accommodated properly?
- 6) Has the Electric, Phone or other mandatory components of a project of this size company, been notified?
- 7) What about water for these new 44 homes? What impact will 44 new homes place on the aqua fir right here in our neighborhood? Has it been tested professionally--also percolation tested?
- 8) Where will 44 new families get their medical attention?
- 9) How about road maintenance? Has anybody called them and told them about the possibilities of 40-80 more children at the bus stops? There will certainly be the need for maintenance to increase, don't you agree?
- 10) Has any official, either elected or an employee of the Mat-Su, seen this Proposed Plan? Have they come out here and seen this request for proposal with their own eyes?

11) Why are variances needed for MSB 43.20.140 and MSB 43.20.060 ?

12) In this meeting, will I only be given three minutes to orate?

13) Impact on area during building of 44 new homes...will there be Sani-Huts for all the construction personnel? Will they have responsible hours for construction personnel so that the neighborhood will not be negatively impacted?

14) Responsible control and removal of garbage all throughout project?

15) Are there currently any other Projects of this size/nature that have been a success in Wasilla so that we may see them and get positive input?

16) Projected occupancy fill number of residents?

We are not anti-progress or anti-build or anything of the sort. We believe in growth in our communities. Responsible growth. This Woodlands Glade Plan needs to be discussed in depth at the upcoming "meeting." We believe that getting approvals for neighborhood consensus on sensible building for this area--that is, no condominium or apartment style buildings. Only one single family dwelling unit per acre (approximately). No giant warehouses in lieu of a single family dwelling residence per acre as listed in the Master Plan. This prevents the growing of substances for public sale. No circumventing any silly unenforceable laws here. No single one of these 11 lots are to have but ONE living residence on it--no placing three or any amount more than ONE living residence on it. Jane and I want to ask those that are going to approve this Plan to consider our questions and the questions of all the others that give input to this. This is also for them to consider those that cannot make this "meeting", cannot E-mail constituents because they do not have electronic access, or whatever, they should be contacted in person and let them give their input also.

I hope Mr Mayfield and Mr Nueman are aware of this meeting and I encourage them to be there for it. Any public official representing any aforementioned agencies would be very welcome.

Hey everyone, let's develop... responsibly!

Regards To All,

Mark A. Bartlett

Jane L. Bartlett

907-376-6037 in Wasilla

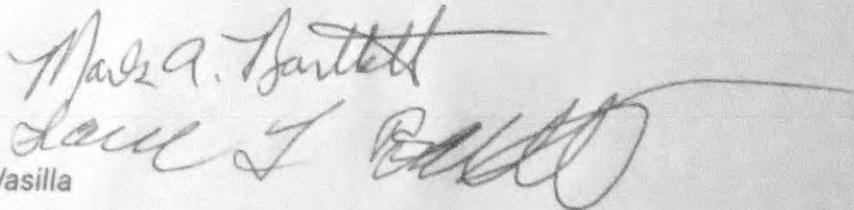


EXHIBIT M-17

CERTIFICATE OF OWNERSHIP & DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I HOLD THE HEREIN SPECIFIED PROPERTY INTEREST IN THE PROPERTY DESCRIBED HEREON. I, HEREBY AGREE TO THIS MASTER PLAN AND PLEDGE TO DEDICATE ALL RIGHTS OF WAY TO THE MATANUSKA-SUSITNA BOROUGH AND GRANT ALL EASEMENTS TO THE USE SHOWN AS EACH PHASE IS RECORDED.

LEVI B. WARD _____ DATE
 5595 W. DORA CIRCLE
 WASILLA, ALASKA 99623-8703

NOTARY ACKNOWLEDGMENT

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

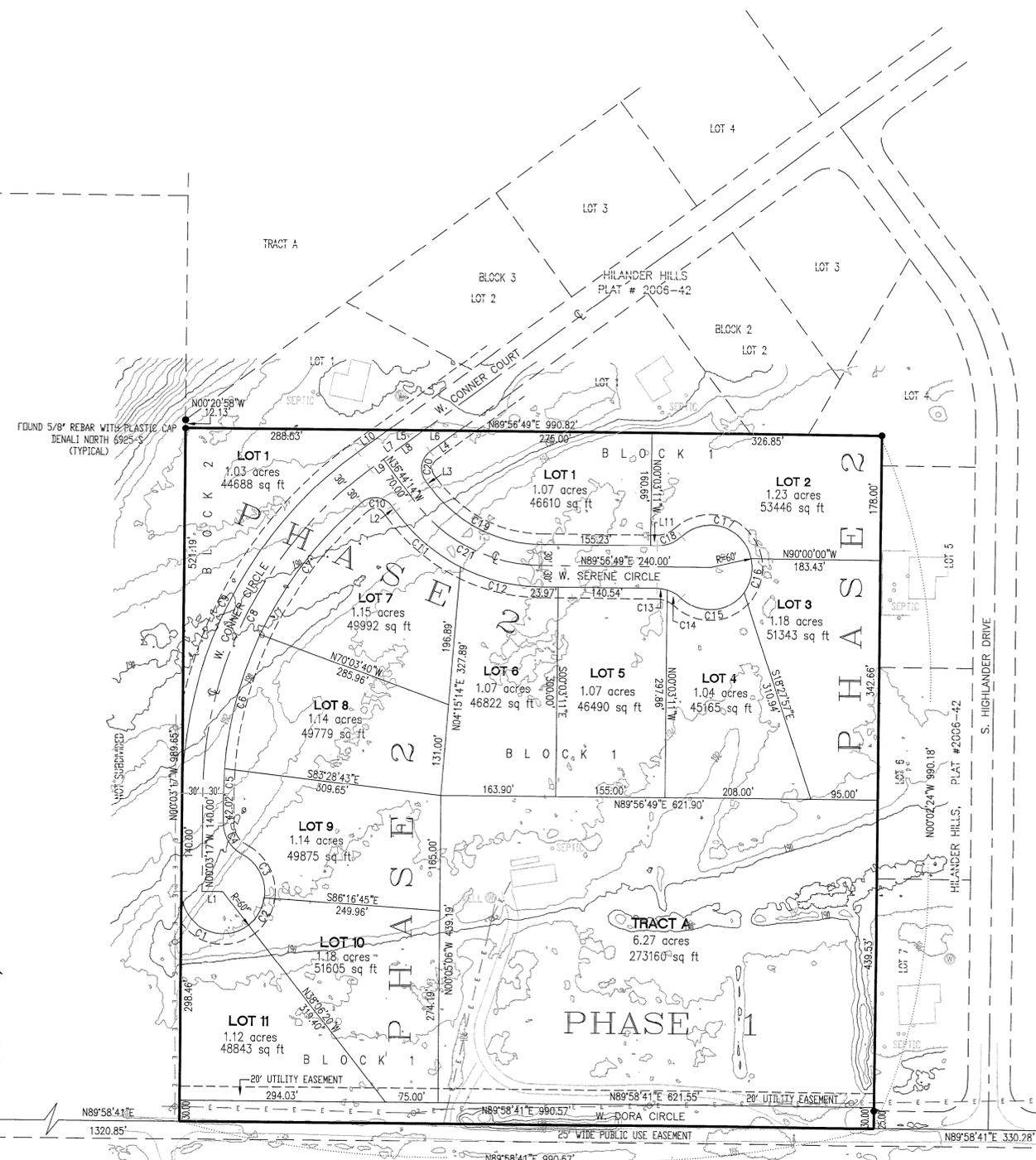
NOTARY FOR THE STATE OF ALASKA
 MY COMMISSION EXPIRES _____

PLANNING & LAND USE DIRECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE MASTER PLAN SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE MASTER PLAN HAS BEEN APPROVED BY THE PLATTING BOARD ON _____, 20____, BY RESOLUTION NO. _____ AND WILL EXPIRE ON _____, 20____.

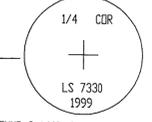
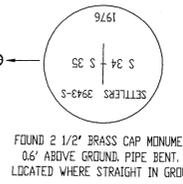
DATE _____ PLANNING & LAND USE DIRECTOR

ATTEST: _____
 PLATTING CLERK



LINE TABLE

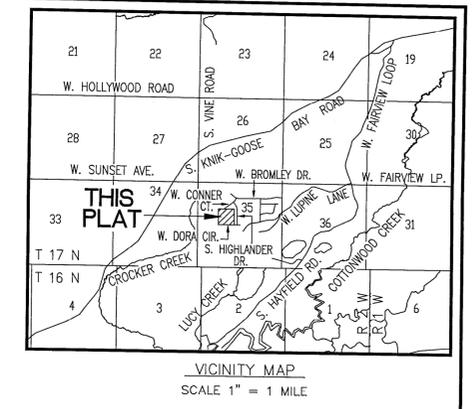
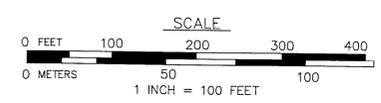
LINE	LENGTH	BEARING
L1	30.00'	S89°56'43"W
L2	8.73'	N36°44'15"W
L3	10.00'	S36°44'15"E
L4	50.45'	N53°15'43"E
L5	50.22'	N89°56'49"E
L6	50.22'	N89°56'49"E
L7	93.81'	N53°15'45"E
L8	70.18'	N53°15'44"E
L9	23.63'	N53°15'47"E
L10	53.54'	N53°15'45"E
L11	9.27'	N89°56'49"E



- LEGEND**
- ⊕ FOUND BRASS CAP MONUMENT - AS SHOWN AND DESCRIBED
 - ⊙ FOUND ALUMINUM CAP MONUMENT - AS SHOWN AND DESCRIBED
 - FOUND 5/8" REBAR WITH PLASTIC CAP, MARKED DENALI NORTH 6925-S

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	134.32'	60.00'	128°15'59"	123.75'	107.98'	S64°11'17"E
C2	46.13'	60.00'	44°02'55"	24.27'	45.00'	N29°39'16"E
C3	73.98'	60.00'	70°38'57"	42.52'	69.38'	N27°41'40"W
C4	54.95'	50.00'	62°57'52"	30.62'	52.22'	S31°32'13"E
C5	36.01'	550.00'	03°45'03"	18.01'	36.00'	S01°49'15"W
C6	200.10'	550.00'	20°50'44"	101.17'	199.00'	S14°07'08"W
C7	237.21'	550.00'	24°42'38"	120.48'	235.37'	S36°53'49"W
C8	539.73'	580.00'	53°19'02"	291.18'	520.46'	S26°36'14"W
C9	567.64'	610.00'	53°19'02"	306.25'	547.38'	S26°36'14"W
C10	49.22'	30.00'	94°00'37"	32.18'	43.88'	N83°44'33"W
C11	122.47'	260.00'	26°59'20"	62.39'	121.34'	S50°13'55"E
C12	119.47'	260.00'	26°19'36"	60.81'	118.42'	S76°53'23"E
C13	14.67'	50.00'	16°48'57"	7.39'	14.62'	N81°38'42"W
C14	23.15'	50.00'	26°31'33"	11.79'	22.94'	N59°58'27"W
C15	102.30'	60.00'	97°41'09"	68.64'	90.35'	N84°26'45"E
C16	50.27'	60.00'	48°00'00"	26.71'	48.81'	N11°36'10"E
C17	126.71'	60.00'	120°59'52"	106.04'	104.44'	N72°53'45"W
C18	37.82'	50.00'	43°20'30"	19.87'	36.93'	N68°16'34"E
C19	186.11'	200.00'	53°18'56"	100.40'	179.46'	S63°23'43"E
C20	47.12'	30.00'	90°00'00"	30.00'	42.43'	S08°15'45"W
C21	214.02'	230.00'	53°18'56"	115.47'	206.38'	S63°23'43"E



- 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 PARCELS SHOWN HEREON.
 - BASIS OF BEARING FROM G.P.S. OBSERVATION TAKEN AT THE S.E. CORNER THIS SUBDIVISION.
 - 5/8" x 30" REBAR WITH SELF-IDENTIFYING PLASTIC CAP SET AT ALL LOT CORNERS, P.C.'S, P.T.'S AND P.R.C.'S UNLESS NOTED.
 - 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 GOVERN THOSE SYSTEMS.
 - EASEMENTS OF RECORD NOT PLOTTED HEREON:
 - (a) M.E.A. EASEMENT RECORDED JUNE 9, 1960 AT BOOK: 32. PAGE: 430
 - (b) M.E.A. EASEMENT RECORDED DECEMBER 19, 1994 AT BOOK: 791. PAGE: 512
 - (c) M.E.A. EASEMENT RECORDED SEPTEMBER 20, 1996 AT BOOK: 865. PAGE: 829



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT THIS MASTER PLAN OF SUBDIVISION HAS BEEN DESIGNED BY ME OR UNDER MY DIRECT SUPERVISION. THE DATA SHOWN HEREON IS A MASTER PLAN FOR SUBDIVISION DEVELOPMENT ONLY. NO FIELD SURVEY HAS BEEN CONDUCTED TO ESTABLISH ANY SUBDIVISION CORNERS.

7330-S GARY LoRUSSO
 REGISTERED LAND SURVEYOR DATE _____

THIS MASTER PLAN OF

WOODLAND GLADE

A SUBDIVISION OF THE
 S1/2 NW1/4 SE1/4 NW1/4, SW1/4 SE1/4 NW1/4,
 SW1/4 NE1/4 SE1/4 NW1/4, W1/2 SE1/4 SE1/4 NW1/4,
 SECTION 35, T. 17 N., R. 2 W.
 SEWARD MERIDIAN, ALASKA
 PALMER RECORDING DISTRICT
 THIRD JUDICIAL DISTRICT
 STATE OF ALASKA
 CONTAINING 22.51 ACRES, MORE OR LESS

KEYSTONE SURVEYING
 GARY LO RUSSO, PROFESSIONAL LAND SURVEYOR
 POST OFFICE BOX 2216 PALMER ALASKA 99645

DRAWN BY ICAD/K.Lyne	DATE 8/25/15	DRAWING: 2015-28/WoodlandGlade
CHECKED BY G.Lo	SCALE 1 INCH = 100 FEET	SHEET 1 OF 1

4B

**STAFF REVIEW AND RECOMMENDATIONS
PUBLIC HEARING
JUNE 2, 2016**

PUBLIC USE EASEMENT: **SOQUET PUE**

LEGAL DESCRIPTION: **SEC 33/34, T16N, R04W, SEWARD MERIDIAN, AK**

PETITIONERS: **CARL & LILLIAN STRUBHAR AND
MARK & ANITA SOQUET**

SURVEYOR: **KEYSTONE SURVEYING & MAPPING**

REVIEWED BY: **PEGGY HORTON** CASE: 2016-056

REQUEST

The request is to create a Public Use Easement within Lot 2, Strubhar, the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, along the section line common to Sections 33 and 34, Township 16 North, Range 4 West, Seward Meridian, Alaska. The public use easement is of various widths due to topographic constraints.

EXHIBITS

Vicinity Map	Exhibit A
Road Plan & Profile	Exhibit B

COMMENTS

Development Services Planner	Exhibit C
Code Compliance	Exhibit D
Land & Resource Mgmt	Exhibit E
Department of Public Works	Exhibit F
DES & FSA	Exhibit G
Cultural Resources	Exhibit H
USACE	Exhibit I
MTA	Exhibit J
Enstar	Exhibit K

DISCUSSION

This case involves three properties, Lot 2 of Strubhar Subdivision, Tax Parcel D4 in Section 33 and Tax Parcel C8 in Section 34. The Public Use Easement being granted does not extend into Tract B of Kobuk Subdivision. There is a 50' wide platted section line easement along the western boundary of Tract B, Kobuk, which provides for a wide right-of-way within the southern portion of the proposed road.

This case is being heard under MSB 43.15.021 Public Use Easement Acceptance Procedure. Pursuant to MSB 43.15.021(A), a drawing depicting the location and dimensions of the proposed easement was submitted (**See Record of Survey in sleeve**). The surveyor is also showing a 20' utility easement being granted outside of the public use easement.

The borough requires unrestricted rights-of-way when they are created. There are several easements listed on the title report that are not shown on the record of survey, but do impact the proposed Public Use Easement. Four of these are to MEA and four of these are to private parties for ingress and egress. These private rights may allow for restrictions to the use of the public right-of-way. To allow for an unrestricted right-of-way, the previous private rights need to be vacated or rescinded where they fall within the proposed Public Use Easement (**See Recommendation #5**).

Constructability: Pursuant to MSB 43.15.021(C), the petitioner has provided road plan and profile, along with topography, which gives evidence that the PUE is in a location that is constructible (**Exhibit B**). The width of the public use easement varies along its length due to the topographic constraints of the property.

Comments: Development Services Planner stated structures should be in compliance with setback requirements (**Exhibit C**). Code Compliance stated the properties are not in a Special Land Use Area and are not within a mapped FEMA Special Flood Hazard Area (**Exhibit D**). Land & Resource Management Division notes no MSB-owned land is affected and has no objections to the proposed public use easement (**Exhibit E**). DPW Civil Engineer stated that when constructed, a cross culvert is needed at approximately station 2+50 (**Exhibit F**). Central Mat-Su FSA and Dept of Emergency Services have no objections (**Exhibit G**). Cultural Resources found no recorded sites on the property but recommend caution during construction in the event cultural remains may come to light or be recovered (**Exhibit H**).

US Army Corps of Engineers commented that there appears to be wetland located on Lot D4. Please notify the owner that a Corps jurisdictional determination and/or permit may be required (**Exhibit I**). Staff notes this comment is for development.

MTA has no objections (**Exhibit J**). Enstar has no comment or objections (**Exhibit K**).

CONCLUSION

The Soquet Public Use Easement is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.021 Public Use Easement Acceptance Procedure. Surveyor of record has provided a drawing depicting the location and dimensions of the PUE and evidence that the PUE is constructible pursuant to MSB 43.15.021(A) & (C). To allow for an unrestricted right-of-way, the previous private rights need to be vacated or rescinded where they fall within the proposed Public Use Easement. There were no objections to the proposed Public Use Easement from any federal, state, borough agency or the general public.

RECOMMENDATION for PUBLIC USE EASEMENT

Suggested Motion: “I move to approve the Soquet Public Use Easement with adjoining 20’ wide utility easements, located within Sections 33 & 34, Township 16 North, Range 4 West, Seward Meridian, Alaska, contingent upon staff recommendations”:

1. Provide updated Certificate to Plat executed within 90 days prior to recording, per MSB 43.15.053(E).
2. Pay postage & advertising fee.
3. Submit recording fee, payable to State of Alaska, DNR.
4. Submit final Public Use Easement document with attached drawing from a land surveyor formatted to State Recorder’s Office standards and signed by those having legal and equitable interest, in full compliance with Title 43.
5. Vacate or release any prior private rights within the proposed Public Use Easement prior to recordation.

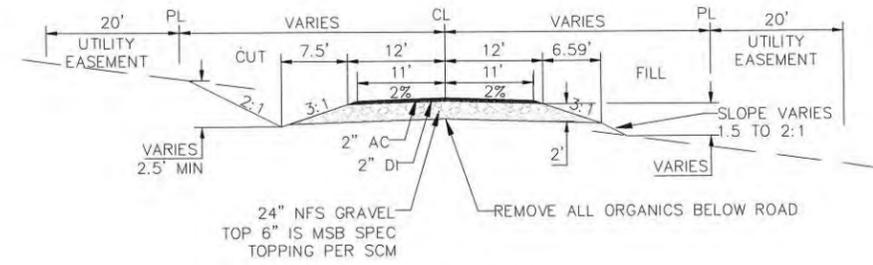
FINDINGS for PUBLIC USE EASEMENT

1. The proposed public use easement is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.021 Public Use Easement Acceptance Procedure.
2. There were no objections from any federal, state or Borough agencies.
3. There was no objection from the general public in response to the Notice of Public Hearing.
4. A 20’ wide utility easement is being granted on either side of the proposed public use easement.
5. The proposed public use easement is of varying widths along its length due to topographic constraints.
6. A platted 50’ wide section line easement exists within Tract B Kobuk Subdivision.
7. Surveyor submitted the proposed public use easement drawing, pursuant to MSB 43.15.021(A).
8. Surveyor submitted road plan and profile and topographic information as evidence that the PUE can be constructed within the easement, pursuant to MSB 43.15.021(C).

9. US Army Corps of Engineers stated that there may be wetlands on one of the properties involved in this PUE and that a corps permit may be required for development.
10. There are four MEA easements and four private easements within the proposed public use easement. Public rights-of-way need to be unrestricted and free of prior rights.

VERTICAL GEOMETRY DATA

No.	PVI Station	PVI Elevation	Grade In	Grade Out	A (Grade Change)	Profile Curve Type	Profile Curve Length	K Value	Minimum K for Stopping Sight Distance	Minimum K for Headlight Sight Distance	Design Speed	Vertical Curve Table
1	0+13.67	112.062		-2.13%								
2	0+40.00	111.500	-2.13%	0.00%	2.13%							
3	2+59.07	111.500	0.00%	10.00%	10.00%	Sag	360.000'	36.005		37	30 mi/h	AASHTO 2011 Standard
4	13+62.68	221.844	10.00%	4.00%	6.00%	Crest	200.000'	33.342	19		30 mi/h	AASHTO 2011 Standard
5	17+81.17	238.584	4.00%									

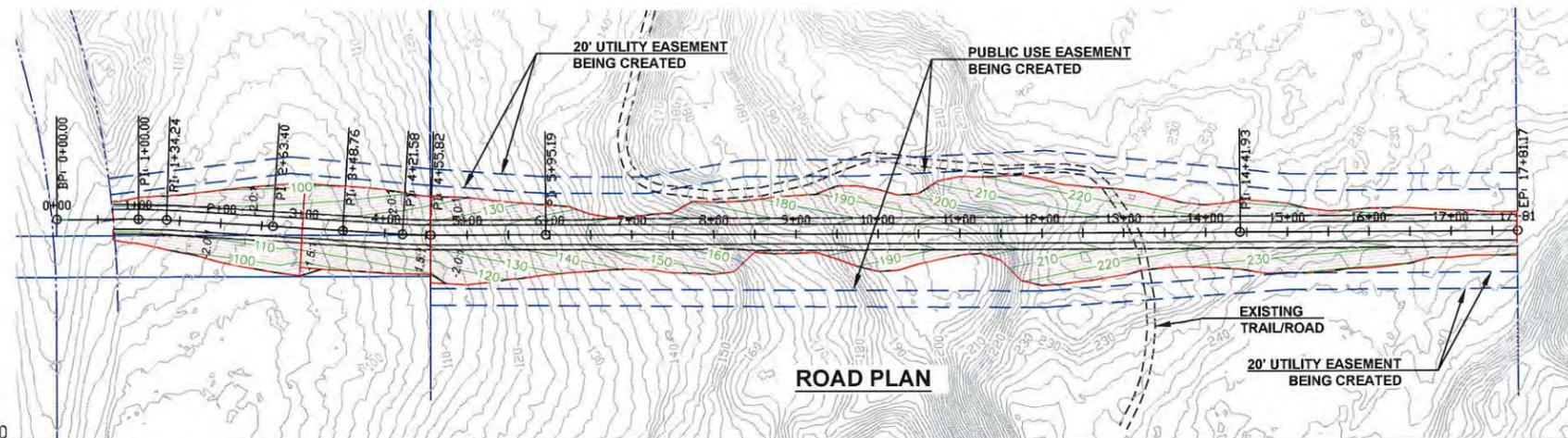


ROAD SECTION

PRELIMINARY FOR REVIEW AND COORDINATION NOT FOR CONSTRUCTION
March 31, 2016

CIVIL RESOURCES, LLC
3001 W STONEBRIDGE DRIVE
WASILLA, AK 99654
BRUCE@CIVILRESOURCESLLC.COM
PHONE: (907) 354-3021
JOB#: XXX

EXHIBIT B

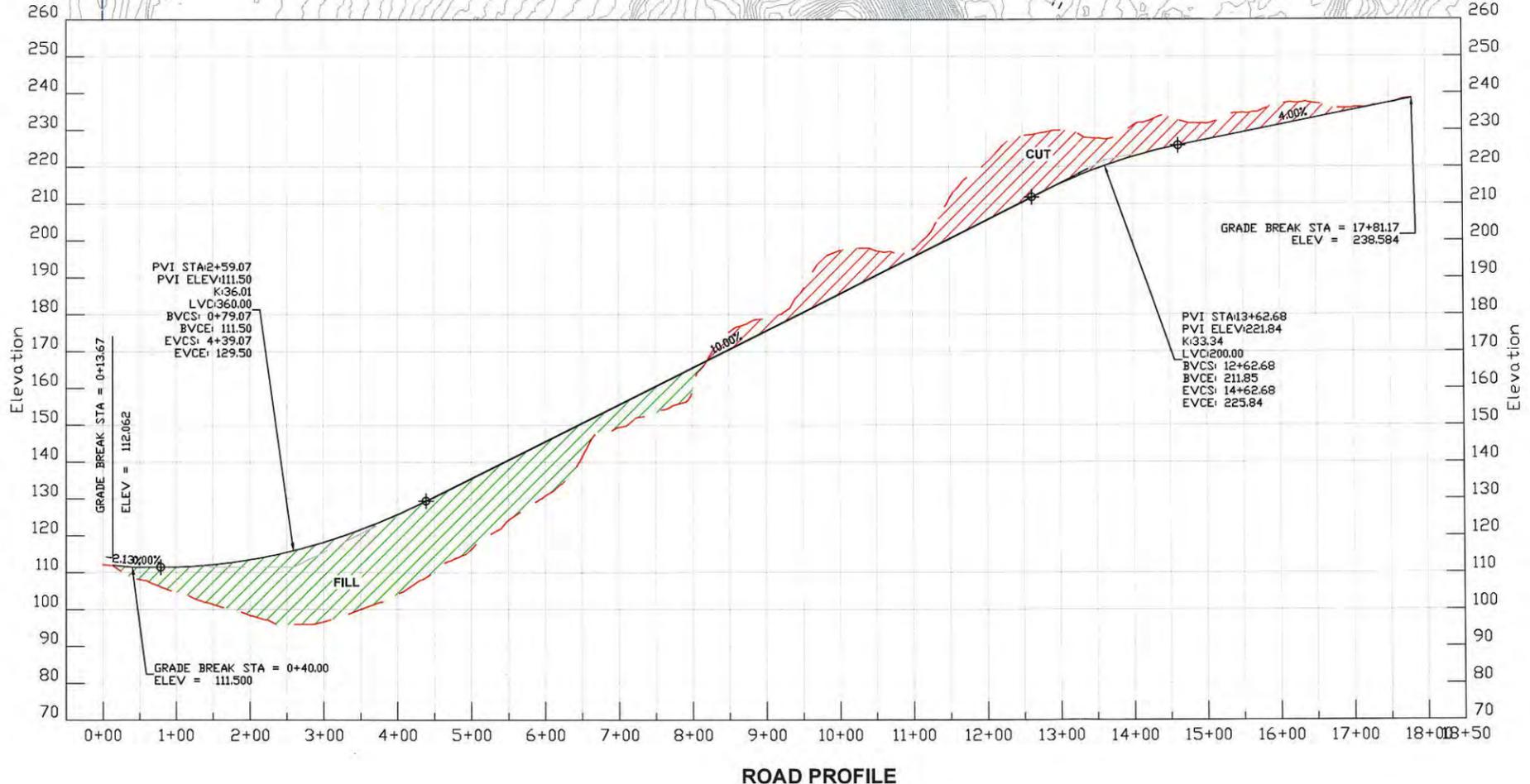


ROAD PLAN

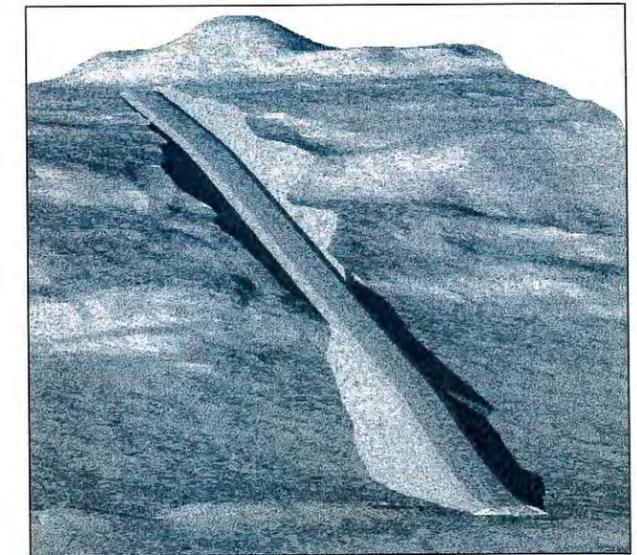
CUT AND FILL VOLUME REPORT

Name	Type	Cut Factor	Fill Factor	2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
earthwork	full	1.000	1.000	147548.54	21914.58	24379.91	2465.33<Fill>
Totals							
				2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
Total				147548.54	21914.58	24379.91	2465.33<Fill>

* Value adjusted by cut or fill factor other than 1.0



ROAD PROFILE



ROAD ISOMETRIC (SW)

RECEIVED
APR 18 2016
PLATTING

SOQUET ROAD EXHIBIT

Agenda Copy

DRAWING NUMBER
E-1
SHT. 1 OF 1

Peggy Horton

From: Susan Lee
Sent: Tuesday, April 26, 2016 9:22 AM
To: Platting
Subject: RE: Request for comments for Soquet Public Use Easement Case #2016-056 Tech: PH

Structures should be in compliance with setback requirements.

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: Monday, April 25, 2016 2:54 PM
To: holly.zafian@alaska.gov; mark.fink@alaska.gov; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); row@enstarnaturalgas.com; 'ospdesign@gci.com' (ospdesign@gci.com); dblehm@gci.com; Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; regpagemaster@usace.army.mil; Michael Weller; Sheila Armstrong; Tracy McDaniel; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; Dan Mayfield; brian.young@usps.gov; Donald Thomson; ken@slauson.us; mikeasaun@yahoo.com
Cc: Jay Van Diest (jay@valleymarket.com); LaMarr Anderson (lamarra05@gmail.com); Stan Gillespie (stan.gillespie@gmail.com); jordan@alaskaplans.com; Tait Zimmerman (tait@zimmermanteam.com); Patrick Johnson (patrickjhnsn@hotmail.com); Amy Hansen (amyhansenhomes@gmail.com); Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); Gregory Pugh (winforhim@aol.com)
Subject: Request for comments for Soquet Public Use Easement Case #2016-056 Tech: PH

Good Afternoon,

Attached is a request for comments for a public use easement in the Point Mackenzie area. Please review and provide your comments by May 20, 2016.

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

APR 25 2016

Received

Comments Due: May 20, 2016

April 25, 2016

Public Use Easement Request for Comments

AK Dept. of Transportation – Anchorage	MSB – Emergency Services	MAY 19 2016
AK Dept. of Transportation	Open Cases Y or N	SpUD Y or <u>N</u>
AK Dept. of Transportation	FIRM # _____ Zone _____	PLATTING
AK DNR, Division of Mining	Comments: <u>Not mapped</u>	
AK DNR, Public Access De	Date: <u>5/18/16</u> By: <u>[Signature]</u>	
AK DNR, Division of Agricu	Assembly District # _____	
AK DF&G, Habitat Mgmt. &		
AK DF&G, Division of Spr		
AK Railroad, Engineering C		
Corp of Engineers		
U.S. Postmaster		
City of:		
Community Council: Pt. M		
Fire Service Area:#130 Ct		
Road Service Area:#17 Knik		
MSB – Borough Attorney		

Title:	Soquet Public Use Easement
Location:	Sec 33 & 34, T16N, R4W, S.M, AK
Petitioner:	Carl & Lillian Strubhar
Address:	PO Box 879705, Wasilla AK 99687
Petitioner:	Mark & Anita Soquet
Address:	4155 Tudor Centre Dr, Ste 208, Anchorage AK 99508
Surveyor:	Keystone Surveying & Mapping
Address:	PO Box 2216, Palmer AK 99645
Engineer:	Civil Resources LLC
Address:	3001 W. Stonebridge Dr, Wasilla AK 99654

The request is to create a Public Use Easement within Lot 2, Strubhar, the NE1/4 SE1/4 Section 33 and the NW1/4 SW1/4 Section 34, along the section line common to Sections 33 and 34, Township 16 North, Range 4 West, Seward Meridian, Alaska. The public use easement is of various widths due to topographic constraints.

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 public use easement 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 **May 20, 2016** so that we may incorporate this information into our recommendations to the Platting Board, for the public hearing to be held on **June 2, 2016**.

Kindest Regards,

[Signature]
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

DATE: April 26, 2016
TO: Fred Wagner, Platting Officer
FROM: Land & Resource Management *MSL*
SUBJECT: Preliminary Plat Comments / Case #2016-056

RECEIVED

APR 26 2016

PLATTING

Platting Tech: Peggy Horton
Public Hearing: June 2, 2016
Applicant / Petitioner: Strubner / Soquet
TRS: 16N04W33
Tax ID: 16N04W33D004, C008 & 7180000L002
Subd: Soquet PUE
Tax Map: GB 05 & 06

Comments:

- No MSB land affected.
- No objections to proposed public use easement.

EXHIBIT E

Peggy Horton

From: Jamie Taylor
Sent: Friday, May 13, 2016 9:01 AM
To: Platting
Cc: Peggy Horton; 'Gary LoRusso'
Subject: RE: Request for comments for Soquet Public Use Easement Case #2016-056 Tech: PH

To clarify, the cross culvert will be needed *in the future* when the road is constructed, not as a condition of the dedication of the PUE.

Jamie

From: Jamie Taylor
Sent: Thursday, May 12, 2016 3:01 PM
To: Platting
Cc: Peggy Horton
Subject: RE: Request for comments for Soquet Public Use Easement Case #2016-056 Tech: PH

- Cross culvert needed at approx. STA 2+50

Jamie Taylor, PE
Civil Engineer
Matanuska-Susitna Borough
Department of Public Works
Operations & Maintenance
t: 907-861-7765 c: 907-355-9810
jamie.taylor@matsugov.us
<http://www.matsugov.us/>

From: Peggy Horton **On Behalf Of** Platting
Sent: Monday, April 25, 2016 2:54 PM
To: holly.zafian@alaska.gov; mark.fink@alaska.gov; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); row@enstarnaturalgas.com; 'ospdesign@gci.com' (ospdesign@gci.com); dblehm@gci.com; Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; regpagemaster@usace.army.mil; Michael Weller; Sheila Armstrong; Tracy McDaniel; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; Dan Mayfield; brian.young@usps.gov; Donald Thomson; ken@slauson.us; mikeasaun@yahoo.com
Cc: Jay Van Diest (jay@valleymarket.com); LaMarr Anderson (lamarra05@gmail.com); Stan Gillespie (stan.gillespie@gmail.com); jordan@alaskaplans.com; Tait Zimmerman (tait@zimmermanteamak.com); Patrick Johnson (patrickjhnsn@hotmail.com); Amy Hansen (amyhansenhomes@gmail.com); Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); Gregory Pugh (winforhim@aol.com)
Subject: Request for comments for Soquet Public Use Easement Case #2016-056 Tech: PH

Good Afternoon,

Attached is a request for comments for a public use easement in the Point Mackenzie area. Please review and provide your comments by May 20, 2016.

EXHIBIT F

Peggy Horton

From: Richard Boothby
Sent: Thursday, May 05, 2016 9:47 AM
To: Platting
Subject: RE: Request for comments for Soquet Public Use Easement Case #2016-056 Tech: PH

The Central Mat-Su FSA and DES has no objections.

From: Peggy Horton **On Behalf Of** Platting
Sent: Monday, April 25, 2016 2:54 PM
To: holly.zafian@alaska.gov; mark.fink@alaska.gov; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); row@enstarnaturalgas.com; 'ospdesign@gci.com' (ospdesign@gci.com); dblehm@gci.com; Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; regpagemaster@usace.army.mil; Michael Weller; Sheila Armstrong; Tracy McDaniel; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; Dan Mayfield; brian.young@usps.gov; Donald Thomson; ken@slauson.us; mikeasaun@yahoo.com
Cc: Jay Van Diest (jay@valleymarket.com); LaMarr Anderson (lamarra05@gmail.com); Stan Gillespie (stan.gillespie@gmail.com); jordan@alaskaplans.com; Tait Zimmerman (tait@zimmermanteamak.com); Patrick Johnson (patrickjhnsn@hotmail.com); Amy Hansen (amyhansenhomes@gmail.com); Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); Gregory Pugh (winforhim@aol.com)
Subject: Request for comments for Soquet Public Use Easement Case #2016-056 Tech: PH

Good Afternoon,

Attached is a request for comments for a public use easement in the Point Mackenzie area. Please review and provide your comments by May 20, 2016.

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

EXHIBIT G



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 May 2016
TO: Peggy Horton, Platting Technician
FROM: Sandra Cook, Architectural Historian
SUBJECT: Public Use Easement
TITLE: Soquet PUE
LEGAL: Section 33 & 34, T16N, R04W, SM
TAX MAP: GB 05 & 06

NO OBJECTION

Cultural Resources Division staff has reviewed the above application and finds there 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.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 H

Peggy Horton

From: Whittier, Amanda L POA <Amanda.L.Whittier@usace.army.mil>
Sent: Tuesday, April 26, 2016 7:16 AM
To: Peggy Horton
Subject: RE: [EXTERNAL] Request for comments for Soquet Public Use Easement Case #2016-056
Tech: PH (UNCLASSIFIED)

Ms. Horton,

According to the National Wetland Inventory, there appears to be a wetland located on Lot D4. Please advise the owner that a Corps jurisdictional determination and/or permit maybe required.

Thank you!
~Amanda

Amanda L. Whittier
Acting Chief, South Section
U.S. Army Corps of Engineers (Alaska District)
(907) 753-5582 (desk)
(907) 753-2712 (main)
Amanda.L.Whittier@usace.army.mil

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

From: Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] On Behalf Of Platting
Sent: Monday, April 25, 2016 2:54 PM
To: holly.zafian@alaska.gov; mark.fink@alaska.gov; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com) <rglenn@mta-telco.com>; J Thompson (jthompson@mta-telco.com) <jthompson@mta-telco.com>; row@enstarnaturalgas.com; 'ospdesign@gci.com' (ospdesign@gci.com) <ospdesign@gci.com>; dblehman@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>; Pagemaster, Reg POA <regpagemaster@usace.army.mil>; Michael Weller <Michael.Weller@matsugov.us>; Sheila Armstrong <Sheila.Armstrong@matsugov.us>; Tracy McDaniel <Tracy.McDaniel@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Jamie Taylor <Jamie.Taylor@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; Donald Thomson <Donald.Thomson@matsugov.us>; ken@slauson.us; mikeasaun@yahoo.com
Cc: Jay Van Diest (jay@valleymarket.com) <jay@valleymarket.com>; LaMarr Anderson (lamarra05@gmail.com) <lamarra05@gmail.com>; Stan Gillespie (stan.gillespie@gmail.com) <stan.gillespie@gmail.com>; jordan@alaskaplans.com; Tait Zimmerman (tait@zimmermanteamak.com) <tait@zimmermanteamak.com>; Patrick Johnson (patrickjhnsn@hotmail.com) <patrickjhnsn@hotmail.com>; Amy Hansen (amyhansenhomes@gmail.com) <amyhansenhomes@gmail.com>; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com) <marty@valleymarket.com>; Gregory Pugh (winforhim@aol.com) <winforhim@aol.com>
Subject: [EXTERNAL] Request for comments for Soquet Public Use Easement Case #2016-056 Tech: PH

Good Afternoon,

EXHIBIT I

Peggy Horton

From: Becky Glenn <rglenn@mta-telco.com>
Sent: Tuesday, April 26, 2016 10:17 AM
To: Platting
Cc: Jessica Thompson
Subject: RE: Request for comments for Soquet Public Use Easement Case #2016-056 Tech: PH

Peggy,

MTA has reviewed the request for comments for Soquet PUE. 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: Monday, April 25, 2016 2:54 PM
To: holly.zafian@alaska.gov; mark.fink@alaska.gov; mearow@matanuska.com; Becky Glenn <rglenn@mta-telco.com>; Jessica Thompson <jthompson@mta-telco.com>; row@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>; regpagemaster@usace.army.mil; Michael Weller <Michael.Weller@matsugov.us>; Sheila Armstrong <Sheila.Armstrong@matsugov.us>; Tracy McDaniel <Tracy.McDaniel@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Jamie Taylor <Jamie.Taylor@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; Donald Thomson <Donald.Thomson@matsugov.us>; ken@slauson.us; mikeasaun@yahoo.com
Cc: Jay Van Diest (jay@valleymarket.com) <jay@valleymarket.com>; LaMarr Anderson (lamarra05@gmail.com) <lamarra05@gmail.com>; Stan Gillespie (stan.gillespie@gmail.com) <stan.gillespie@gmail.com>; jordan@alaskaplans.com; Tait Zimmerman (tait@zimmermanteamak.com) <tait@zimmermanteamak.com>; Patrick Johnson (patrickjhnsn@hotmail.com) <patrickjhnsn@hotmail.com>; Amy Hansen (amyhansenhomes@gmail.com) <amyhansenhomes@gmail.com>; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com) <marty@valleymarket.com>; Gregory Pugh (winforhim@aol.com) <winforhim@aol.com>
Subject: Request for comments for Soquet Public Use Easement Case #2016-056 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 Afternoon,

Attached is a request for comments for a public use easement in the Point Mackenzie area. Please review and provide your comments by May 20, 2016.

Thank you,

EXHIBIT J



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

April 27, 2016

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

Subject: Public Use Easement Request for Comments – **Soquet Public Use Easement**
(Case No. 2016-056)

Dear Ms. Horton:

ENSTAR Natural Gas Company has reviewed the subject proposed to create a Public Use Easement. We have no comments, recommendations, or objections.

If you have any questions, please feel free to contact me at 907-334-7953 or by email at robin.leighty@enstarnaturalgas.com.

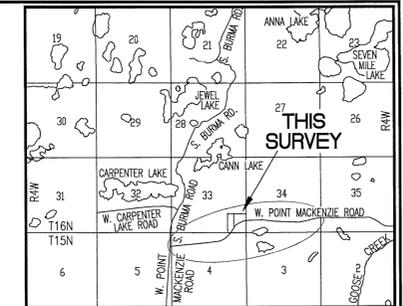
Sincerely,

A handwritten signature in black ink that reads "Robin Leighty". The signature is fluid and cursive, with the first name being the most prominent.

Robin Leighty
Right-of-Way and Permitting Agent

Sent via e-mail to platting@matsugov.us

EXHIBIT K



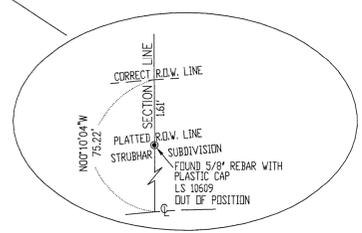
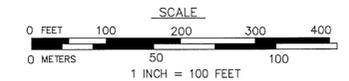
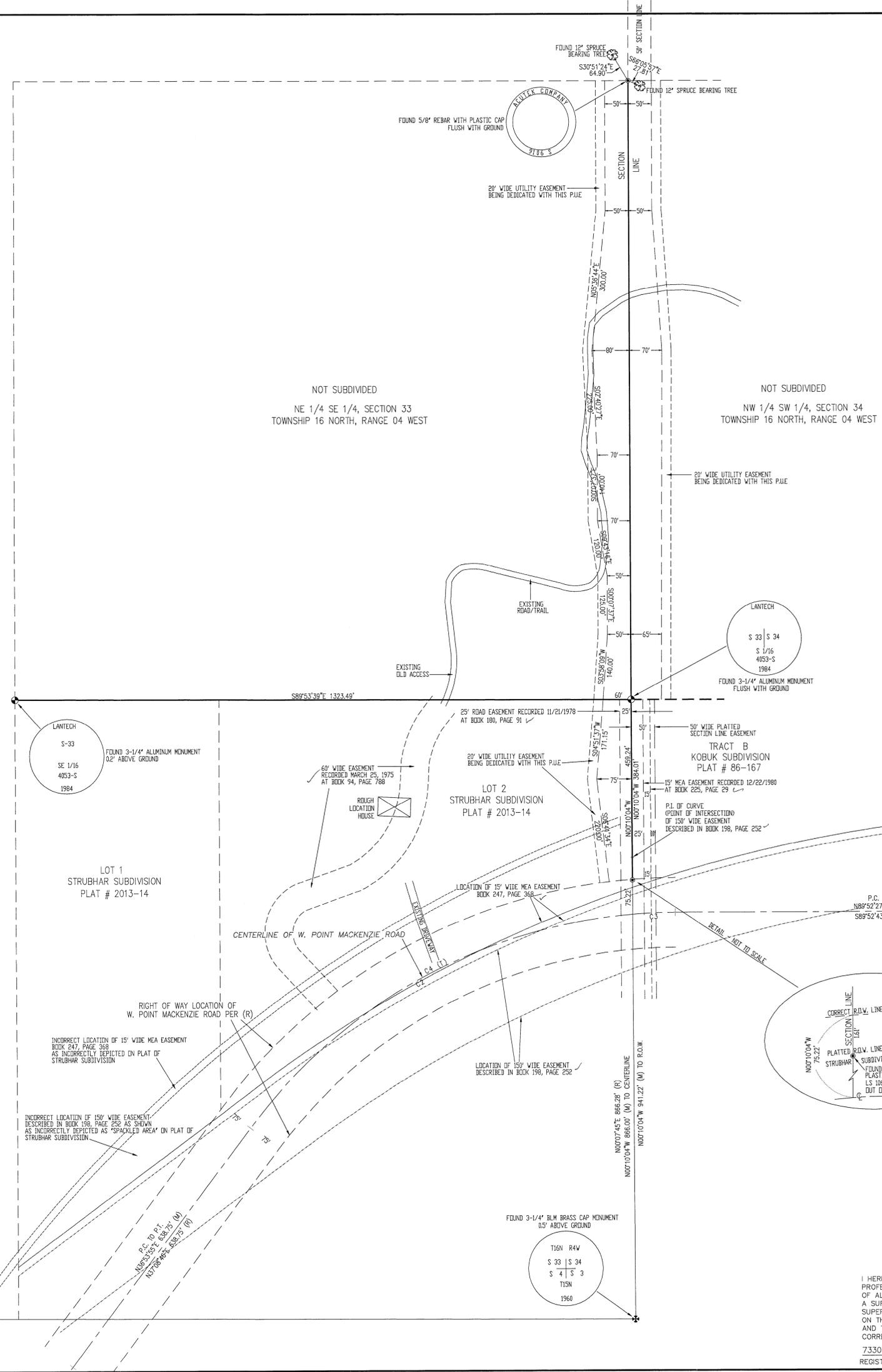
VICINITY MAP
1 INCH = 1 MILE

- NOTES**
1. BASIS OF BEARINGS FROM GPS OBSERVATION TAKEN 400' WEST OF THE 1/16TH CORNER SECTIONS 33 AND 34 SHOWN HEREON.
 2. THIS SURVEY DOES NOT CONSTITUTE A SUBDIVISION AS DEFINED BY AS 40.15.900(5A).

- LEGEND**
- FOUND BLM BRASS CAP MONUMENT - AS SHOWN AND DESCRIBED
 - FOUND ALUMINUM MONUMENT - AS SHOWN AND DESCRIBED
 - FOUND 5/8" REBAR WITH PLASTIC CAP - AS SHOWN AND DESCRIBED
 - (R) = RECORD DIMENSIONS PER PLAN ON FILE AT THE MATANUSKA-SUSITNA BOROUGH ENTITLED "POINT MACKENZIE ACCESS ROAD, PHASE 1" AND APPROVED BY GARY THURLOW, M.S.B. MANAGER ON APRIL 8, 1981 AND REVISED ON OCTOBER 30, 1981.
 - (M) = MEASURED DIMENSIONS
 - (T) = TOTAL DISTANCE

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	1125.92'	1348.15'	47°51'04"	598.14'	1093.48'	N67°49'27"E
C2	967.84'	1145.93'	48°23'30"	514.90'	939.33'	S61°05'40"W
C3	91.68'	1145.93'	04°35'03"	45.87'	91.66'	S87°34'56"W
C4 (T)	1059.52'	1145.93'	52°58'32"	571.03'	1022.18'	S63°21'11"W
C5	599.94'	4583.69'	07°28'57"	300.40'	599.51'	N86°22'35"W
C6	598.31'	4583.69'	07°28'44"	299.58'	597.89'	S86°21'58"E
C7	542.46'	2291.84'	13°33'41"	272.50'	541.19'	N83°06'49"E
C8	419.55'	2291.84'	10°28'19"	210.36'	418.97'	S81°34'38"W



SURVEYOR'S CERTIFICATE

I 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 OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

7330-S GARY LoRUSSO
REGISTERED LAND SURVEYOR DATE

RECORD OF SURVEY

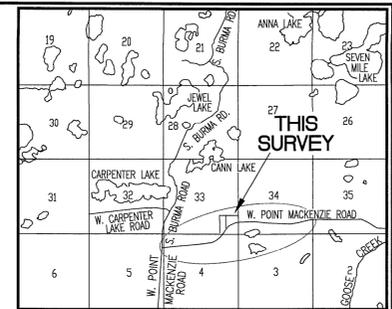
OF
PUBLIC USE EASEMENT AND
ASSOCIATED UTILITY EASEMENT
ACROSS THE FOLLOWING PARCELS:
LOT 2, STRUBHAR SUBDIVISION
RECORDED AS PLAT #2013-14;
NE 1/4 SE 1/4, SECTION 33; NW 1/4 SW 1/4, SECTION 34
ALL WITHIN
TOWNSHIP 16 NORTH, RANGE 04 WEST
SEWARD MERIDIAN, ALASKA
ALSO SHOWING SURVEY CONTROL WITHIN
SECTION 4, TOWNSHIP 15 NORTH, RANGE 04 WEST AND
SECTION 34, TOWNSHIP 16 NORTH, RANGE 04 WEST
PALMER RECORDING DISTRICT
THIRD JUDICIAL DISTRICT
STATE OF ALASKA

KEYSTONE SURVEYING
GARY Lo RUSSO, PROFESSIONAL LAND SURVEYOR
POST OFFICE BOX 2216 PALMER ALASKA 99645

DRAWN BY ICAD/K.Lyne	DATE 2/24/16	DWG: 2016-6/SouquetROS
CHECKED BY Glo	SCALE 1 INCH = 100 FEET	SHEET 1 OF 2

RECEIVED
APR 23 2016
PLATTING

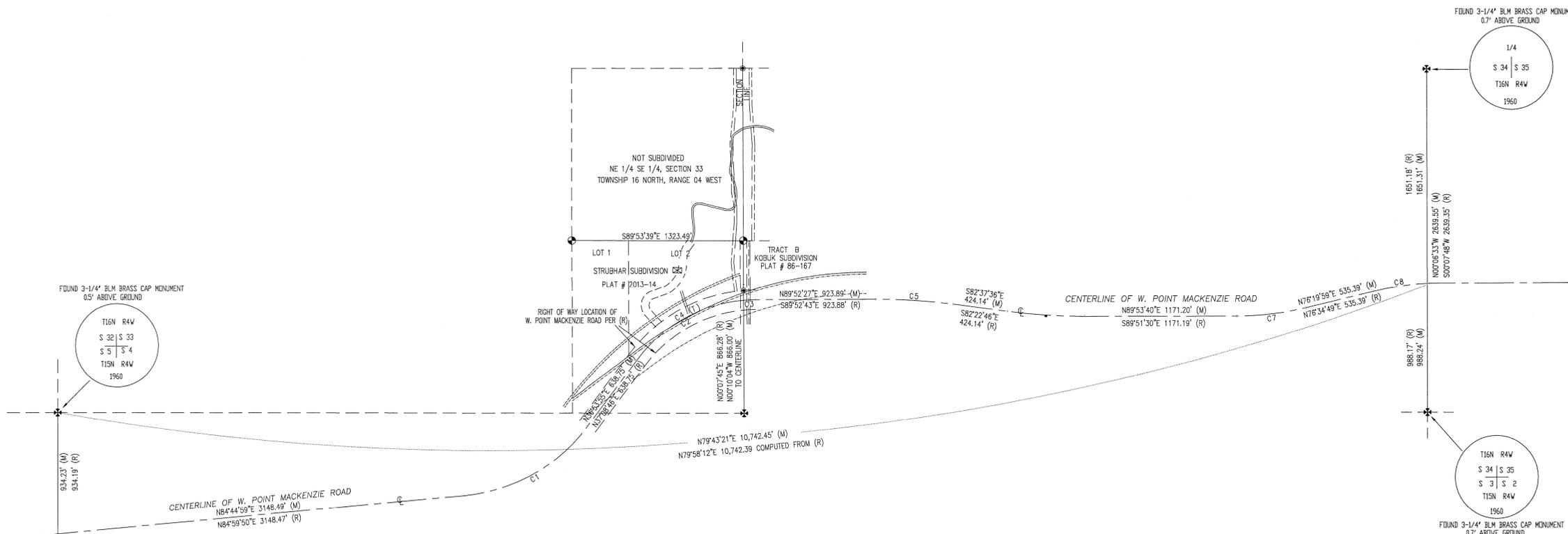
Agenda Copy



VICINITY MAP
1 INCH = 1 MILE

CONTROL SKETCH

1 INCH = 400 FEET



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	1125.92'	1348.15'	47°51'04"	598.14'	1093.48'	N60°49'27"E
C2	967.84'	1145.93'	48°23'30"	514.90'	939.33'	S61°05'40"W
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C6	596.31'	4583.89'	07°28'44"	299.58'	597.89'	S89°21'58"E
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- NOTES
- BASIS OF BEARINGS FROM GPS OBSERVATION TAKEN 400' WEST OF THE 1/16TH CORNER SECTIONS 33 AND 34 SHOWN HEREON.
 - THIS SURVEY DOES NOT CONSTITUTE A SUBDIVISION AS DEFINED BY AS 40.15.900(5A).

- LEGEND
- ✱ FOUND BLM BRASS CAP MONUMENT - AS SHOWN AND DESCRIBED
 - ⊙ FOUND ALUMINUM MONUMENT - AS SHOWN AND DESCRIBED
 - FOUND 5/8" REBAR WITH PLASTIC CAP - AS SHOWN AND DESCRIBED
- (R) = RECORD DIMENSIONS PER PLAN ON FILE AT THE MATANUSKA-SUSITNA BOROUGH ENTITLED "POINT MACKENZIE ACCESS ROAD, PHASE 1" AND APPROVED BY GARY THURLOW, M.S.B. MANAGER ON APRIL 8, 1981 AND REVISED ON OCTOBER 30, 1981.
- (M) = MEASURED DIMENSIONS
(T) = TOTAL DISTANCE



SURVEYOR'S CERTIFICATE
I 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 OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

7330-S GARY LoRUSSO
REGISTERED LAND SURVEYOR DATE

RECEIVED
APR 18 2016
PLATTING

RECORD OF SURVEY
OF
PUBLIC USE EASEMENT AND
ASSOCIATED UTILITY EASEMENT
ACROSS THE FOLLOWING PARCELS:
LOT 2, STRUBHAR SUBDIVISION
RECORDED AS PLAT #2013-14;
NE1/4 SE 1/4, SECTION 33; NW1/4 SW1/4, SECTION 34
ALL WITHIN
TOWNSHIP 16 NORTH, RANGE 04 WEST
SEWARD MERIDIAN, ALASKA
ALSO SHOWING SURVEY CONTROL WITHIN
SECTION 4, TOWNSHIP 15 NORTH, RANGE 04 WEST AND
SECTION 34, TOWNSHIP 16 NORTH, RANGE 04 WEST
PALMER RECORDING DISTRICT
THIRD JUDICIAL DISTRICT
STATE OF ALASKA

KEYSTONE SURVEYING
GARY Lo RUSSO, PROFESSIONAL LAND SURVEYOR
POST OFFICE BOX 2216 PALMER ALASKA 99645

DRAWN BY ICAD/JCL/mre	DATE 2/24/16	DWG: 2016-6/SoqueROS
CHECKED BY GLO	SCALE 1 INCH = 400 FEET	SHEET 2 OF 2

5A

CODE ORDINANCE

Sponsored by: Assemblymember

Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-___**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING
MSB 43, SUBDIVISIONS.

BE IT ENACTED:

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

Section 2. Amendment of subsection. MSB 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 3. 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, 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.

(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, and 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.

[(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.

Section 4. 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);

(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] shall be required to submit plan, profile, and cross-sections if existing grades along proposed route exceed 10%, or if existing utilities or other land/water features influence the road design.

(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;

(10) For parcels described by metes and bounds, all parcel corners shall be surveyed and monumented and a record of survey or a detailed sealed drawing prepared by a land surveyor shall be recorded with the 40-acre exemption 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 in accordance with MSB 43.35.

Section 5. 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. In lieu of a written legal description, a drawing showing the location and dimensions of the public use easement under the seal of a registered surveyor shall be submitted. In lieu of a written legal description, a drawing showing the location and dimensions of the public use easement under the seal of a registered surveyor shall be submitted.

(B) The legal description or drawing 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] shall be required to submit [ROAD DESIGNS] plan, profile, and cross-sections if existing grades along

proposed route exceed 10%, or if existing utilities or other land/water features influence the road design.

(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.

(E) 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 sealed drawing prepared by a land surveyor which shall be recorded with the public use easement document.

[(E)] (F) 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)] **(G)** It is the responsibility of the offeror to pay all applicable fees.

[(G)] **(H)** In acting on applications under this section the platting authority shall use the standards and procedures of MSB 43.10.060. Public noticing shall be in accordance with MSB 43.10.065.

Section 6. Amendment of section. MSB 43.15.032, Elimination or Modification of Utility, Drainage, Sanitation, Slope, Snow Storage, Buffer, and Screening Easements, is hereby amended as follows:

(A) The platting [OFFICER] **board** shall review and act upon all petitions requesting elimination or modification of platted utility, drainage, sanitation, slope, snow storage, buffer, 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 petition; 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 act upon the application within [30] 60 days of the acceptance for public hearing.

(C) Public noticing shall be in conformance with MSB 43.10.065. [NOTICE OF PLATTING AUTHORITY APPROVAL

SHALL BE SENT TO THE PUBLIC BODY HAVING JURISDICTION
IN ACCORDANCE WITH MSB 43.10.065.]

Section 7. Amendment of section. MSB 43.15.040, Section
Line and State Recognized RS-2477 Easement Vacations, is hereby
amended as follows:

(A) This title provides standards for the
vacation of section line easements and state
recognized RS-2477 easements, also referred to as
rights-of-way acquired under former 43 U.S.C. 932.

(B) An application for vacation of a section line
easement or RS-2477 easement shall contain the
following:

(1) a preliminary finding [OR] of approval
from the appropriate agency of the state of Alaska;

(2) documentation by a registered land
surveyor establishing the existence of a valid section
line easement or RS-2477 easement within the area to
be vacated, stating the width of the section line
easement or RS-2477 easement and verifying the
existence and width of any adjoining section line
easements or RS-2477 easements;

(3) legal description of the section line
easement or RS-2477 easement proposed for vacation;

(4) reason for vacation request;

(5) plat copies, as needed, of a section line or RS-2477 vacation plat, drawn to the requirement of the state of Alaska;

(6) current Alaska State Department of Transportation and Public Facilities and Department of Natural Resources final approval required prior to recordation pursuant to A.S. 19.30.410;

(7) [Repealed by Ord. 16-018, § 17, 2016]

(8) demonstration that a reasonably comparable, established alternate right-of-way or means of access exists that is sufficient to satisfy all present and reasonably foreseeable uses pursuant to A.S. 19.30.410. In making this determination, the platting board shall consider comments from utilities concerning the adequacy of alternative access to provide for utility facilities and services; and

(9) demonstration that the vacation shall meet the standards set forth under MSB 43.15.035.

(C) Public notice of the vacation shall follow the procedures of MSB 43.10.065. Notice of platting authority approval shall be sent to the public body having jurisdiction in accordance with MSB 43.10.065.

Section 7. 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

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.] It shall be a condition of subdivision approval that no lot, tract, or parcel be split by a service area boundary. Proposals to create a lot, tract, or parcel that would be split by a service area boundary must realign the service area boundary prior to final plat approval.

(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 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 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.

Section __. Amendment of subsection. MSB 43.15.051(H), Final Plat; Submitted, is hereby amended as follows:

(H) All monuments to be of record shall be adequately described and clearly identified on the plat. [WHERE ADDITIONAL MONUMENTS SHALL BE SET AFTER THE PLAT IS RECORDED, THE LOCATIN OF THE ADDITIONAL SUBORDINATE MONUMENTS SHALL BE SHOWN BY A DISTINCT SYMBOL NOTED ON THE PLAT AS REPRESENTING MONUMENTS SET THIS SURVEY.]

Section 8. Amendment of subsection. MSB 43.15.053(C), Final Plat; Certificates, is hereby amended as follows:

(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)]

Section 9. Amendment of subsection. MSB 43.15.053(E), Final Plat, Certificates, is hereby amended as follows:

(E) Certificate to plat. Every final plat of a subdivision submitted for recording shall be accompanied by a certificate to plat or a preliminary commitment for title insurance, executed no more than [90]7 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.

Section 10. Amendment of subsection. MSB 43.15.053(F), Final Plat; Certificates, is hereby amended as follows:

(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 current. 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 11. Repeal of subsection. MSB 43.15.054(D), Final Plat; Surveyor Requirements, is hereby repealed in its entirety:

[(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.]

Section 12. Amendment of subsection. MSB 43.20.060(A), Dedication to Public, is hereby amended as follows:

(A) All roads shall be dedicated to the public, except as provided in [SUBSECTION (D) OF THIS SECTION] **MSB 43.20.100(C)**; 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.

Section 13. 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 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 except as allowed in MSB 43.20.055;

(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) there is no possibility or public necessity to provide for public through traffic because alternate legal access to adjoining properties is available and that access is constructible in accordance with subdivision construction manual standards;[.]

(4) private road maintenance is guaranteed.

(a) the applicant shall submit a documented plan stating

(i) what seasons road maintenance will be performed,

(ii) contact information for road maintenance,

(iii) length of the maintained roads in feet, and

(iv) surface type.

[(D) A SUBDIVIDER PROPOSING TO CREATE ROADS SHALL ENSURE ACCESS TO ADJOINING PARCEL(S) BEYOND A PROPOSED SUBDIVISION AS FOLLOWS:

(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.]

(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.

Section 14. 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[.]; and

(a) Prior to recordation, a surveyor's sealed drawing shall be submitted showing roadways within existing or proposed rights-of-way and any slopes steeper than 2.5 to 1 that extend beyond the right-of-way limits.

(b) A centerline profile shall be provided for those sections of roadway exceeding 6 percent grade.

Section 15. Amendment of subsection. MSB 43.20.281(A), 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 the useable building area requirement.

(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.

Section 16. 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 construction must be at least 85 percent complete and all signage and drainage improvements 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 itemized material list, 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, Storm Water Pollution Prevention Plans, 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 17. 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.

(B) Cost estimates. The borough's estimate shall state the estimated cost of completion for each required public improvement. 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) Method[S] of public improvement guarantee. The subdivision agreement shall include [ONE OR MORE OF] the following method[S] 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 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.]

(1) [(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 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 18. Amendment of subsection MSB 43.55.050(A),
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 security.

Section 19. Effective Date. This ordinance shall become
effective upon adoption by the Matanuska-Susitna Borough
Assembly.