

# AGENDA

**MATANUSKA-SUSITNA BOROUGH  
PLATTING BOARD  
AGENDA**

**REGULAR MEETING**

**1:00 P.M.**

**JUNE 16, 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.

**MINUTES**

**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 16, 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. June 2, 2016

**3. UNFINISHED BUSINESS**

- A. **REXFORD & INGEBOG TURNER, ARCTIC DEVCO, INC., TURNER CONSTRUCTION** (owners/petitioners): The request is for the Platting Board to grant a 7-year extension for **THE RANCH MASTER PLAN** from the present expiration date of December 4, 2018 to December 4, 2025, containing 973.21 acres +/-.. On May 5, 2016, the Platting Board denied development of additional phases until a collector standard road is constructed connecting Nelson Road to an equal or higher standard public road. Located within Sec 17, 19, 20 & 21, T17N, R01E, S.M. AK, lying south and west of the Alaska Railroad and bisected by Wasilla Creek. Community Council: Gateway, Assembly District: #3: George McKee
- B. **NORTHGATE ALASKA** (owners/petitioners): The request is to create a 60' wide, 300' long Public Use Easement with a T-turnaround, in the northeast corner of Tract B, Gemstone Estates, Phase 1, to be known as **N. NORTHGATE PLACE**. There is a 15' wide platted utility easement created by Plat No. 90-62 Roetman's Ridge that needs to be eliminated in the proposed 60' wide PUE. Continued from the May 5, 2016 platting board hearing. Located within NE ¼ NE ¼ Sec 31, T18N, R01E, S.M. AK, lying west of E. Seldon Road and E. Bogard Road intersection, east of N. Tait Drive and south of E. Seldon Road. Community Council: North Lakes, Assembly District: #3: George McKee

**4. PUBLIC HEARINGS**

- A. **MARIE DRINKHOUSE** (owners/petitioners): The request is to create 14 lots and two

tracts by a four phased Master Plan, from Tax Parcel B3 (parcel #1 of MSB Waiver 76-37, recorded as 79-270w) and Tax Parcel B8 (described in deed recorded 8/25/2014 at Reception #2014-014923-0), to be known as **DRINKHOUSE BLUFFS MASTER PLAN**, containing 52.69 acres +/- . Petitioner will be constructing interior streets for access. Located within NW ¼ Sec 01, T16N, R02W, S.M. AK, lying south of W. Fairview Loop, southeast of S. Hayfield Road and northwest of Cottonwood Creek. Community Council: Knik-Fairview, Assembly District: #5: Dan Mayfield

- B. **NEAL & BRENDA BULLOCK** (owners/petitioners): The request is to create 2 new lots from a combination of Lots 8 & 9, Block 2, **END OF THE RAINBOW**, Plat 70-23, to be known as **LOT 9A & LOT 9B**, containing 2.76 acres +/- . One of the lots will be a utility lot, to contain an existing cell tower. A variance to MSB 43.20.281, Area, is requested for a lack of useable septic area on the larger lot. Approval for a variance from physical and legal access was granted for this project on August 20, 2015. Approval for a setback variance was granted for this property on January 18, 2016. Located within SW ¼ NW ¼ Sec 09, T17N, R02W, S.M. AK, lying south of S. Robin Circle and east of W. Northshore Drive. Community Council: Meadow Lakes, Assembly District: #7: Randall Kowalke
- C. **JOHN NYSTROM & KIEFFER VIEW RENTAL LLC** (owners/petitioners): The request is to divide Lot D1 and C2 and portions of Government Lot 3 & 4 into 9 lots and 1 remainder Tract to be known as **HOMESTEADER HILLS**, containing 159.96 ares +/- . A proposed 10' X 60' Public Use Easement extending Nystrom Way through Tract A, The Cedars, will allow for a full 90 degree intersection with Johns View Circle to access the northern lots. A 60' wide right-of-way will be dedicated over the existing driveway off of Knik River Road to provide access to the remaining lots. Located within S ½ SE ¼ NE ¼, E ½ SE ¼ Sec 25, T16N, R03E and Sec 30, T16N, R04E, S.M. AK, lying adjacent and west of E. Knik River Road. Community Council: South Knik River, Assembly District: #1: Jim Sykes

## 5. MISCELLANEOUS

## 6. RECONSIDERATIONS/APPEALS

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

## 8. PLATTING STAFF & 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](http://www.matsugov.us)), or at various libraries within the borough.

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on June 2, 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 Chairman, Mr. Jay Van Diest.

**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)
- Mr. LaMarr Anderson, District #2 (**Excused Absence**)
- Mr. Stan Gillespie, District #3
- Mr. Jordan Rausa, District #4 (**Excused Absence**)
- Mr. Tait Zimmerman, District #5 (Vice Chairman)
- Mr. Patrick Johnson, District #6
- Ms. Amy Hansen, District #7 (**Excused Absence**)
- 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. Patrick Johnson.

**C. APPROVAL OF THE AGENDA**

The Chairman, Jay Van Diest inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

**2. APPROVAL OF MINUTES**

The Chairman, Jay Van Diest inquired if there were any changes to the minutes.

GENERAL CONSENT: The minutes for May 19, 2016, were approved without objection.

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

## **A. WOODLAND GLADE MASTER PLAN**

Sloan Von Gunten (Administrative Specialist)

- Stated that 45 public hearing notices were mailed out on May 12, 2016, to this date there have been 1 return, 27 objections, no non-objections, and 1 concern.

Amy Otto-Buchanan (Platting Technician)

- Gave an overview of the case.
- Modify recommendation #6 and remove findings #3 & #4.

Jay Van Diest (Chairman)

- Opened the public hearing and asked any members of the public wishing to speak to come forward.

Shonda Erickson (Owner of Block 1 Lot 1A of Fairview Acres RSB)

- Voiced her concerns on the subdivision coming before the platting board.
- Concerned about safety and traffic in their area with more lots going in.

Jack Ferguson (Owner of Block 2 Lot 13 of Fairview Acres)

- Does not agree with the action being taken and what the developer will do to the property.
- Believes the developer will be making the property into a slum area.
- Concerned about traffic dust and traffic safety.

Jane Bartlett (Owner of Block 1 Lot 4 of Hilander Hills)

- The roads are very dusty and more construction will make it worse.
- Concerned about septic and well water.
- Does not agree with the subdivision going in across from their property area.

Terry Dennison (Owner of Block 10, Township 17 North, Range 02 West, Section 35)

- Concerned about the road coming along their property line.
- Concerned about losing well water and septic.

Mark Bartlett (Owner of Block 1 Lot 4 of Hilander Hills)

- Voiced his concerns about the development of the property and safety concerns.
- Concerned about the roadways and more dust made in the area.
- Turned in paperwork to the secretary on more concerns and objections.

Bobby Kousoulos (Owner of Block 1 Lot 1 of Hilander Hills)

- Concerned on the roadway and traffic safety issues.

Molly Conner (Owner of Tract A of Hilander Hills)

- Is going to be building on the property soon and does not want to see the property in the area turn into a slum.
- Concerned about traffic issues and safety.

Sue Ryan (Owner of Block 3 Lot 2 of Hilander Hills)

- Does not agree in adding building units on the property being subdivided.

David Miller (Owner of Block 3 Lot 1 of Hilander Hills)

- Concerned about drugs and crime going up in their area.

Jay Van Diest (Chairman)

- Closed the public hearing.

Gary LoRusso (Petitioner's Representative)

- Went over fire code and lot counts.
- Would like to remove recommendation #4.

MOTION:

- Mr. Johnson moved to approve the preliminary plat for Woodland Glade Master Plan, seconded by Mr. Zimmerman. Remove recommendation #4 and modify #6. Remove Findings #3 & #4.

RECOMMENDATIONS:

- Remove #4.
- Modify #6: Construct W. Conner Circle, W. Serene Circle, and a portion of W. Dora Circle, to include temporary cul-de-sacs to residential street standards:

FINDINGS:

- Remove #3 & #4.

VOTE:

- The motion passed with all in favor. There are 11 findings.

**TIME: 1:54 P.M.**

**CD: 0:50:01**

**B. SOQUET PUE**

Sloan Von Gunten (Administrative Specialist)

- Stated that 25 public hearing notices were mailed out on May 12, 2016, to this date there have been no returns, no objections, no non-objections, and no concerns.

Peggy Horton (Platting Technician)

- Gave an overview of the case.

Jay Van Diest (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.

Gary LoRusso (Petitioner's Representative)

- Agrees with all the recommendations.

MOTION:

- Mr. Gillespie moved to approve the Public Use Easement adjoining 20' wide utility easements for Soquet, Seconded by Mr. Pugh. Modify recommendation #5.

RECOMMENDATIONS:

- Modify #5: Prior to recordation vacate or release any prior private easement rights within the proposed Public Use Easement.

VOTE:

- The motion passed with all in favor. There are 10 findings.

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

**TIME: 2:05 P.M.**

**CD: 01:00:49**

**BREAK**

**TIME: 2:15 P.M.**

**CD: 01:01:56**

**6. MISCELLANEOUS**

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

**Mr. Jay Van Diest suspended the Rules for the work session**

Peggy Horton (Platting Technician)

- Went over the Title 43 work session packet.

**TIME: 2:50 P.M.**

**CD: 01:50:32**

**Mr. Jay Van Diest canceled the suspension of the rules and returned the meeting back to order.**

**7. RECONSIDERATIONS/APPEALS**

**8. PLATTING OFFICER COMMENTS**

- There will be 5 cases to be heard at the next platting board meeting.
- Eileen Probasco asked the platting board if they would like an introduction of upcoming cases to be heard as part of their agenda, like the planning commission's agenda.
- Eileen Probasco passed a copy of Title 16 code on development standards districts for the board to look over.

**9. BOARD COMMENTS**

- Mr. Johnson has to call in for Jury Duty for the Month of June.

**Adjourned: 03:46 P.M.**

**CD: 02:28:05**

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Jay Van Diest, Chairman

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Sloan Von Gunten  
Administrative Specialist

3A

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

PRELIMINARY PLAT:     **THE RANCH MASTER PLAN**

LEGAL DESCRIPTION:    **SEC. 17, 19, 20 & 21, T17N, R1E, SEWARD MERIDIAN, AK**

PETITIONER:           **ARCTIC DEVCO, INC. & INGEBORG TURNER**

SURVEYOR/ENGINEER:   **BESSE ENGINEERING**

ACRES:       **973.21**        **PARCELS:   644**

REVIEWED BY:         **PEGGY HORTON**                    **CASE: 1984-416**

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**REQUEST**

The request is for the Platting Board to grant a 7-year extension for The Ranch Master Plan from the present expiration date of December 4, 2018 to December 4, 2025. On May 5, 2016, the Platting Board denied development of additional phases until a collector standard road is constructed connecting Nelson Road to an equal or higher standard public road. Lying within Sections 17, 19, 20 & 21, T17N, R01E, Seward Meridian, Alaska, lying south and west of the Alaska Railroad and bisected by Wasilla Creek.

**EXHIBITS**

|                       |                  |
|-----------------------|------------------|
| Vicinity Map          | <b>EXHIBIT A</b> |
| Aerial Photo          | <b>EXHIBIT B</b> |
| Petitioner's Request  | <b>EXHIBIT C</b> |
| Prior NOAs & Minutes  | <b>EXHIBIT D</b> |
| Petitioner's Letter   | <b>EXHIBIT E</b> |
| Trunk Road Ext status | <b>EXHIBIT F</b> |

**COMMENTS**

|                    |                  |
|--------------------|------------------|
| MSB Planner        | <b>EXHIBIT G</b> |
| DPW Engineer       | <b>EXHIBIT H</b> |
| City of Wasilla    | <b>EXHIBIT I</b> |
| Cultural Resources | <b>EXHIBIT J</b> |
| Public             | <b>EXHIBIT K</b> |

## HISTORY

- May 1984 -- The Master Plan with 7 phases was approved for 8 years with community water system.
- May 1992 -- A 2-year extension to May 1994. Due to the economic downturn petitioners were allowed to request extension of 2 years.
- Nov 1993 -- Redesign of the Master Plan to reflect lands returned to Mr. Pippel.
- Jul 1994 -- A 9-month extension to Apr 1995, conditioned upon involving neighboring residents to address concerns of increased traffic.
- Dec 1995 -- A 5-year extension to Dec 2000 with new conditions. Contingent upon resolving with staff the construction requirements of the Subdivision Construction Manual to include DPWs comments dated 11/9/1995. Petitioner committed to not connecting to Abby (north) or Crane (west).
- Dec 2000 -- A 3-year extension to Oct 2003, contingent upon prior conditions only.
- Dec 2003 -- A 5-year extension to Dec 2008, contingent upon resolving construction requirements of the Subdivision Construction Manual and prior recommendations as they relate to Title 16.
- Oct 2005 -- Phase 4 recorded creating 106 lots and 8 tracts. This was the first phase to record.
- Jun 2007 -- An adjustment of the phase lines was approved which increased the number of phases from 7 to 10. This allowed the Alaska Railroad obtain right-of-way through Phase 6B and allowed the recordation of Phase 7A.
- Jul 2007 -- Phase 6B recorded creating 39 lots subsequently transferred to AKRR. Remainder: 2 tracts.
- Nov 2007 -- Phase 4 Tract B resubdivided into 3 tracts creating the Machtetanz School site and 2 other tracts.
- Mar 2008 -- Revised Master Plan approved and signed by Owners and Planning Director
- Dec 2008 -- Revisions to the Master Plan approved to bring Phases 1, 2, 3, and 5 more in line with Title 27 requirements and the approval was extended another 5 years until Dec 4, 2013.
- Aug 2010 -- Phase 7A recorded creating 58 lots and 1 tract. This was the second phase to record creating marketable lots.
- Mar 2011 -- The Alaska Railroad resubdivided Phase 6B into three tracts, now called The Ranch 2010 to facilitate the track realignment.
- Dec 2011 -- The Platting Board approved a Paving Plan in exchange for recording 3 Phases (123 lots).
- May 2012 -- Phase 6A recorded creating 21 lots, now called The Ranch 2012. This is the first phase to record as part of the Paving Plan.
- May 2012 -- A 5-year administrative extension to December 4, 2018 was granted per MSB 43.15.015(C)(3)(a).
- Aug 2012 -- The Ranch Greatland recorded creating 4 tracts, allowing portions of the property to be sold to The Great Land Trust which expands the public ownership of the Palmer Hay Flats.
- Sep 2012 -- A portion of the trail easement within Phase 6A was vacated and a public use easement was dedicated; a 20' trail easement remains.
- Jan 2013 -- Phase 7B recorded creating 59 lots and 1 tract. This is the second phase to record as part of the Paving Plan.

- Mar 2013 -- The Alaska Railroad resubdivided several lots within Creekside Preserve 3, The Ranch Phase 4, and Phase 7B, now known as Ranch Creekside 2012 to facilitate the track realignment.
- Sep 2013 -- The Platting Board approved a change in the phase plan and to allow Phase 3A (43 lots) to be substituted for Phase 5A as part of the paving plan.
- Jun 2014 -- The Platting Board approved a change in the phase plan and to allow Phase 3A-1 (20 lots) and Phase 6C (23 lots) to be substituted for Phase 3A as part of the paving plan.
- Aug 2014 -- The Ranch Phase 6C recorded creating 23 lots.
- Mar 2015 -- The Ranch Phase 3A-1 recorded creating 20 lots and 1 tract. This was the last phase to record as part of the Paving Plan.
- May 2016 -- Platting Board denied a request to adjust phase lines and modify Access Condition #5 from the June 2014 meeting.

**Recorded phases**

|                           |            |
|---------------------------|------------|
| <u>Lots in Phase 4:</u>   | <u>106</u> |
| <u>Lots in Phase 6B</u>   | <u>39</u>  |
| <u>Lots in Phase 7A</u>   | <u>58</u>  |
| <u>Lots in Phase 6A</u>   | <u>21</u>  |
| <u>Lots in Phase 7B</u>   | <u>59</u>  |
| <u>Lots in Phase 6C</u>   | <u>23</u>  |
| <u>Lots in Phase 3A-1</u> | <u>20</u>  |

**Unrecorded phases**

|                           |           |
|---------------------------|-----------|
| <u>Lots in Phase 1</u>    | <u>22</u> |
| <u>Lots in Phase 2</u>    | <u>80</u> |
| <u>Lots in Phase 3A-2</u> | <u>23</u> |
| <u>Lots in Phase 3B</u>   | <u>71</u> |
| <u>Lots in Phase 5A</u>   | <u>43</u> |
| <u>Lots in Phase 5B</u>   | <u>85</u> |

|  |            |
|--|------------|
| <u>Total lots transferred to AKRR:</u> | <u>53</u>  |
| <u>Total unrecorded lots</u>           | <u>324</u> |

**DISCUSSION**

This case was first approved in 1984 and therefore is being heard under Title 16. The Turners requested an extension of seven years for The Ranch Master Plan (**Exhibit C**). All Notifications of Platting Board Actions (NOA) and minutes of the previous meetings are at **Exhibit D**. The Turners provided a letter explaining why they are requesting this extension (**Exhibit E**).

The extension is allowed per MSB 16.15.015(B)(2), *Preliminary Plat approval; effect and duration*. The platting board has authority to grant extensions at the request of the petitioner. The platting board may approve an extension only if it finds that the conditions supporting approval of the preliminary plat have not materially changed. The Ranch has received seven extensions over the years, of various lengths. The last extension granted was as a result of MSB 43.15.016(H)(8) which allowed for 5-year administrative extensions of all cases under Title 16 and 27. Currently the expiration date is December 4, 2018. The petitioners are asking for a seven-year extension to December 4, 2025.

Staff notes the current conditions of approval include a requirement for a collector standard road to be constructed connecting Nelson Road to an equal or higher standard public road.

Brad Sworts, MSB Pre-Design & Engineering Division Manager, stated in May of this year: The Trunk Road Extension South project has restarted (now out of winter shut-down) with the following work either completed or in process (**Exhibit F**):

- The base for the road embankment between Nelson Road and the ARRC tracks has been placed with additional material stockpiled on top to accelerate any settlement that may occur.
- The foundation and (MSE) retaining wall on the north side of the ARRC tracks are being constructed for the road bridge over the railroad.
- The foundation and (MSE) retaining wall on the south side of the ARRC tracks will be constructed in early to mid-May.
- The concrete girders for the road bridge over the railroad are being created in Washington State this week. Mid-June the girders they will leave Seattle by barge. By first week of July girders should be trucked to the project site.
- Completion of the roundabout has been affected/delayed by ADOT&PF's Parks Highway repaving project, but roundabout should be finished in August – September timeframe.

Funding is available to complete the roundabout and the bridge over the railroad. The project will need additional funding to complete the road approaches (bring the embankment elevations up to final grade) to the bridge on both the north and south sides of the track.

## **COMMENTS**

MSB Planner has no comment (**Exhibit G**). DPW Engineer has no comment (**Exhibit H**). City of Wasilla Planning and Public Works Departments have no comments or concerns (**Exhibit I**). Cultural Resources stated there are known recorded sites on the property and recommend caution during construction or related activities in the event cultural remains are recovered (**Exhibit J**).

Deborah Walser objects to the extension, concerning the lack of sidewalks, bike paths, curbs, secondary collector road, and commercial wastewater system (**Exhibit K-1**). She suggests quite strongly that The Ranch Master Plan expire at its current date of December 4, 2018.

Michale Boothe and Genoa Sears object to the extension until “better roads; Nelson Road needs paved; traffic especially at school time is horrible. There are not enough ways in and out of here as it is” (**Exhibit K-2**).

## **CONCLUSION**

Extension for The Ranch Master Plan is allowed under MSB 16.15.015(B)(2) if the petitioner requests the extension and the platting board approves. Staff supports the approval as it will allow the development of lots once the Trunk Road South Extension is complete and that road is a high priority of the borough. There are no objections from the borough departments or outside agencies. There were two objections to the extension received as a result of the public noticing, concerning the traffic, lack of sidewalks, bike paths, curbs, paved road, secondary collector road, and commercial wastewater system.

## **RECOMMENDATIONS**

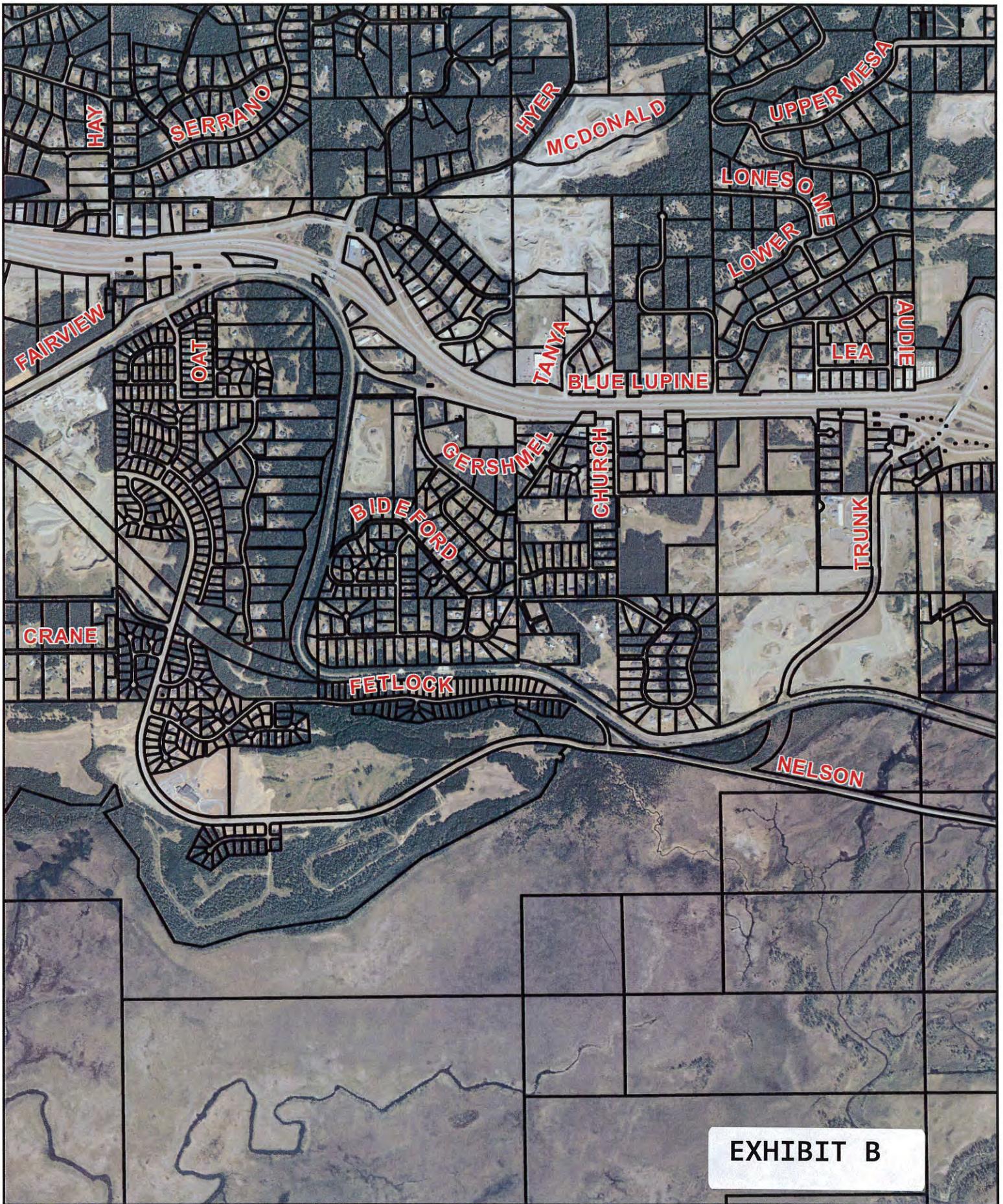
***Suggested motion: “I move to approve a seven-year extension for The Ranch Master Plan, contingent upon staff recommendations and findings.”***

1. Pay the postage and advertising fee.
2. Comply with prior conditions of approval.

## **FINDINGS**

1. The petitioner’s request for extension is pursuant to MSB 16.015.015(B)(2), which requires the applicant to request an extension and allows the platting board to grant extensions of preliminary plats if it finds the conditions supporting approval have not materially changed.
2. The petitioner’s request for extension was received and the public hearing fee was paid.
3. There were no objections to the extension from borough departments or outside agencies.
4. If approved the Master Plan expiration date will be December 4, 2025.
5. There were two objections to the extension received as a result of the public noticing, concerning the traffic, lack of sidewalks, bike paths, curbs, paved road, secondary collector road, and commercial wastewater system.
6. Cultural Resources stated there are known recorded sites on the property and recommend caution during construction or related activities in the event cultural remains are recovered.
7. The completion of the Trunk Road Extension South project will allow for access to the remaining phases of The Ranch Master Plan.

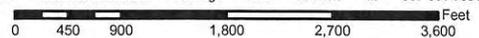




Matanuska Susitna Borough  
 Platting Division

Date: 6/3/2016

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RECEIVED  
MAY 18 2016  
PLATTING

TO MATSU PLATTING BOARD

Rexford L Turner and Ingeborg M Turner  
doing BUSINESS AS TURNER Construction  
Company Inc of Alaska and ARCTIC Devco  
Inc, hereby request an extension  
of the CURRENT RANCH MASTER PLAN.

WE RESPECTFULLY REQUEST A  
SEVEN YEAR EXTENSION FROM  
THE PRESENT EXPIRATION DATE.

Rexford L Turner by Ingeborg M Turner  
P.O.A

Ingeborg M Turner  
MAY 18, 2016

EXHIBIT C





- 12 Name all roads and rename those roads; ARR Road Court, Abby Blvd Court, Nelson Road Court, and Crane Road Court, unless they are to be an extension.
- 13 Redesign or eliminate Lot 1 of Block 12 to eliminate the Enstar Gas Line from traversing through the center of the lot.
- 14 Incorporate a minimum of 175' radius for those roads with 90 degree angles or install a warning sign with a 15 MPH speed advisory sign.
- 15 Stub Nelson Road to the west or place a note on the plat restricting that lot (lot 1, Block 23) from development until such time as a route to Fairview Loop is secured.
- 16 Show a 100' turnaround on 2nd Street adjacent to tract "E" and west boundary of W Street.
- 17 All bridging across Wasilla Creek to comply with DOT and Dept of Fish and Game recommendations and approval. To be designed for H20 load requirements.
- 18 Obtain legal access from north end of Nelson Road to Fairview Loop Road and meet all requirements of the ARR for the crossing. If this access is unobtainable, access shall be through Garden Terrace and Fairview East to the north and the Parks Highway from the southeast.
- 19 Construction of Nelson Road to arterial standards or greater. Construction of Abby Blvd to Fairview Loop, ARR Road and "W" Street to collector standards, Construct Crane Road within the subdivision only to collector standards, with the remainder of the roads to residential standards. Installation of road name and stop signs. Speed limit signs would be desirable due to the high density of this subdivision. Inspection by the road service areas and engineering Department. If Nelson Road to Fairview Loop cannot be obtained, as access, it is the recommendation of the Eng. Dept to post an advisory sign that the 55 MPH speed limit will end at the intersection of Nelson and Abby Blvd.
- 20 Documentation of all section line easements and redesign lots accordingly to 20,000 sq. ft. of usable area.
- 21 Provide at least a 15' creek maintenance easement from cut bank of Wasilla Creek.
- 22 Strip paving to comply with recommendations of the road service areas in order to be eligible for maintenance. Snow storage sites to be reserved in accordance with their



0001480

APPROVED AS PRESENTED  
*6-2-84*

MATANUSKA-SUSITNA BOROUGH  
PLATTING BOARD

REGULAR MEETING

MAY 17, 1984

The regular meeting of the Matanuska-Susitna Borough Platting Board was called to order at 8:22 AM by Chairman Bob Tucker. Members present establishing a quorum were Chairman Tucker, Pat Johnson, Ralph Foster and Paul Campbell. Donna Ramsey had an excused absence. Also present were Ray Niemi, Platting Officer; Platting Technicians; Sharon Alcantra, Marcy Martin, Rick Brown, and Rod McConnell, and Judy Gilbert of the Borough Clerk's Office.

CALL TO ORDER  
QUORUM ESTABLISHED

Chairman Tucker asked for any changes or additions to the agenda. Mr. Niemi indicated that Item C under Miscellaneous Business should be added regarding right-of-way at Finger Lake South View, Tract A and Item D, Butte Subdivision Lot No. 9. Being no further changes or additions, the agenda stood as approved.

AGENDA APPROVED

Chairman Tucker then asked for any changes or additions to the minutes of April 19, 1984. Following some discussion, Mr. Foster moved, Mr. Campbell seconded, to postpone action on the April 19, 1984 minutes until later in the meeting, but acting on them at this meeting, due to the fact that the Board had not had an opportunity to read them as yet. Voting on the motion, it carried unanimously.

MINUTES

IV. OLD BUSINESS

OLD BUSINESS

ITEM A: WITMAN MASTER PLAN EXTENSION REQUEST

WITMAN MASTER PLAN EXTENSION

Mr. Niemi gave a brief overview of the plat, stating that this was submitted, and received preliminary approval, 3 years ago. Since that time, no master plan had been submitted, nor anything else. Mr. Niemi then stated that due to these facts, and the fact that staff has several problems with the plat, they recommend denial of the extension request.

On a question from Mr. Campbell, Mr. Niemi indicated that the surveyor representing the petitioner on this project, had stated that no work has been accomplished within the subdivision.

There was no one present in the audience to represent the petitioner or the master plan.

Following some general discussion on the matter, Ms. Johnson moved, Mr. Campbell seconded, to deny the extension request for Witman Master Plan due to the fact that the subdivision does not meet current Title 16 requirements, also due to the fact that nothing has been accomplished within the subdivision, and no master plan has been submitted. On a roll call vote, the motion carried unanimously.

PUBLIC HEARINGS

V. PUBLIC HEARINGS AND RELATED PRELIMINARY PLATS

FOUR CORNERS SUBDV.

ITEM A: PRELIMINARY PLAT FOR FOUR CORNERS SUBDIVISION located within Section 34, T18N, 31E, S.M. AK.

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Platting Board, May 17, 1984

Mr. Niemi stated that on April 11, 1984, 11 letters had been mailed out, and as of May 9, 1984 there were none returned and no objections received. Mr. Niemi then indicated that this was originally a short plat heard on May 9, 1984.

Ms. Alcantra gave a brief overview of the plat and addressed the staff recommendations. She also stated that there are right-of-ways requested by MSB Right of Way Department within the subdivision which need to be addressed.

Pat Lancaster, Borough Right-of-Way Agent, then came forward to address the right-of-ways within this subdivision, those right-of-ways being in regard to the realignment of Trunk Road and the right-of-ways the Borough will require for this realignment. Mr. Lancaster indicated that a vital part of the plan is that the Borough acquire the right-of-way along the section line. Much general discussion on this matter followed.

Chairman Tucker then opened the public hearing.

Jay Russell, a property owner in the area, came forward asking Mr. Lancaster the location of the proposed realignment of Trunk Road. Mr. Lancaster indicated it is east of the present road alignment. Mr. Russell stated that he owns property to the west of the present Trunk Road.

Being no one further wishing to be heard, Chairman Tucker closed the public hearing.

Ed McCain, representing the petitioner, and Weldon Leckwold, the petitioner, came forward to be heard. Mr. McCain then addressed the staff recommendations and the proposed realignment of Trunk Road. Mr. Leckwold also addressed the proposed realignment of Trunk Road.

Following much discussion on the matter, Mr. Campbell stated he could not see how this Board could ask someone to give a right-of-way when the Board does not know what the final plan is, we don't even know for sure this is where the road is going to go, and it is not fair to ask for 75 feet under those conditions. Chairman Tucker agreed with Mr. Campbell.

Following more discussion on the matter, Mr. Campbell moved, Mr. Foster seconded, to approve the preliminary plat for Four Corners Subdivision contingent upon staff recommendations 1 through 5, deleting #4, and granting variance #1 for reasons as stated by staff in the packet. On a roll call vote, the motion carried unanimously.

RANCH  
MASTER  
PLAN

ITEM B: PUBLIC HEARING AND PRELIMINARY PLAT FOR THE RANCH MASTER PLAN located within Sections 17, 19, 20 & 21, T17N, R1E, S.M., AK.

Mr. Niemi stated that on April 26, 1984, 145 letters had been mailed out, 2 returned, and one objection received which could be found either in the packet or in the hand outs.

May 17, 1984  
Page 2

EXHIBIT D-6

Platting Board, May 17, 1984

Ms. Alcantra gave a brief overview of the plat and addressed the staff recommendations, requesting several changes to the staff recommendations.

The Board then recessed at 9:16 AM, reconvening at 9:45 AM.

RECESS

Chairman Tucker then opened the public hearing.

Mike Bronson came forward to be heard, stating he had written the letter of objection contained in the hand outs. Mr. Bronson then addressed the ponds and the water system contained within the proposed subdivision.

Being no one further wishing to be heard, Chairman Tucker closed the public hearing.

Jack Felton of Datum Engineering, representing the petitioner, came forward to be heard, indicating he had no objection to the staff recommendations as amended by Ms. Alcantra.

Much general discussion then followed regarding Matanuska Pete's Cabin, the proposed air strip, and the request to allow 8 years for development of the master plan.

Mr. Campbell then moved, Ms. Johnson seconded, to approve the preliminary plat for the Ranch Master Plan, contingent upon staff recommendations 1 through 27, changing #11 to read, "Show location of all fire storage tanks and easements for maintenance.", changing #20 to read, "Construction of Nelson Road to arterial standards or greater. Construction of Abby Blvd to Fairview Loop, ARR Road and "N" Street to collector standards, construct Crane Road within the subdivision only to collector standards, with the remainder of the roads to residential standards. Installation of road name and stop signs. Speed limit signs would be desirable due to the high density of this subdivision. Inspection by the road service areas and engineering Department. If Nelson Road to Fairview Loop cannot be obtained, as access, it is the recommendation of the Engineering Department to post an advisory sign that the 55 MPH speed limit will end at the intersection of Nelson and Abby Blvd.", changing #26 to read, "Dedicate trail system in compliance with Planning Department comments. Width of trail to be determined by the Platting Board. Within the Enstar Easement the trail is to be 50' in width. Block 26, Lots 4 through 27, to be 20' in width as per the Planning Department.", and granting variances 1 through 6 for reasons as stated by staff in the packet, adding to variance #5 that due to the size of the subdivision, staff has no objections, and that there will be update and review hearings to review the progress in the subdivision at three year intervals.

Following some discussion, Mr. Campbell amended his motion, Ms. Johnson amended her second, to delete staff recommendation #9.

Voting on the motion as amended, it carried unanimously.

ITEM C: PUBLIC HEARING AND PRELIMINARY PLAT FOR MATHEWS SUBDIVISION OF MATHEWS  
LOT 5 located within Section 26, T17N, R2E, S.M., AK. SUBDV.

May 17, 1984  
Page 3

EXHIBIT D-7



# Matanuska-Susitna Borough

350 E. DAHLIA AVE PALMER, ALASKA 99645 • PHONE 745-4801

DEPARTMENT OF PLANNING - PLATTING DIVISION

May 22, 1992

## NOTIFICATION OF PLATTING BOARD EXTENSION

INGEBORG M. TURNER  
P.O. Box 3489  
PALMER, AK 99645

RE: THE RANCH

CASE: PW-47

Dear Ms. Turner:

On April 4, 1991, the Platting Board of the Matanuska-Susitna Borough granted a two (2) year extension to all subdivisions on file as of April 4, 1991. This action was necessitated by the current economic conditions in the Borough. In order for the extension to be granted the petitioner's must request the extension and there can be no changes to the Platting Board conditions of approval requested by the petitioner. If there are changes necessitated, the extensions must be presented to the Platting Board.

THE EXTENSION REQUESTED BY YOUR LETTER OF May 5, 1992 was APPROVED. TWO YEAR EXTENSION TO EXPIRE MAY 17, 1994.

Please note: This will be the final 2 year extension option to be granted by the Platting Board of the Matanuska-Susitna Borough.

Should you have any questions, please feel free to contact this office.

Yours truly,

Rick Brown  
Platting Officer

pc:

PLT/JSC/Zyrent

EXHIBIT D - 8

April 4, 1991

Mr. Hulbert gave an overview of the case. Mr. Tucker opened the public hearing. No one wishing to speak the public hearing was closed. Mr. Brown gave staff findings of fact. Paul Campbell moved to accept ASLS 88-170 with Staff Recommendations 1. through 3. (a. through j.) with Findings numbers 1 through 2.

Terry Maw seconded the motion. Voting on the motion it passed unanimously.

D. PUBLIC HEARING AND PRELIMINARY PLAT FOR ASLS 90-14, located W/I Section 32, T2CN, R8E, S.M., AK.

Mr. Brown stated that on March 14, 1991, nine Public Hearing notices were mailed out, none were returned and no objections were received.

Mr. Hulbert gave an overview of the case. Mr. Tucker opened the public hearing, no one wishing to speak, the public hearing was closed.

Ms. Scorup questioned the wording in item "4." of Staff Recommendations; ADL number should read 218862 instead of ADL 21886.

Mr. Campbell moved to accept ASLS 90-14 with Staff Recommendations 1. through 3. (a. through h.) with Findings numbers 1 through 2. Diana Herschbach seconded the motion. Voting on the motion it passed unanimously.

V. MISCELLANEOUS BUSINESS

A. REVIEW OF 2 YEAR EXTENSION POLICY

Mr. Maw moved to renew the existing 2 year extension policy on preliminary subdivisions, requesting that a note be added to the extension letter format stating that this would be the last two year extension granted by the Platting Board. Mr. Campbell seconded the motion. Voting on the motion it passed unanimously.

B. WORK SESSION - Subdivision Construction Manual continued from March 21, 1991 meeting.

The Platting Board discussed the Subdivision Construction Manual on a page by page basis.

Mr. Gary DeRusso, representing the Valley Board of Realtors addressed the board and asked that the realtors be given time to review the draft. He indicated he would represent the Valley Board of Realtors at future workshops and committee work.

A motion was made by Terry Maw that the Work Session discussion be suspended and item "V.D." be discussed. Mr. Campbell seconded the motion and it passed unanimously.



# MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488  
PHONE 745-9874 • FAX 745-9876

July 13, 1994

## NOTIFICATION OF PLATTING BOARD ACTION

INGE TURNER  
POB 3489  
PALMER, AK 99645

RE: THE RANCH MP  
EXT REQUEST  
CS: PW-47

Action taken by the Platting Board on July 7, 1994 is as follows:

The REQUEST FOR EXTENSION OF PRELIMINARY MP APPROVAL was APPROVED FOR A NINE MONTH PERIOD TO EXPIRE APRIL 7, 1995, CONTINGENT UPON ORIGINAL CONDITIONS OF APPROVAL & ADDITIONAL CONDITIONS ATTACHED:

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

IF ROAD CONSTRUCTION IS REQUIRED PLEASE NOTE THE FOLLOWING CONDITIONS:

1. Notice of cost estimate to be submitted by an engineer or a copy of the construction contract or the contractor's proposal, to be approved by the Borough Dept of Public Works.
2. Payment of a 2% fee based upon the approved estimate submitted.
3. Notice to proceed must be issued prior to construction as no road inspection is authorized without this notice.

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

Kindest regards,

A handwritten signature in cursive script, appearing to read "Rick Brown".

Rick Brown  
Platting Officer

pc: KENNETH G LANG, 1731 GEORGE BELL CIR, ANCHORAGE, AK 99515

EXHIBIT D - 10

**CONDITIONS AND/OR REASONS:**

The Matanuska-Susitna Borough Platting Board ruled at their meeting of July 7, 1994 to extend the preliminary approval for The Ranch Subdivision Master Plan to April 7, 1995 with the following conditions:

1. The petitioner presenting and working with the platting and public works staff to upgrade the conditions of approval in light of new regulations and new conditions;
2. Petitioner must involve representative of residents of neighboring subdivisions in addressing concerns of increases in traffic, the burdens imposed on people by increased traffic to and from the subdivision;
3. Revision process insure that phase plat for the first phase or phases intended to be developed be submitted;
4. All permits required by state and federal agencies either be granted by the end of the nine month period or that satisfactory evidence of progress toward obtaining those permits be presented.

MATANUSKA-SUSITNA BOROUGH  
PLATTING BOARD

REGULAR MEETING

JULY 7, 1994

The regular meeting of the Matanuska-Susitna Borough Platting Board was called to order by Ms. Scorup, Chair, at 8:30 AM.

Present and establishing a quorum were Mr. Nicodemus, Ms. Roberts, Mr. Sterling, Ms. Larson, Ms. Scorup, and Mr. Sorensen, alternate. Ms. Herschbach was absent, excused.

Staff present were Mr. Brown, Platting Officer; Ms. Carricaburu, Secretary; Mr. Hulbert, Platting Technician and Mr. Strother, Engineering Division Manager.

APPROVAL OF MINUTES

June 16, 1994

Mr. Sterling moved to approve the minutes as presented. Ms. Roberts seconded the motion. With no objection the minutes were unanimously approved with Ms. Scorup abstaining.

OLD BUSINESS

CONTINUATION OF EXTENSION REQUEST FOR THE RANCH MP (Continued from meetings of June 2 and June 16, 1994)

Mr. Sorensen asked to be excused from this case. Ms. Scorup agreed. Mr. Sorensen left the room.

Mr. Brown called attention to two handouts. The board chose to take a few minutes to review them. Ms. Scorup reminded the board that the public hearing had been closed previously.

Rex Turner, petitioner's representative, addressed the board stating that he was willing to agree to additional conditions of approval as well as previous conditions of approval. Lengthy discussion followed.

Mr. Sterling moved to grant a nine month (from this date) extension for The Ranch preliminary master plan approval subject to, (1) the petitioner presenting and working with the platting and public works staff to upgrade the conditions of approval in light of new regulations and new conditions; (2) petitioner must involve representatives of residents of neighboring subdivisions in addressing concerns of increases in traffic, the burdens imposed on people by increased traffic to and from the subdivision and; (3) revision process insure that phase plats for the first phase or phases intended to be developed be submitted; and (4) all permits required by state and federal agencies either be granted by the end of the nine month period or that satisfactory evidence of progress toward obtaining those permits

PLATTING BOARD MINUTES

7 JULY 1994

TUT/SC/MLN/ST/TA/MLN

1

EXHIBIT D-12

he presented. Ms. Larson seconded the motion. Discussion as to who would represent the homeowners followed, it was stated that the subdivision was in the Knik-Fairview Community Council area.

Andrew Evans, Garden Terrace Subdivision, stated that the residents along Abby Blvd are represented by him.

Marcia Boyd, from the Fairview East Subdivision, stated that there was not currently a homeowners association but that she will get a group together to represent the wishes of the people who had objected.

Mr. Brown stated that in reviewing the original conditions of approval if it is found that changes need to be made then they will be changed by the platting board. The board would definitely be interested in the revised master plan. The board requested maps that are easier to read the next time this case comes before them.

Voting on the motion it passed unanimously with Mr. Sorensen abstaining.

Ms. Scorup called for a ten minute break at 9:30 AM. The board reconvened at 9:40 AM.

#### YAN SUBDIVISION - EXTENSION REQUEST

Mr. Brown stated that on June 16, 1994, 38 public hearing notices were mailed. To date one has been returned and no objections received, he then gave a brief overview. Request is for a two year extension.

Ms. Scorup opened the public hearing. With no one present wishing to speak the public hearing was closed. Discussion followed.

Jushin S. Yan, petitioner, addressed the board stating that she feels she can complete her subdivision within the two year extension. Discussion followed.

Mr. Sterling moved to approve the two year extension request contingent on recommendations one through three and attached findings. Mr. Nicodemus seconded the motion. Voting on the motion it passed unanimously.

#### PUBLIC HEARING FOR REVISION OF CONDITIONS - SEYMOUR LAKE WEST

Ms. Carricaburu stated that on June 15, 1994 93 public hearing notices were mailed out. To date one has been returned and no written objections received. Mr. Hulbert gave an overview of the case. Mr. Brown joined the audience as representative for the petitioner, Mat-Su Borough.

Ms. Scorup opened the public hearing.

Darlene Candee, Lot 4, Block 3 and Lot 5 Block 1 Scenic Shores Subdivision, addressed the

PLATTING BOARD MINUTES

PLT/ISC/MIN/070794.MIN

7 JULY 1994

EXHIBIT D-13



# MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488  
PHONE 745-9874 • FAX 745-9876

December 11, 1995

## NOTIFICATION OF PLATTING BOARD ACTION

INGEBORD TURNER  
POB 3489  
PALMER, AK 99645

RE: THE RANCH MP  
EXTENSION REQUEST  
CS: PW-47

Action taken by the Platting Board on December 7, 1995 is as follows:

The REQUEST for EXTENSION OF MASTER PLAN was APPROVED TO 10/12/00 - CONTINGENT ON CONDITIONS AND/OR REASONS. (ATTACHED):

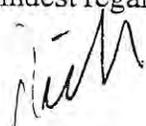
ALL DECISIONS AS TO APPROVAL OR DISAPPROVAL OF A SUBDIVISION OR OF A WAIVER OF PLATTING REQUIREMENTS BY THE PLATTING BOARD OR OFFICER SHALL BE FINAL UNLESS APPEALED TO THE BOARD OF ADJUSTMENT AND APPEALS, MSB 15.39. A PETITION WHICH IS TABLED BY THE BOARD SHALL BE DEEMED DENIED UNLESS THE APPLICANT BRINGS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

IF ROAD CONSTRUCTION IS REQUIRED PLEASE NOTE THE FOLLOWING CONDITIONS:

1. Notice of cost estimate to be submitted by an engineer or a copy of the construction contract or the contractor's proposal, to be approved by the Borough Dept of Public Works.
2. Payment of a 2% fee based upon the approved estimate submitted.
3. Notice to proceed must be issued prior to construction as no road inspection is authorized without this notice.

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

Kindest regards,

  
Rick Brown  
Platting Officer

pc: KENNETH G. LANG, 1731 GEORGE BELL CIR, ANCHORAGE, AK 99515

The platting board approved the five year extension request for the Ranch Master Plan contingent on the following:

1. Submittal of a final master plan bearing the necessary approval certificates;
2. Comply with prior conditions of approval;
3. Work with staff to resolve the phasing sequence and the construction requirements of the *MSB Subdivision Construction Manual*. This is to include DPW comments dated 11/9/95, (see below)

### FINDINGS

**FINDING** The developer has complied with the conditions of approval as directed by the platting board's written decision dated July 13, 1994.

**FINDING** Access through Garden Terrace and Fairview East has been eliminated. This will resolve the adjacent land owner's concerns regarding the impact of additional traffic through their respective subdivisions.

**FINDING** This request meets the requirements of MSB 16.15.015(B)(2) and (3) allowing approval of the extension by the platting board.

MSB Dept of Public Works' comments from memorandum of November 9, 1995:

1. Nelson Road:
  - a. Complete to Phase I to AASHTO standards;
  - b. Plat and build 100' past Saddle Horn Circle;
  - c. Road design to be by a PE for expected traffic;
2. Prior to recording Phase III, a north access ROW to be acquired;
3. Construct north access prior to recording Phase IV;
4. Developers 10/30/95 letter, first page, last sentence, does not match Master Plan. Letter states phases go east to west. MP shows Phase IV on north prior to V, VI and VII along Nelson road;
5. MSB Dept of Public Works does not object to Abby Way access.

MATANUSKA-SUSITNA BOROUGH  
PLATTING BOARD

REGULAR MEETING

DECEMBER 7, 1995

The regular meeting of the Matanuska-Susitna Borough platting board was called to order by Ms. Scorup, Chairman, at 8:35 AM.

Present and establishing a quorum were: Ms. Scorup, Ms. Elkins, Mr. Tucker, Ms. Roberts, Mr. Nicodemus and Mr. Sorensen.

Staff present were: Mr. Brown, Platting Officer; Ms. Carriaburn, Administrative Assistant; Mr. Hulbert, Platting Technician; and Mr. Strother, Engineering Division Manager.

Ms. Scorup asked for any changes to the agenda. Mr. Brown stated he has received a request to continue item IVC, to the June 20, 1996 meeting. Item IVD, is to be placed under the Consent portion of the agenda.

APPROVAL OF MINUTES

November 16, 1995

Ms. Roberts moved to approve the minutes as presented. Mr. Nicodemus seconded the motion. The motion passed unanimously with Ms. Scorup abstaining.

Ms. Larson arrived.

OLD BUSINESS

THE RANCH SUBDIVISION M.P. - EXTENSION REQUEST

Mr. Brown stated that on November 15, 1995, 99 public hearing notices were mailed. To date, three have been returned and no objections received. One non-objection was received. He then gave an overview.

Ms. Scorup opened the public hearing.

Beatrice Adler, resident of Garden Terrace Subdivision, does not want an access past her home. Agrees with Abbey Blvd and Crane Road not becoming thoroughfares as noted in the master plan. Discussion followed.

Geoffrey Tamplin, resides at the corner of Abby Blvd and Timothy Lane in Garden Terrace Subdivision, stated concerns that eventually another access will be necessary and inquired whether EMS is aware of the size of this proposed subdivision. Discussion followed.

Marcia Boyd, resident of Fairview East Subdivision, is concerned that in the future her road may turn into an access for the Ranch Subdivision. Staff reported that another eventual access is planned off of the Parks Highway alleviating any need to use Abbey or Crane for access. Discussion followed.

Dolores McKee, resident in the area requested a continuance. She presented a brief that had been submitted

PLATTING BOARD MINUTES  
PLT/SCAVP61/MINUTES/120795.MIN

7 DECEMBER 1995  
PG 1 OF 4

EXHIBIT D - 66

previously at the BOAA by Mr. McKee with several concerns. Ms. McKee feels that the petitioners did not contact a majority of the residents to discuss access proposals and may wish to change the plan again in the future. Ms. McKee was informed that in order to make any major changes to the master plan another public hearing would be required and petitioners would need to come back before the board. Discussion followed.

Andy Evans, resident of Garden Terrace Subdivision, addressed the board stating that he is not the president of any homeowner's association as had been stated in a previous document. He was contacted by Mr. Turner who assured him that Abby Blvd would not be used as an access to The Ranch Subdivision. He is satisfied with that assurance and has no problem with the subdivision. With no one else wishing to speak the public hearing was closed.

Rex Turner, petitioner, addressed the board, answering questions of the board and explaining the scope of the project. The project is ongoing and the overall development is designed to adapt to the existing communities and provide future amenities to the community. Discussion followed.

Ms. Roberts moved to approve the extension of the master plan for a five year period contingent on conditions one through three and findings. Mr. Nicodemus seconded the motion. Voting on the motion it passed unanimously.

#### PUBLIC HEARINGS - CONSENT

#### PUBLIC HEARING & PRELIMINARY PLAT FOR ASLS 95-39

Mr. Brown stated that on November 14, 1995, seven public hearing notices were mailed out. To date none have been returned and no objections received. This is a consent item and petitioner agrees with recommendations.

Ms. Scorup opened the public hearing. With no one present wishing to speak the public hearing was closed.

Ms. Larson moved to approve the preliminary plat contingent on conditions one through six and findings. Ms. Roberts seconded the motion. Voting on the motion it passed unanimously.

#### PUBLIC HEARINGS

#### CONTINUATION OF PUBLIC HEARING & PRELIMINARY PLAT FOR ASLS 92-136, (continued from meeting of November 2, 1995)

Mr. Brown explained that this case had been continued in order to allow the petitioner time to resolve access concerns with DNR. He added that all concerns have been resolved.

Ms. Scorup re-opened the public hearing with no one present wishing to speak the public hearing was closed.

Don Wagner, petitioner's representative, addressed the board, providing an air photo of the property in question. He reiterated the fact that all concerns have been resolved.

Ms. Roberts moved to approve the preliminary plat contingent on recommendations one through seven, adding an eighth condition to read, "Comply with DNR's letter signed by Mr. Bernard, dated November 20, 1995," also approving findings. Ms. Larson seconded the motion. Voting on the motion, it passed unanimously.

PLATTING BOARD MINUTES  
PLT/SC/WF61/MINUTES/120795.MIN

7 DECEMBER 1995  
PG 2 OF 4

EXHIBIT D-17



# MATANUSKA-SUSITNA BOROUGH

## • PLATTING DIVISION •

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488  
PHONE 745-9874 • FAX 745-9876

December 18, 2000

### NOTIFICATION OF PLATTING BOARD ACTION

INGEBORG TURNER  
POB 3489  
PALMER, AK 99645

RE: THE RANCH M.P.  
EXT REQUEST  
CS: PW-47

Action taken by the Platting Board on December 7, 2000 is as follows:

The EXTENSION REQUEST was APPROVED FOR A 3-YEAR PERIOD CONTINGENT UPON CONDITIONS AND/OR REASONS (attached) - TO EXPIRE 10/12/2003

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

IF ROAD CONSTRUCTION IS REQUIRED PLEASE NOTE THE FOLLOWING CONDITIONS:

1. Notice of cost estimate to be submitted by an engineer or a copy of the construction contract or the contractor's proposal, to be approved by the Borough Dept of Public Works.
2. Payment of a 2% fee based upon the approved estimate submitted.
3. Notice to proceed must be issued prior to construction as no road inspection is authorized without this notice.

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

Sincerely,

Handwritten signature of Paul Hulbert in cursive.

Paul Hulbert  
Acting Platting Officer

XC: KENNETH G LANG, 1731 GEORGE BELL CIRCLE, ANCHORAGE, AK 99515, MSB-DPW

## CONDITIONS AND/OR REASONS

The Platting Board approved a 36-month extension for the preliminary master plan contingent upon completion of all prior conditions of approval.

## FINDINGS OF FACT

1. The approval of a 3-years extension is consistent with the platting board's option to approve this requests.
2. The applicant was required to obtain numerous permits from several state and federal agencies.
3. The case was held up on appeals which the Board of Adjustment and Appeals ruled in favor of the petitioner.
4. The master plan was revised so that no access will be given through Garden Terrace Subdivision and Fairview East Addition Number 1.
5. The applicant has obtained the necessary permits from the required state and federal agencies.
6. Public objections have been received for this extension request.
7. The petitioner has obtained the necessary permits and the MSB Dept of Public Works has reviewed proposed creek crossing and materials have been acquired.
8. The petitioner's representative has stated that they are willing to meet with adjacent property owners to address the master plan in detail.

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are some problems with the roads. He agrees with the request for extension and is working with the developer to improve the roads.

With no one else present wishing to speak, the public hearing was closed. The petitioner was not present. The board had no discussion.

Mr. Darnell moved to approve the extension request for two-years contingent on compliance with all previous conditions of approval. Mr. Tucker seconded the motion. Voting on the motion it passed.

Five findings were adopted adding, "MSB Dept of Public Works has no objections to the granting of the extension."

#### THE RANCH MASTER PLAN

Ms. Carricaburu stated that on November 14, 2000, 122 public hearing notices were mailed. To date, two have been returned and two objections have been received. One letter of non-objection was received. Ms. Larson gave the board a minute to review the two handout letters after which the board determined that the letters were actually letters of concern and not objections. Mr. Hulbert gave an overview.

Ms. Larson opened the public hearing.

Anne Drago, testified that she has lived on Crane Road for over ten years. She is happy with her quiet neighborhood and worried that eventually Crane Road may be accessed from this proposed subdivision. Less than 12 cars pass by her house daily. She is concerned that this project was approved in 1984 and they had never heard about this subdivision. She is concerned with the possible loss of lifestyle and the loss of her view. She feels that the extension should be denied and the petitioner should have to start over. Discussion followed.

Ronald Arvin, resident of Clouds Rest Subdivision, asked that this request be tabled until the next meeting to allow residents in his subdivision the ability to review the master plan. Preferable a month continuance would be adequate. His subdivision has extremely stringent covenants. He was aware of this plan when he bought his property. Discussion followed.

George Strother, stated that the petitioners have obtained several permits, state and federal, and have received borough approval on the bridge. The approaches have been constructed, the plan has been progressing, all materials for the bridge have been secured. Discussion followed.

With no one else present wishing to speak, Ms. Larson closed the public hearing.

Richard Besse, representing Rex and Inge Turner, stated that there have been many permits obtained, including wetlands and non-adjoining permits. The bridge crossing has been approved, the bridge approaches constructed. He understands that in the third phase there is an alternative access required to Fairview Loop. The access road off of Nelson Road has been built. Portions of this project is part of the Palmer Hay Flats which is private property. The federal and state

EXHIBIT D-20

00220

wildlife people have been involved in this process. He stated that Mr. Turner would be happy to meet with any of those having questions and will be glad to provide copies of the plan to interested parties. Discussion followed.

Ms. Laub-Elkins moved to approve the 36-month extension contingent on completion of all prior conditions of approval. Mr. Tucker seconded the motion. Voting on the motion it passed.

Six findings were adopted amending the forth finding by adding the words, "...and Fairview Estates Addition #1." Amend the sixth finding to read, "Public objections have been received for this extension request." The board added the following findings, "the petitioner has obtained necessary permits. MSB Dept of Public Works has reviewed plans for creek crossing, bridge materials have been acquired. The petitioner's representative has stated that they are willing to meet with adjacent property owners to address the master plan in detail."

Ms. Larson called for a 15 minute break. The meeting reconvened at 10:20 AM.

**D J SANDSTROM SUBDIVISION**

Ms. Carricaburu stated that on November 14, 2000, 24 public hearing notices were mailed. To date, one has been returned and no objections received. Mr. Hulbert gave an overview.

Ms. Larson opened the public hearing.

George Strother, stated that the developer has been working well with the borough and he supports this extension. He would support a two-year extension granted.

With no one else present wishing to speak, the public hearing was closed.

Mr. Darnell moved to approve the request with all previous conditions of approval for a 2-year period. Ms. Laub-Elkins seconded the motion. Voting on the motion it passed.

Four findings of fact were adopted amending item one to replace, "one-year," with, "two-year extension subject to all prior conditions of approval." The board also added, "petitioner was not present," and, "extension was changed to two-years on the recommendations of MSB Dept of Public Works."

**PUBLIC HEARINGS**

**FINGER COVE ESTATES LOTS 10A, 11A, & 16A, BLOCK 2, W/VACATIONS**

Ms. Carricaburu stated that on November 14, 2000, 49 public hearing notices were mailed. To date, one has been returned and one objection received. Mr. Hulbert gave an overview reading the letter of objection into the record from Mr. and Ms. Krause.

Ms. Larson requested a brief overview from the petitioner.

Carol Christiansen, addressed the board, giving an overview. He plans to move the walkway



**MATANUSKA-SUSITNA BOROUGH**  
**PLATTING DIVISION**  
350 EAST DAHLIA AVENUE PALMER, ALASKA 99645-6488  
PHONE 745-9874 FAX 746-7407

December 15 2003

**NOTIFICATION OF PLATTING BOARD ACTION**

INGEBORG TURNER  
TURNER CORPORATION  
P O BOX 3489  
PALMER, ALASKA 99645.

**RE: THE RANCH MASTER PLAN  
EXTENSION REQUEST**

CS: 1984-416

Action taken by the Platting Board on DECEMBER 4, 2003 is as follows:

The EXTENSION OF THE RANCH MASTER PLAN UNTIL DECEMBER 4, 2008 WAS APPROVED CONTINGENT UPON THE FOLLOWING CONDITIONS/REASONS (see attached).

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

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

Kindest regards,

*Janet Kincaid*

Ms. Janet Kincaid  
Platting Board Chair

pc: BESSE ENGINEERING  
1890 JAIME MARIE CIRCLE  
WASILLA, ALASKA 99654/ DPW/MSB

EXHIBIT D -22

## CONDITIONS/REASONS

The platting board approved the Ranch Master Plan Extension of approval contingent upon the following:

- (1) Submittal of final Master Plan bearing the necessary approval certificates.
- (2) Comply with prior conditions of approval.
- (3) Work with staff to resolve construction requirements of the MSB Subdivision Construction Manual for construction of roads.
- (4) Resolve with staff /compliance with prior recommendations as they relate to present regulations of MSB Title 16

## **FINDINGS**

**FINDING (1)** The approval of a 5-year extension is consistent with the platting board's options.

**FINDING (2)** The applicant has obtained the necessary permits from the Army Corps of Engineers and Fish & Game Dept.

**FINDING (3)** Three water wells have been drilled and the test flows meet the requirements for production with the community water. A Department of Natural Resources permit has been submitted for water rights.

**FINDING (4)** Public objections have been received from this extension request and considered.

**FINDING (5)** The petitioner has agreed to fence the airstrip of the neighboring subdivision to promote the safety of the future lot owners.

**FINDING (6)** Hydrology testing by J. A. Munter Consulting, Inc., June 2, 2003 (page 6, ), Water Quality states Levels of Manganese in well #3 and water PH of well #1 is slightly exceeded secondary maximum contaminant levels, but that secondary maximum containment levels are generally established for aesthetic reasons, rather than health based consideration.

**FINDING (7)** This Master Plan conforms to the current Title 16 standards.

**FINDING (8)** The Alaska Railroad has many issues that must be resolved.

**FINDING (9)** Development of first three phases (Nelson accessing the Glenn Hwy) required DOT/PF to complete the Glenn Hwy-Parks Hwy interchange and the Trunk Road frontage road.

**EXHIBIT D-23**

MEA on utility easement design.” Adding No. 12, “Alaska Rim has submitted revised soils information on all 10 lots with useable area showing minimum 20,000 sq. ft.” Adding No. 13, “A 50’ curve radius return in and out of cul-de-sac have been standard policy of Dept of Public Works for years but this plat has 60’ right-of-way and the cul-de-sac is centered in the 60’ right-of-way. The radius curve return at the intersection of Larkspur Circle and E. Frances Dr. will not be enforced by DPW A 13.1 Corner Sight Distance, because the radius return would increase setback requirements on Lot 12, Block 4, Finger Lake Heights Subdivision. There are no utilities installed within the 30’ utility easement on that lot. If the utility easement is vacated, the building set back will be applied.” Adding No. 14, “Extreme topographic restraints had to be considered to realign the road and redesign the plat.” Adding No. 15, “All decisions of the board are final unless appealed to the Board of Adjustments and Appeals as per MSB 15.39.”

## **PUBLIC HEARINGS**

### **THE RANCH SUBDIVISION extension**

Ms. Thompson stated that on November 26, 2003 156 notices were mailed and to date there has been 10 returns and 6 objections and two non-objections and also a mailout on October 26, 2003. Mr. Hulbert stated a brief history and asked that the board hear the public and the petitioner.

Ms. Kincaid opened the public hearing.

Mr. Berkley Tilton, stated that the subdivision developer has been trying to comply with the rules over the years. His main concern was the adjoining subdivision having an airstrip and would like to see a fence around the strip to protect the children of the proposed development and perhaps prevent the problems with use of the open area. He stated that he was not representing the council just a concern of the subdivision. He is in Knik-Fairview Community Council the proposed sub is in Gateway Community Council Area.

Mr. Hulbert asked where the runway ended on the east. Mr. Tilton stated along Lot 7 & Lot 6 Block 27. Mr. Hulbert also asked if the airstrip had a navigation easement over the subdivision surrounding. Mr. Hulbert asked if there was a restriction as per FAA. Mr. Tilton stated that trees there are 40’ tall trees and take off would have to be higher so probably not a problem for new development unless they would be greater than that.

Ms. Whitfield, asked what permit was given by FAA. Mr. Tilton stated that it was a Flight pattern from FAA.

Mr. Bruu asked if right or left and Mr. Tilton stated that is was left pattern but the users go right due to topography.

Mr. James Day, Creekside Preserve lot owner, stated that he was concerned about the tremendous impact on traffic through subdivision.

Ms. Kincaid closed the public hearing.

The petitioner's representative, Mr. Rick Besse, surveyor, stated that construction of fence along the airstrip would not be a problem for the development but he stated that the developer would like to see the maintenance of the fence be the responsibility of the owner of land.

Ms. Whitfield, asked if DEC approved the well system. Mr. Besse state the wells were applied for 5 years ago. He also stated that the developer was securing the water rights and establishing the system. Mr. Besse stated the developer was now in the process of designing pumps and pressure system. Ms. Whitfield stated that she was concerned about the water testing and asked the questions concerning hydrology.

Mr. Jim Munter, hydrologist, maganese (esthetic) standard meant staining but not unhealthy. He further stated that the PH is slightly high. That is the acidity of the tests. He stated that the term (Secondary) standards means esthetic.

Ms. Roberts, asked if 60 month continuation would be better than 36 month since it is such a large project.

Mr. Besse stated that he would like to have more time.

Mr. Hulbert asked about the secondary access and how is it progressing. Mr. Besse stated that the Alaska Railroad would realign and probably and would design a bridge or overpass that will address phase 3 lots. Mr. Besse stated that if the Alaska Railroad does not go forward with their plan then there is a plan for alternate access.

Ms. Whitfield asked about a letter from Alaska Railroad from earlier discussion on previous meeting. Mr. Besse stated that there is a purchase of additional property by The Alaska Railroad so he feels that the plan is a go.

Ms. Roberts moved to extend 60 months of Preliminary Plat Master Plan of the Ranch.

Mr. Bruu stated his concern with traffic through other subdivisions close by.

Ms. Whitfield, concerned also about the traffic; Ph I & II are on Glenn Hwy and Ph III will have alternate access.

Mr. Besse distributed aerial photos with proposed new highway design imposed on it.

Ms. Whitfield asked if the recommendations should be rewritten.

Mr. Hulbert stated that he would add recommendation No. 4 which would delete non-code requirements of previous approval of 1984 conditions.

Ms. Roberts asked if the petitioner would like to have the recommendations reworked or modified to update to new Title 16. requirements.

Mr. Besse stated he intended to comply

Ms. Roberts moved to approve the extension of the Ranch Master Plan approval for 60 months with 3 recommendations. Adding no. 4 "The petitioner is to resolve with staff to comply with current requirements and previous recommendations of 1984 that comply with the present Title 16 requirements." Mr. Larson second all voted in favor. There were 4 findings. Adding No. 5, "The petitioner has agreed to fence the airstrip of the neighboring subdivision to promote the safety of the future lot owners." Adding No. 6, "Hydrology testing by J. A. Munter, Consulting, Inc., June 2, 2003 (page 6), Water Quality states Levels of Manganese in well #3 and water PH of well #1 slightly exceeds secondary maximum contaminant levels, but that secondary maximum containment levels are generally established for aesthetic reasons, rather than health based consideration." Adding No. 7, "This Master Plan conforms to the current Title 16 standards." Adding No. 8, The Alaska Railroad has many issues that must be resolved." Adding No. 9, "Development of the first three phases (Nelson Accessing the Glenn Hwy) require State DOT/PF to complete the Glenn Hwy-Parks Hwy interchange and Trunk Road." Findings adopted.

#### **GODIN SECTION LINE EASEMENT VACATION**

Ms. Thompson stated that there was no new noticing but that it was advertised in the paper. Mr. Hulbert stated that Mr. Godin is working with the state to achieve an access alternate to the section line easement to be vacated.

Ms. Kincaid opened and closed the public hearing.

Mr. Arthur Godin, the petitioner stated that he has been working with the state in an ongoing effort to achieve the desired alternate easement. He stated that he has done much research and speaking with neighbors and adjacent property owners to achieve the required information for the state.

Ms. Kincaid asked the petitioner if he would like more than 6 months to finish the process and seek approval.

Mr. Godin stated that yes, he would like to have longer to resolve the issue with the state. He stated that there has been many alternatives to the easement but mostly have swamp and may not have to have an alternate easement.

Ms. Whitfield approve the request for 1 year extension of the Godin Section Line easement vacation, Mr. Bruu seconded and all voted to approve.



# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department  
Platting Division

350 East Dahlia Avenue • Palmer AK 99645  
Phone (907) 745-9874 • Fax (907) 746-7407

July 2, 2007

## NOTIFICATION OF PLATTING BOARD ACTION

RE: REVISION OF THE RANCH MASTER PLAN

INGEBORG TURNER  
TURNER CONSTRUCTION  
P O BOX 3489  
PALMER, ALASKA 99645

CASE: 1984-416

Action taken by the Platting Board on June 21, 2007 is as follows:

THE REVISION OF THE RANCH MASTER PLAN WAS APPROVED CONTINGENT UPON THE FOLLOWING CONDITIONS/REASONS (see attached).

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

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

Kindest regards,

*Paul Johnson*

Mr. Patrick Johnson  
Platting Board Chair

CC:

BESSE ENGINEERING  
1890 JAIME MARIE CIRCLE  
WASILLA, AK 99654

MSB/DPW

EXHIBIT D -27

## REASONS/CONDITIONS

The Platting Board approved the revision of The Ranch Master Plan contingent on the following recommendations:

1. Comply with prior conditions of approval.
2. Provide master plan for review and approval. Once approved in final stage, submit 4 signed original paper copies to platting staff.

## FINDINGS

1. There were no objections to the adjustment of the phase lines from borough departments or utilities.
2. The Alaska Railroad has offered to purchase 14 lots within Phase 4 and the 39 lots within the proposed Phase 6 to allow for a planned realignment of the railroad tracks.
3. The Alaska Railroad has purchased 11 lots within Creekside Preserve No. 3 for the realignment.
4. The developer wishes to plat those lots within Phase 6 that are being purchased by the Railroad and make tracts out of the remaining parcels.
5. The Alaska Railroad has stated they have no plan to place any of the purchased lots back on the market if the realignment does not get built. They would have to replat and the proceeds would return to the Federal Transportation Agency.
6. Phase 7 contains 117 lots and a large tract that contains a 100' wide conservation easement along Wasilla Creek. The developer wishes to divide this into two phases to make it more manageable.
7. The developer is planning on dedicating a trail easement within Phase 7, following Wasilla Creek.
8. Currently, the only part of Nelson Road that hasn't been constructed is on the south side of Tract B, however it is passable.
9. Approval of the proposed Sweeping Vista Master Plan provides for the extension of Nelson Road crossing the railroad to Fairview Loop. The Matanuska-Susitna Borough is involved with the project as Nelson Road provides the necessary access to Tract B-1.
10. Phase 4 created 96 lots and 6 tracts which are served by the community water system.
11. The community water system is connected to the system within Garden Terrace and Creekside Heights and it is owned and maintained by the City of Wasilla.
12. Master Plan expiration date is December 4, 2008.

13. The applicant may seek modifications of the Master Plan Under MSB 16.15.015 preliminary plat (C ) modification. Pursuant to MSB 16.10.060 (B).
14. The original conditions of approval required a secondary access to be provided after the second phase is recorded. Phase 6B is to be sold to the Alaska Railroad, Ph 6A and 6C are to be left as tracts. Phase 7A containing 58 lots is to be the second phase recorded which will be a reduction in lots from the original proposal.

## I. CALL TO ORDER

The meeting of the Platting Board of the Matanuska-Susitna Borough by Mr. Patrick Johnson, Chair, at 8:30 AM in the Assembly Chambers, Dorothy Swanda Jones Building.

Platting Board present were: Mr. Patrick Johnson Chair, Mr. Terry Nicodemus, Vice-Chair, Ms. Mae Sprague, Mr. Alan Larson, Mr. Jim Spangler. And Ms. Anne Winckler.

Staff present were Mr. Paul Hulbert, Platting Officer, Ms. Peggy Fowler, Platting Tech, , Judy Thompson, Admin Secretary, and Mr. Bill Klebesadel, Dept of Public Works. Sandy Jensen (Acting Platting Officer) until Mr. Paul Hulbert, (Platting Officer) enters the meeting.

## II. APPROVAL OF MINUTES

MOTION Mr. Nicodemus moved to approve the minutes of June 7, 2007. As members were absent there were not enough from the attendance of that meeting to have a quorum for a vote. Therefore; the minutes will be brought up in the next meeting package.

## III. OLD BUSINESS

### A. THE RANCH MASTER PLAN

CD: 8:35

Ms. Thompson (Secretary)

- Stated that on March 31, 2007, 247 notices were mailed and to date there have been 7 returns and one non-objection.

Ms. Fowler (Platting Tech)

- Stated that the revision was needed as the railroad will be purchasing some lots due to realignment.
- Phase changes need to be made to address this.
- There is one objection to using Abby Blvd as access for this subdivision.
- Phase 6 will be divided into 3 phases depending on the railroad realignment.

Mr. Nicodemus (Vice-Chair)

- Stated that Garden Terrace had its own water system due to a problem with wells.

Ms. Winckler (Member)

- How are the lots in 6B going to access as it looks like there is no access.
- It looks as if Creekside Preserve will have the railroad going through those lots.

Ms. Fowler (Platting Tech)

- Stated that the railroad has already negotiated with Creekside for their portion.

Mr. Patrick Johnson (Chair)

- Opened the public hearing

Mr. Patrick Johnson (Chair)

- Closed the public hearing and asked the petitioner to come forward.

Mr. Rick Besse (Petitioner's Representative)

- Stated that they were given information for the railroad and need to adjust for that.
- There is Creekside Drive and Billy Jean access.
- The roads are paved and done for first phase.
- The water system has three wells and they are operating very well.
- His water system is being used by the City of Wasilla for Garden Terrace portion.
- The order of phases needs to reflect the change of access.
- School site is being leveled and prepared now.
- Sweeping Vista approval extended Nelson Rd to Fairview Loop.

CD 8:58:21

Mr. Nicodemus (Vice-Chair)

- Concerned about the access to the lots that are now available for purchase to the public.

Mr. Besse (Petitioner's Representative)

- The Phase 4 is built and Fetlock is constructed. There is a bridge built over Wasilla Creek and all will be paved when dirt work is done.

Mr. Nicodemus (Vice-Chair)

- At this time the access is through Creekside Preserve.
- Garden Terrace folks were worried that Abby Blvd would be the primary access to this subdivision.
- The phases need to be finished to complete the alternate access so Abby Blvd will be less traversed.

Ms. Jensen (Acting Platting Officer)

- Is Sweeping Vista access getting to a point to be closed there and alternate railroad be put in use.

Mr. Klebesadel (DPW)

- There is a road replacement and the Valley Block Site crossing is being upgraded and then when done the Abby Crossing will be stopped.

CD: 9:09

Mr. Johnson (Chair)

- What is the standard of Abby Blvd.

Mr. Klebesadel (DPW)

- Rural Sub-Collector and would be long-term

*Mr. Hulbert (Platting Officer)*

- *Entered the meeting at 9:12:26*

Mr. Nicodemus (Vice-Chair)

- Concerned the Master Plan that was started in 1984 and many lots.
- It is being approved under the old Title 16 and not good access.

Mr. Hulbert (Platting Officer)

- Reviewed the history of the Master Plan.

Mr. Rex Turner (Petitioner)

- Access has to be accomplished before any more phases can be recorded.
- Phase 6 will be "taken" by the Railroad in part and would like to plat Phase 6 now to get through the realignment of the railroad.
- The railroad is going to build an embankment when they realign then would be a better time to plat Phase 6.

Mr. Larson (Member)

- Gave a history of the reasons why this board extended the master plan and the railroad situation.

Mr. Johnson (Chair)

- Asked if the connection from Abbey Blvd, Brome, and Creekside can handle the load until the alternate access is constructed.
- Was told by Mr. Klebesadel that the added traffic can be handled by these paved roads.

MOTION: Mr. Larson moved to approve the revision of The Ranch Master Plan with 2 recommendations and Mr. Spangler seconded.

VOTE: The motion passed with all in favor. There were 12 findings. Adding No. 13. The applicant may seek modifications of the Master Plan Under 16.15.015 preliminary plat (C) modification. Pursuant to MSB 16.10.060(B) Adding No. 14., The original conditions of approval required a secondary access to be provided after the second phase is recorded. Phase 6D is to be sold to the Alaska Railroad, Ph 6B and 6C will be left as tracts. Phase 7A containing 58 lots is to be the second phase recorded which will be a reduction in lots from the original proposal.



# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Platting Division

350 East Dahlia Avenue • Palmer AK 99645

Phone (907) 745-9874 • Fax (907) 746-7407

December 26, 2008

## NOTIFICATION OF PLATTING BOARD ACTION

RE: THE RANCH MASTER PLAN

Turner Construction & Ingeborg Turner  
PO Box 3489  
Palmer, AK 99645

CASE: 1984-416

Action taken by the Platting Board on December 18, 2008 is as follows:

THE REVISED MASTER PLAN OF THE RANCH WAS APPROVED CONTINGENT UPON THE FOLLOWING CONDITIONS/REASONS (see attached),

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

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

Kindest regards,

Mr. Patrick Johnson  
Platting Board Chair

cc:

MSB/DPW

Mr. Rick Besse  
Besse Engineering  
1890 Jaime Marie Circle  
Wasilla, AK 99654

EXHIBIT D - 33

Mr. John & Roxanne Brown  
1824 S. Creekside Dr.  
Wasilla, AK 99654-8563

Ms. Rose Goodman  
PO Box 2883  
Palmer, AK 99645

Mr. Bernard & Tammy Smith  
601 E. Northern Lights Loop  
Anchorage, AK 99503

Mr. Arthur & Tammy Salzman  
1985 S. Bronco Circle  
Wasilla, AK 99654

**EXHIBIT D - 34**

**CONDITIONS OF APPROVAL:**

The Platting Board approved the revised Master Plan of The Ranch with an expiration date of December 4, 2013 contingent upon:

1. Comply with the prior conditions of approval.
2. Notification of Platting Board Action will contain the changes as outlined in Exhibit B. These will be attached to the signed Master Plan dated 3/24/2008.
3. The Petitioner is to provide several cross sections on Wasilla Creek to compare flood plains with the soil conservation flood plain survey.

**FINDINGS**

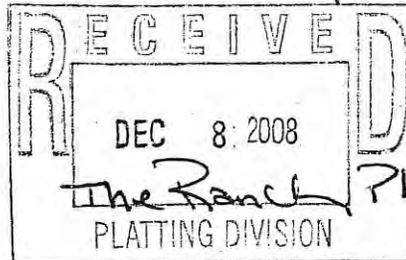
1. The minor changes to rights-of-way and lot sizes are not significantly changing the design of The Ranch, but will bring the roads within Phases 1, 2, 3, & 5 up to the standards required under Title 27.
2. The developer and DPW are actively working to gain right-of-way for the Nelson Road to Fairview Loop connection.
3. The extension of the Master Plan approval for 5 years is supported by DPW and Platting Staff.
4. Petitioner has installed fire hydrants within existing phases and intends to complete fire hydrants to future phases.
5. City of Wasilla is the current owner of The Ranch water system which, along with the City's extension of their system, provides water to The Ranch and Garden Terrace Estates.
6. Lot sizes and shapes will meet Title 27 standards within all phases with the proposed revisions.
7. The letter of objection does not reference any violations of code.

**EXHIBIT D -35**

BESSE ENGINEERING  
1890 Jaime Marie Cir.  
WASILLA, ALASKA 99654  
907-357-4257

December 8, 2008

Ms. Peggy H. Fowler  
Matanuska Susitna Borough  
Platting Division  
350 E. Dahlia Ave.  
Palmer, Alaska 99645  
Via Fax 746-7407



Re: The Ranch Master Plan, Case 1984-416

Dear Ms. Fowler,

Attached please find a Revised List of Revisions to Comply with Title 27 that reflect the changes as agreed to at the December 3, 2008 meeting with Paul Hulbert, Bill Klebesadel, Peggy Fowler and Rick Besse.

All of the reconfigured lots shall be a minimum of 20,000 sq. ft. of contiguous useable area.

If you have any questions about the above, feel free to call me at 357-4257.

Sincerely,  
BESSE ENGINEERING

A handwritten signature in black ink that reads "Richard L. Besse".

Richard L. Besse, PE, RLS

Cc: Mr. Rex Turner, Arctic Devco

The Ranch Master Plan  
Revisions to Comply with Title 27  
(Revised 12/5/08)

| <u>PHASE</u> | <u>STREET</u>      | <u>REVISION</u>  | <u>AFFECTED LOTS &amp; BLOCKS</u>  |
|--------------|--------------------|--|--|
| 1            | E. Horn Cir.       | Increase ROW Width<br>Install 100' Tangent at<br>Nelson Road Intersection<br>Create T-Intersection<br>Cul-De-Sac<br>Install 100' Tangent<br>Between Curves   | Lts 1-12, Blk 3  |
| 1            | E. Saddlehorn Cir. | Increase ROW Width<br>Install 100' Tangent at<br>Nelson Road Intersection<br>Create Eyebrow where<br>Street Turns to The West<br>Increase Lot Frontage to<br>Allow Driveway to be<br>Constructed a min. of<br>40' from Radius Return<br>Tangent Point. | Lts 1-6, Blk 1 & Lts 1-8, Blk 2<br><br>Lts 5 & 6, Blk 1                            |
| 2            | S. Pup Circle      | Increase ROW Width   | Lts 19-24, Blk 3   |
| 2            | E. Stud Drive      | Increase ROW Width<br>East of S. Hen Way   | Lts 13-18, Blk 3 & Lts 25-35, Blk 3  |
| 2            | E. Stud Drive      | Install 100' Tan between<br>Curves<br>Install 100' Tan Between<br>Curves   | Lts 4, 5, 8 & 9, Blk 4,<br>Lts 38-41, Blk 3<br>Lts 49-59, Blk 3<br>Lts 8-11, Blk 5 |
| 3            | S. Gable Loop      | Increase CL Radius to<br>Residential Sub-Collector<br>Standards (275')<br>Increase Intersection<br>Separation with E. Loose<br>Wheel Dr. (330')<br>Install 100' Tangent at<br>Nelson Road Intersection   | Lt 1, Blk 7 & Tract E  |
| 3            | E. Barn Cir.       | Increase ROW Width   | Lts 67-74, Blk 3   |
| 3            | E. Loft Cir.       | Increase ROW Width   | Lts. 36-53, Blk 7  |
| 3            | S. Calf Cir.       | Increase ROW Width   | Lts 22-28, Blk 7   |
| 3            | E. Chick Cir.      | Increase ROW Width   | Lts 7-15, Blk 7  |
| 3            | E. Pony Cir.       | Increase ROW Width   | Lt 11, Blk 3 & Tract F   |

|   |                   |   |   |
|---|-------------------|---|---|
| 3 | E. Silo Cir.      | Increase ROW Width  | Lts. 79-81 & 85-86, Blk 3   |
| 5 | E. Loose Wheel Dr | Install 100' Tan between<br>Curves<br>Increase Intersection<br>Separation with E. Fetlock<br>Drive (330') | Lts 15-20 Blk 15, Lts 29-31, Blk 17<br>& Lts 42-45, Blk 17<br>Lts 46-51, Blk 17 & Tract E |
| 5 | S. Pokey Cir.     | Increase ROW Width  | Lts 31-41, Blk 17   |
| 5 | S. Hat Cir.       | Increase ROW Width  | Lts 30-37, Blk 14   |
| 5 | S. Rope Cir.      | Increase ROW Width  | Lts 23-28, Blk 14   |
| 5 | S. Bull Cir.      | Increase ROW Width  | Lts 1-8, Blk 14   |
| 5 | E. Chaps Cir.     | Increase ROW Width  | Lts 1-9, Blk 17   |
| 5 | E. Spur Cir.      | Increase ROW Width  | Lts 10-18, Blk 17   |

DISCUSSION:

- Regarding modular homes, can the access turning radius be a problem on S. Sylvan Road?
- Modular homes being moved in the area is not a construction issue it is a traffic issue.
- DPW stated that long range plan is to connect S. Sylvan Road to Chalk Road and Hollywood Road to have more access in the area.
- Clarification of roads and intersections with pilot cars for moving modular homes.
- No need for site analysis
- 5 year extension to finish project.

Mr. Johnson (Chair)

- Opened the public hearing, seeing no members of the public wishing to speak, closed the public hearing and asked the petitioner or representative to come forward.

Mr. Greg Rumsey (Petitioner)

- Clarifies safety protocol for moving modular homes with pilot cars and flagging personnel.
- Pilot cars stay with the Modular home until it is parked and safely set in its place. They are there for the duration of movement of home.
- Agrees and supports changes on plat note #3.

MOTION:

- Mr. Nicodemus moved to approve the Revised Meadow Lakes Town Center Master Plan contingent on the 15 recommendations. Modifying #3 Provide plat note allowing common access onto S. Sylvan Road from Lots 6 & 7, Block 3. Adding #16 Remove existing driveway on S. Sylvan and relocate to a common access point along the common property line between Lots 6 & 7, Block 3. Graphically show common access point on final Phase 1 plat with either a public use easement or the document number of a recorded private driveway easement. Resolve dimensions with platting staff, provide approved drive way permit from DPW prior to recordation of the Phase 1 plat. Mr. Spangler seconded.

VOTE:

- Motion passed with five members in favor. Mr. Buzard abstained as this is his first hearing. There are 16 Findings with modification to #13 MSB DPW S. Sylvan Road as it is designated as a Minor Collector on the Long Range Transportation Plan and access should be limited. DPW will allow one shared access onto Sylvan Road from Lots 6 & 7, Block 3. Add #17 Final engineering has not been completed for the common driveway to Lot 6 & 7, Block 3. Dimensions of the common access easement will be resolved with platting staff prior to Phase 1 final plat recordation. Add #18 The Petitioner agrees with the recommendations as modified.

CD 8:59:28

**B. THE RANCH MASTER PLAN**

Ms. Von Gunten (Acting Secretary)

- Stated 281 Public Notices were sent out on November 18, 2008 and to this date there have been Eleven returns, one objection, no non-objection, and three concerns.

Ms. Peggy Fowler (Platting Technician)

- Gave review of the request; public and agency comments.
- Petitioner is asking for a 5 year extension of the 10 phase Master Plan.
- Master Plan approval currently expired December 4, 2008.
- Developer is willing to increase the rights-of-way widths and intersection spacing along Nelson Road.
- Access issues still remain a challenge for this subdivision as the petitioner has waited several years for the Glenn-Highway/Parks Highway interchange to be developed by ADOT&PF.

**EXHIBIT D-39**

- Developer has been actively working with DPW and adjacent land owners to design connecting road way of Nelson Road with Fairview Loop.
- A finding on December 2007 Platting Board public meeting stated that Phase 7A, with 58 lots, is the phase allowed to record prior to a secondary access being created.
- The developer has held off recording Phase 7A due to poor market conditions.
- Alaska Railroad is working on straightening and adjusting tracks in this area.
- DPW and Platting Staff recommend approval of revision and extension request.

DISCUSSION:

- Minor adjustments on lot sizes.
- Lots will not become smaller. All lots will be over 20,000 square feet.

Mr. Johnson (Chair)

- Opened the public hearing, seeing no members of the public wishing to speak, closed the public hearing and asked the petitioner or representative to come forward.

Mr. Rick Besse (Representative for Petitioner)

- Reiterates the adjustments are minor and the lots will have more acreage.
- Thanks the staff and board.
- School site plat defines the flood area for the east side corner.

DISCUSSION

- A concern with high density of subdivision, and the flood plain area to what it will do to the east side corner and to small lots in area.
- Mr. Nicodeums from the past used the soils conservation study and found flaws when studying them.
- Would like to see a recommendation on the profile and base flood elevation.
- There is a green belt between the creek and land.
- Petitioner concurs with added recommendation.

MOTION:

- Mr. Spangler moved to approve The Ranch Master Plan with the expiration date of December 4, 2013, contingent on the two recommendations. Adding #3 The Petitioner is to provide several cross sections on Wasilla Creek to compare flood plains with the soil of conservation flood plain survey. Mr. Nicodemus seconded.

VOTE:

- Motion passes with all in favor. There were 6 findings. Modify #4 Petitioner has installed fire hydrants within existing phases and intends to complete fire hydrants to future phases. Added #7 The letter of objection does not reference any violations of code.

CD 9:28:21 AM

Break

CD 9:41:40 AM

Mr. Johnson (chair)

- Re-opened the case of The Ranch Master Plan

DISCUSSION

- Finish going over findings for The Ranch Master Plan on fire hydrants and letter of objection.

CD 9:43:55

IV. PUBLIC HEARINGS

EXHIBIT D-40



# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Platting Division

350 East Dahlia Avenue • Palmer AK 99645

Phone (907) 745-9874 • Fax (907) 746-7407

December 6, 2011

## NOTIFICATION OF PLATTING BOARD ACTION

Turner & Devco Construction, Inc & Ingeborg Turner  
PO Box 3489  
Palmer, AK 99645

**RE: THE RANCH MASTER PLAN**

**CASE: 1984-416**

Action taken by the Platting Board on December 1, 2011 is as follows:

THE MASTER PLAN FOR THE RANCH ON CURRENT ACCESSES FOR RECORDING ADDITIONAL PHASES WAS APPROVED, AND WILL EXPIRE ON DECEMBER 4, 2013, CONTINGENT UPON THE FOLLOWING CONDITIONS/REASONS (see attached).

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

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

*Paul Anderson*  
Ms. Helga Larson  
Platting Board Chair

cc:

MSB/DPW

Besse Engineering  
1890 Jaime Marie Circle  
Wasilla, AK 99654

**EXHIBIT D-41**

Richard Buzby  
2048 S. Creekside Dr.  
Wasilla, AK 99654

Deborah Walser  
2130 S. Sweetie Pie St.  
Wasilla, AK 99654

Gordon O'Blenness  
5053 E. Bit Circle  
Wasilla, AK 99654

Patrick Marley  
2672 Merrimac Street  
Wasilla, AK 99654

Ronald Baird  
PO Box 112070  
Anchorage, AK 99511

Clay Dahl  
1721 N. Driftwood Dr.  
Palmer, AK 99645

Nathan Dahl  
4956 E. Rhubarb Circle  
Wasilla, AK 99654

Gregory Van Thiel  
4771 E. Crane Rd.  
Wasilla, AK 99654

Terry Nicodemus  
600 S. Outlet View Dr.  
Wasilla, AK 99654

Victor Hillstron  
5102 E. Brome Ave.  
Wasilla, AK 99654

**EXHIBIT D-42**

**CONDITIONS of APPROVAL:**

The Platting Board approved the master plan for The Ranch on current accesses for recording additional phases, contingent upon:

1. Install 24' wide pavement on Nelson Road from Fetlock to the southeast corner of Tract B-1, which is the Machetanz School Site, in conjunction with recording Phase 6A.
2. Install 24' wide pavement on Nelson Road from the Wasilla Creek Bridge on Nelson Road to the point of curve of the future Trunk Road South Project in conjunction with recording Phase 7B.
3. Install 22' wide pavement on the remainder of Fetlock Drive from Phase 7A to Nelson Road, in conjunction with recording Phase 7B.
4. Install 24' wide pavement on Nelson Road from the southeast corner of Tract B-1, which is the Machetanz School Site, to the Wasilla Creek Bridge in conjunction with recording Phase 5A.
5. Other than the three phases laid out in the petitioner's paving plan dated November 14, 2011, no additional phases are to record until a collector standard road is constructed connecting Nelson Road to an equal or higher standard public road.
6. Prior to recording the first phase of the petitioner's paving plan dated November 14, 2011, enter into an agreement with the borough for dedicating the right-of-way through property owned by the petitioner along the proposed route for the Trunk Road South project.
7. Comply with the prior conditions of approval, not related to access. This decision sets forth all conditions concerning access which are now in effect.

**FINDINGS:**

1. Public objections and concerns have been received as a result of the noticing. All of the objections or concerns of the continued use of the existing access roads through The Ranch Phase 4, Creekside Preserve, and Garden Terrace for further development.
2. The Lounsbury Traffic Analysis concentrated on the intersections handling of the expected traffic, not on the ability of the internal road system within Garden Terrace and Creekside Preserve to meet the standards of the MSB Subdivision Construction Manual.
3. The traffic analysis concluded that the intersection of Abby Blvd and Fairview Loop and the intersection of Trunk Road and Fireweed Road are sufficient to carry the traffic of the remaining unplatted lots assuming Nelson Road was paved. DPW agreed with this determination.
4. The right-of-way for Creekside Drive and Billy Jean Drive is 50' wide as they cross into The Ranch. 60' wide is the standard for subcollector and higher roads.

**EXHIBIT D-43**

5. The Ranch Master Plan expires December 4, 2013. The current subdivision code does not allow further extensions.
6. The assembly is reviewing the subdivision regulations and there may be a change to the ability for this and other subdivisions to receive extensions in the future.
7. Conditions 1, 2, 3, & 4 above override condition #3 of the decision dated December 11, 1995, which required acquisition of northern access prior to recording the third phase and construction of a northern access prior to recording the fourth phase.
8. Recordation of Phases 6A (21 lots), 7B (59 lots), and 5A (43 lots), will create a total of 123 additional lots within The Ranch.
9. DPW stated the phased paving of Nelson Road is a realistic plan that will fit in with the proposed Trunk Road South project, which is part of the bond package approved by the borough voters in 2011 and requires matching funds from the State Legislature.
10. Trunk Road South is high on the borough's priority list and will probably be completed within three years, according to Shaune O'Neill, Director of Public Works.
11. DPW stated the funds for Trunk Road South right-of-way acquisition and design are available and when those items are complete the project would be considered shovel-ready, which puts us in a much stronger position to receive funding from the legislature.
12. The phased paving plan up to the Trunk Road South project strengthens the borough's position because public funds wouldn't be used or needed to pave Nelson Road.
13. DPW stated that construction on Trunk Road South would most likely commence two years after full funding.
14. The taxpayers will benefit from this phased paving plan because Mr. Turner has stated publicly that he will provide the right-of-way through his property for the Trunk Road South project. Not having to negotiate for that right-of-way will save the taxpayers enormously.
15. The Trunk Road South project is needed for several reasons: Nelson Road, because it is gravel, requires more maintenance than if it were paved; school buses currently travel on Nelson Road which is a circuitous route to get to Machetanz Elementary School; Emergency Services will also be enhanced with more direct access; and the existing population will have a better route to the Parks Highway with the South Trunk Road extension.
16. Brad Sworts, Transportation Planner for the borough stated that once Trunk Road South is completed and Nelson Road is paved, that route would become the primary route to the school because of the numerous sharp angles, speed bumps and stop signs drivers are faced with going through Abby, Brome and Creekside Dr.

17. Mike Weller, Traffic Technician, stated 1,842 cars per day traveled on Abby Blvd during the week of May 6-14, 2010 (counting both directions). At the same time, Nelson Road, at the intersection with Fireweed Road, received only 205 cars per day. School was in session when these counts were done.
18. The Public Works Director is encouraged to look into traffic calming on Abby Road & Creekside Preserve.
19. The developer is encouraged to work with the Public Works Director and establish traffic calming provisions within Garden Terrace and Creekside Preserve.

**I. CALL TO ORDER**

The meeting of the Platting Board of the Matanuska-Susitna Borough was called to order by Ms. Helga Larson, Chairman, at 8:30 AM in the Assembly Chambers, Dorothy Swanda Jones Building.

**A. THE PLEDGE OF ALLEGIANCE**

- The pledge of allegiance was led by Mr. David Robinson.

**B. INTRODUCTION OF STAFF AND DETERMINATION OF QUORUM**

Platting Board members present and establishing a quorum:

- Mr. Jim Spangler, District #1
- Ms. Helga Larson, District #2 (Chairman)
- Mr. John Van Diest, District #3
- Mr. David Robinson, District #4
- Ms. Anne Winckler, District #5 (Vice Chair)
- Ms. Katie Cruthers, District #6
- Mr. Ralph Buzard, District #7

Staff in attendance:

- Mr. Paul Hulbert, Platting Officer
- Ms. Sloan Von Gunten, Platting Clerk
- Ms. Peggy Fowler, Platting Technician
- Ms. Amy Otto, Platting Technician

**C. APPROVAL OF THE AGENDA**

- The agenda was approved with all in favor.

**II. APPROVAL OF MINUTES**

MOTION:

- Mr. Buzard moved to approve the November 17, 2011 minutes, seconded by Mr. Spangler.

VOTE:

- The motion passed with all in favor.

**III. UNFINISHED BUSINESS****A. THE RANCH MASTER PLAN**

Sloan Von Gunten (Secretary)

- Stated that 227 public hearing notices were mailed out on November 10, 2011, to this date there has been 10 returns, one objection, no non-objections, and one concern.

Peggy Fowler (Platting Technician)

- Gave an overview of the case.
- Would like to eliminate recommendation #7.
- Creekside Preserve No. II Subdivision was fully developed and recorded before The

- Ranch Subdivision phase 1 was recorded.
- Sweeping Vista has 3 tracts.
- Nelson Road would be part of the connections

DISCUSSION:

- Discussed the roadways on Nelson Road and Trunk Road.

Ronald Baird (Petitioner's Representative) & Richard Besse (Petitioner's Representative)

- Does not agree with some of the recommendations.
- Would like to make changes to recommendation #6 (not constructing the road), #7 (removal of recommendation) & #8 (strike out last sentence and modify to: "Comply with the prior conditions or approval, not related to access. This decision sets forth all conditions concerning access which are now in effect.")
- Will not be doing the railroad crossing at this time.
- Would like to purchase property on the north side of the subdivision.
- Nelson Road has been improved with gravel road standard.
- Will be doing three paving sections and doing the paving of the inner part of Nelson Road.

DISCUSSION:

- Discussion on the roadway and the railroad.
- Land donated to the borough is 100ft wide by 2,000 feet. This is less than 5 acres.
- The public works department does not fund the maintenance of sidewalks to schools.
- Fish and Game does not want Nelson Road updated where it crosses the wetlands.

Helga Larson (Chairman)

- Opened the public hearing and asked any members of the public wishing to speak to come forward.

Patrick Marley (Owner at 2672 Merrimac Street)

- Believes that there should be a condition that is agreed upon in using the railroad crossing instead of going through Creekside Preserve.
- Concerned about the increase of traffic.
- Does not agree with the platting action.

Clay Dahl (Owner of Lot 10, Creekside Preserve No. II)

- Concerned about the access and use of the roadway with the railroad.
- Concerned on the funding for the project.

Nathan Dahl (Owner of Block 3, Lot 3, Garden Terrace Est)

- Concern on traffic and access issue.
- Concerned on the property value

Mr. Richard Buzby (Owner of Lot 11, Creekside Preserve No. II)

- Is against further development of The Ranch Subdivision.

- Concerned on traffic control
- Would like to see signs and speed bumps in the subdivision.
- Has lived on his property since 2004.

Gregory Van Thiel (Block 2, Lot 13C, Fairview E. #1)

- The roadways are inadequate at this time.
- Believes that there should be a stipulation when Nelson Road is being paved.
- Any work being done, DPW has a process in getting roads completed.

Terry Nicodemus (Original designer of Creekside Preserve)

- Designed for residential use
- The curves in the road were used to slow traffic.
- The standards for the roadway at the time Creekside Preserve was platted was correct in doing the roadways.

Helga Larson (Chairman)

- Closed the public hearing.

Ronald Baird (Petitioner's Representative) & Richard Besse (Petitioner's Representative)

- Went over Nelson Road and north access information.
- Being used as a gravel pit.
- Went over the old phases on the roadway entering on the side access.
- There are 126 lots under the master plan.

**CD 10:09:10 A.M.**

**BREAK**

**CD 10:23:35 A.M.**

**MOTION:**

- Mr. Van Diest moved to approve the allowance to use the current access for recording the phases for the Ranch Master Plan, seconded by Mr. Robinson. Remove recommendation #7.

**MOTION:**

Ms. Winckler moved to amend the motion to have the changes to the recommendations be read into the record, seconded by Mr. Buzard. Modify recommendation #8: Comply with the prior conditions of approval, not related to access. This decision sets forth all conditions concerning access which are now in effect.

**DISCUSSION:**

- Reviewed recommendation #8 changes.

**VOTE:**

- The amended motion passed with all in favor.

DISCUSSION:

- Discussed the roadway and access.
- Went over recommendation #5.

Shaune O'Neil (DPW Director)

- Nelson Road will be made as a higher standard roadway.
- Gave an overview of what will be changing on Nelson Road with Trunk Road construction.
- The school bus traffic was off of Abby Road in the past, but is now off of Nelson Road.
- Signage and speed bumps would help alleviate some of the traffic.

DISCUSSION:

- Developer is doing the correct standard for the Lots and the roadways.
- More discussion the roadways.

VOTE:

- The motion passed with all in favor. There are 17 findings. Add #18: The Public Works Director is encouraged to look into traffic calming on Abby Road & Creekside Preserve. Add #19: The developer is encouraged to work with the Public Works Director and establish traffic calming provisions within Garden Terrace and Creekside Preserve.

CD 11:13:50 A.M.

BREAK

CD 11:25:16 A.M.

B. BOYD NORTH PUE

Sloan Von Gunten (Secretary)

- Stated that 39 public hearing notices were mailed out on November 10, 2011, to this date there has been one return, no objections, no non-objections, and one concern.

Amy Otto (Platting Technician)

- Gave an overview of the case.
- Agriculture statements will be under the 40-acre exemption.

Helga Larson (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.

Terry Nicodemus (Petitioner's Representative)

- The existing easement is private under the proposed public use easement along the north property line..
- Agrees with all conditions.



## MATANUSKA-SUSITNA BOROUGH

### Platting Division

350 East Dahlia Avenue • Palmer AK 99645-6488

Phone (907) 745-9874 • Fax (907) 746-7407

### NOTIFICATION OF ACTION

September 23, 2013

Turner Construction & Ingeborg Turner  
PO Box 3489  
Palmer, AK 99645

**RE: THE RANCH MSP**

**Case: 1984-416**

Action taken by the Platting Board on September 19, 2013 is as follows:

THE MODIFICATION OF CONDITION #4 OF THE PLATTING BOARD APPROVAL DATED DECEMBER 6, 2011 FOR THE RANCH MASTER PLAN REPLACING PHASE 5A WITH PHASE 3A AND THE DIVISION OF PHASE 3 INTO PHASE 3A WITH 43 LOTS AND PHASE 3B WITH 71 LOTS WAS APPROVED, CONTINGENT UPON THE FOLLOWING CONDITIONS / REASONS (see attached).

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

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

Kindest regards,

Ms. Katie Cruthers  
Chairman

cc:  
MSB/CP-EN

Besse Engineering  
1890 Jamie Marie Circle  
Wasilla, AK 99654

**CONDITIONS of APPROVAL:**

The Platting Board approved the modification of Condition #4 of the Platting Board Approval dated December 6, 2011 for The Ranch Master Plan replacing Phase 5A with Phase 3A and the division of Phase 3 into Phase 3A with 43 lots and Phase 3b with 71 lots, contingent upon the following:

1. Comply with the prior conditions of approval.

**FINDINGS:**

1. The Ranch Master Plan currently expires December 4, 2018.
2. Recordation of Phase 3A (43 lots), will create a total of 273 platted lots within The Ranch.
3. Phase 5A contains 43 lots, the same number of lots in Phase 3A, meeting the intent of Condition #4 of the Platting Board conditions of approval dated December 6, 2011.
4. The division of Phase 3 into Phase 3A (43 lots) and Phase 3B (71 lots) does not change the existing conditions of approval.
5. Trunk Road South is high on the borough's priority list and will probably be completed within three years, according to Shaune O'Neill, the previous Director of Public Works.
6. Trunk Road South Extension project is at 75% design status.
7. The taxpayers will benefit from this phased paving plan because Mr. Turner has entered into an agreement to provide the right-of-way through his property for the Trunk Road South project. Not having to negotiate for that right-of-way will save the taxpayers enormously.
8. The Trunk Road South project is needed for several reasons: Nelson Road, because it is gravel, requires more maintenance than if it were paved; school buses currently travel on Nelson Road which is a circuitous route to get to Machetanz Elementary School; Emergency Services will also be enhanced with more direct access; and the existing population will have a better route to the Parks Highway with the South Trunk Road extension.
9. Brad Sworts, Transportation Planner for the borough has previously stated that once Trunk Road South is completed and Nelson Road is paved, that route would become the primary route to the school because of the numerous sharp angles, speed bumps and stop signs drivers are faced with going through Abby, Brome and Creekside Dr.
10. The right-of-way for Creekside Drive and Billy Jean Drive is 50' wide as they cross into The Ranch. 60' wide is the standard for subcollector and higher roads.
11. There were no public comments received as a result of the public noticing.

**A. THE RANCH MSP**

Sloan Von Gunten (Secretary)

- Stated that 184 public hearing notices were mailed out on August 29, 2013, to this date there has been 4 returns, no objections, no non-objections, and no concerns.

Peggy Fowler (Platting Technician)

- Gave an overview of the case.

Katie Cruthers (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.

Rick Besse (Petitioner's Representative)

- Explained that this action is more economical at this time.

**Mr. Tait Zimmerman arrived at the meeting.**

MOTION:

- Mr. Robinson moved to approve the modification of Condition #4 of the Platting Board Approval dated December 6, 2011 for The Ranch Master Plan replacing Phase 5A with Phase 3A and the division of Phase 3 into Phase 3A with 43 lots and Phase 3B with 71 lots, seconded by Mr. Marty Van Diest.

VOTE:

- The motion passed with all in favor. There are 11 findings.

**TIME: 8:57 A.M.**

**CD: 00:34:46**

**B. MOOSE PARK**

Sloan Von Gunten (Secretary)

- Stated that 47 public hearing notices were mailed out on September 4, 2013, to this date there has been no returns, no objections, no non-objection, and no concerns.

Lisa Gray (Platting Technician)

- Gave an overview of the case.

Katie Cruthers (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.

Gary LoRusso (Petitioner's Representative) & Bill Klebesadel (Engineer)

- Explained why they are making the correction to the road classification on the plat.



# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Platting Division

350 East Dahlia Avenue • Palmer AK 99645

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

June 9, 2014

## NOTIFICATION OF ACTION

Arctic Devco, Inc.  
PO Box 3489  
Palmer, AK 99645

**RE: THE RANCH MSP**

**CASE: 1984-416**

Action taken by the Platting Board on June 5, 2014 is as follows:

THE MODIFICATION OF THE CONDITION OF APPROVAL FOR THE RANCH MASTER PLAN DATED SEPTEMBER 23, 2013 TO REPLACE PHASE 3A (43 LOTS) WITH PHASE 3A-1(30 LOTS) AND PHASE 6C (23 LOTS) AND THE DIVISION OF PHASE 3A & 3B INTO THREE SEPARATE PHASES, WAS APPROVED, CONTINGENT UPON THE FOLLOWING CONDITIONS / REASONS (see attached).

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

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

Kindest regards,

*Katie Cruthers*

Ms. Katie Cruthers  
Platting Board Chair

cc:

CPD/ENG

Besse Engineering  
1890 Jamie Marie Circle  
Wasilla, AK 99654

Richard Buzby  
2048 S. Creekside Dr.  
Wasilla, AK 99654

Deborah Walser  
2130 S. Sweetie Pie St.  
Wasilla, AK 99654

David Maniccia  
736 Dumaine Ct.  
Bossier City, LA 71111-6273

Steven Kessler  
2381 S. Paddock Dr.  
Wasilla, AK 99654

**EXHIBIT D - 53**

**CONDITIONS of APPROVAL:**

The Platting Board approved the condition of approval for The Ranch Master Plan dated September 23, 2013 to replace Phase 3A (43 lots) with Phase 3A-1 (20 lots) and Phase 6C (23 lots) and the division of Phase 3A & 3B into three separate phases, contingent upon the following:

1. Comply with the prior conditions of approval.
2. Obtain borough road signoff for Nelson Road between Withers and Trot.

**FINDINGS**

1. The Ranch Master Plan currently expires December 4, 2018.
2. Recordation of Phase 3A-1 (20 lots) and Phase 6C (23 lots), will create a total of 273 platted lots within The Ranch.
3. Phase 3A contains 43 lots, the same number of lots in Phase 3A-1 & 6C, meeting the intent of Condition #4 of the Platting Board conditions of approval dated December 6, 2011 which approved the Paving Plan.
4. The division of Phase 3A & 3B into Phase 3A-1 (20 lots) and Phase 3A-2 (39 lots) and Phase 3B-1 (55 lots) does not change the existing conditions of approval.
5. The right-of-way for Creekside Drive and Billy Jean Drive is 50' wide as they cross into The Ranch. 60' wide is the standard for subcollector and higher roads.
6. There were three public comments received as a result of the public noticing. Objections to any additional phases being developed due to higher traffic levels, unsafe roads, number of accidents. Objection to construction traffic using S. Paddock.

GENERAL CONSENT: The minutes were approved without objection.

### 3. PRESENTATION

- Brad Sworts and Mike Brown from Capital Projects Department gave a presentation and a brief update on the Trunk Road Extension South project and answered any questions from the board.

TIME: 8:50 A.M.

CD: 00:20:37

### 4. UNFINISHED BUSINESS

#### A. THE RANCH MASTER PLAN

Sloan Von Gunten (Secretary)

- Stated that 350 public hearing notices were mailed out on May 15, 2014, to this date there has been 6 returns, 1 objection, no non-objections, and 3 concerns.

Peggy Fowler (Platting Technician)

- Gave an overview of the case.

Mr. Zimmerman, Mr. Gillespie, and Mr. Marty Van Diest let the board know of their involvement as an appeal representative and as a community council member, and asked if they should be excused due to ex-parte contact. The platting board approved that they were not in ex-parte contact or in conflict to the case.

Katie Cruthers (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.

Rick Besse (Petitioner's Representative)

- Gave a brief overview of the changes to the master plan.

MOTION:

- Mr. Jay Van Diest moved to approve the modification of the condition of approval for The Ranch Master Plan dated September 23, 2013 to replace Phase 3A (43 lots) with Phase 3A-1(20 lots) and Phase 6C (23 lots) and the division of Phase 3A & 3B into three separate phases, seconded by Mr. Zimmerman.

DISCUSSION:

- Findings #5, #6, #7, #8 and #9, should be removed as it pertains to the Trunk Road South project, not to the action being considered today.

FINDINGS:

- Remove findings #5, #6, #7, #8 and #9.

**EXHIBIT D-55**

MOTION to AMEND:

- Ms. Sorenson moved to amend the motion for The Ranch Master Plan to remove findings #5, #6, #7, #8 and #9, seconded by Mr. Gillespie.

VOTE on AMENDMENT:

- The amendment to the motion passed with all in favor.

VOTE on MOTION:

- The motion passed with all in favor. There are 6 findings.

**TIME: 9:16 A.M.**

**CD: 00:47:13**

**5. PUBLIC HEARINGS**

**A. TIDEWATER ESTATES**

Sloan Von Gunten (Secretary)

- Stated that 24 public hearing notices were mailed out on May 15, 2014, to this date there has been no returns, no objections, no non-objections, and 1 concern.

Peggy Fowler (Platting Technician)

- The Petitioner requests a continuance to July 3, 2014 to gather more information from DNR on a trail way.

Katie Cruthers (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, kept the public hearing open.

MOTION:

- Mr. Zimmerman moved to continue the public hearing for Tidewater Estates to July 3, 2014, seconded by Mr. Marty Van Diest.

VOTE:

- The motion passed with all in favor.

**TIME: 9:19 A.M.**

**CD: 00:50:37**

**B. BRITCHENSTRAP**

Sloan Von Gunten (Secretary)

- Stated that 44 public hearing notices were mailed out on May 15, 2014. to this date there has been 1 return, no objections, no non-objections, and 1 concern.

**EXHIBIT D-56**



# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Platting Division

350 East Dahlia Avenue • Palmer AK 99645

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

May 11, 2016

## NOTIFICATION OF ACTION

Arctic Devco, Inc.  
PO Box 3489  
Palmer, AK 99645

**RE: THE RANCH MASTER PLAN**

**CASE: 1984-416**

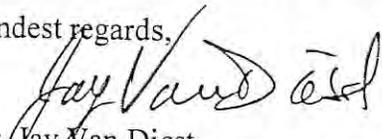
Action taken by the Platting Board on May 5, 2016 is as follows:

THE MODIFICATION OF PHASE LINES WITHIN THE RANCH MASTER PLAN PHASE 3A-2 AND THE RECORDING OF PHASE 3A-2A PRIOR TO COMPLETION OF THE TRUNK ROAD EXTENSION SOUTH CONSTRUCTION FOR THE PARKS HIGHWAY TO NELSON ROAD WAS DENIED WITH THE FOLLOWING REASONS (see attached).

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

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

Kindest regards,

  
Mr. Jay Van Diest  
Platting Board Chairman

cc:

DPW – Jamie Taylor

Besse Engineering  
1890 Jaime Marie Circle  
Wasilla, AK 99654

Troy Malstrom  
1710 S. Oat Street  
Wasilla, AK 99654

Chris Wallstrum  
PO Box 876415  
Wasilla, AK 99687

Bobby Hubbard  
PO Box 873666  
Wasilla, AK 99687

Deborah Walser  
2130 S. Sweetie Pie Street, Wasilla, AK 99654

Alex Drobenko  
1835 N. Patsy Street, #A  
Wasilla, AK 99654

Richard Buzby  
2048 S. Creekside Drive  
Wasilla, AK 99654

**EXHIBIT D-57**

**FINDINGS of DENIAL:**

The Platting Board denied the modification of phase lines within The Ranch Master Plan Phase 3A-2 and the recording of Phase 3A-2A prior to completion of the Trunk Road Extension South construction for the Parks Highway to Nelson Road, with the following findings:

1. The Ranch Master Plan currently expires December 4, 2018.
2. There are 273 platted lots with access to Fireweed Road and the Parks Hwy from Nelson Road to the East and access to Fairview Loop via Creekside Drive, Brome Ave and Abby Blvd to the North.
3. Brad Sworts, MSB Pre-Design & Engineering Division Manager, stated: "The Trunk Road Extension South project has restarted (now out of winter shut-down) with the following work either completed or in process:
  - The base for the road embankment between Nelson Road and the ARRC tracks has been placed with additional material stockpiled on top to accelerate any settlement that may occur.
  - The foundation and (MSE) retaining wall on the north side of the ARRC tracks are being constructed for the road bridge over the railroad.
  - The foundation and (MSE) retaining wall on the south side of the ARRC tracks will be constructed in early to mid-May.
  - The concrete girders for the road bridge over the railroad are being created in Washington State this week. Mid-June the girders they will leave Seattle by barge. By first week of July girders should be trucked to the project site.
  - Completion of the roundabout has been affected/delayed by ADOT&PF's Parks Highway repaving project, but roundabout should be finished in August – September timeframe.
  - Funding is available to complete the roundabout and the bridge over the railroad. The project will need additional funding to complete the road approaches (bring the embankment elevations up to final grade) to the bridge on both the north and south sides of the track."
4. Brad Sworts, MSB Transportation Planner has previously stated that once Trunk Road South is completed and Nelson Road is paved, that route would become the primary route to the school because of the numerous sharp angles, speed bumps and stop signs drivers are faced with going through Abby, Brome and Creekside Dr.
5. The petitioner has not demonstrated to the platting board's satisfaction that traffic will be prohibited from using ingress and egress other than Nelson Road, which is a requirement for the borough's support.
6. Two objections from nearby property owners were received as a result of the public noticing. Mr. Buzby does not support the addition of more lots as roads do not support the current traffic. Ms. Walser does not want more development until infrastructure is completed.
7. Traffic signs do not guarantee traffic will use Nelson Road to Fireweed Route to access The Ranch.

8. In December 2011, Platting Board place a condition of approval stating: "Other than the three phases laid out in the petitioner's paving plan dated November 14, 2011, no additional phases are to record until a collector standard road is constructed connecting Nelson Road to an equal or higher standard public road.

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on May 5, 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 Chairman, Mr. Jay Van Diest.

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

**C. APPROVAL OF THE AGENDA**

The Chairman, Jay Van Diest inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved with changes without objection.

**2. APPROVAL OF MINUTES**

The Chairman, Jay Van Diest inquired if there were any changes to the minutes.

GENERAL CONSENT: The minutes for April 21, 2016, were approved without objection.

**3. UNFINISHED BUSINESS**

**A. THE RANCH MASTER PLAN PHASING**

Sloan Von Gunten (Administrative Specialist)

- Stated that 386 public hearing notices were mailed out on April 14, 2016, to this date

**EXHIBIT D-60**

there have been 10 returns, 2 objections, no non-objections, and no concerns.

Peggy Horton (Platting Technician)

- Gave an overview of the case.

Mr. Zimmerman arrived at the meeting.

Jay Van Diest (Chairman)

- Opened the public hearing and asked any members of the public wishing to speak to come forward.

Troy Malstrom (Owner of Lot 8 in Garden Terrace Estates Subdivision)

- Would like to see the roads completed first before adding more lots to the master plan.
- Concerned about safety and traffic as more lots are added to the area.

Chris Wallstrum (Owner of Lot 4 in Creekside Heights Subdivision)

- Concerned about safety in the area.
- Does not believe the added signage is enough for the roadway and the added lots.

Bobby Hubbard (representative for Hubbard Enterprises)

- Agrees with the alternate access for doing the construction.

Alex Drobenko (Owner of Lot 3 in The Ranch Phase 6C Subdivision)

- As a home owner and also a construction worker in The Ranch subdivision the traffic is steady and has not increased that much for the last 6 years.

Jay Van Diest (Chairman)

- Closed the public hearing.

Richard Besse (Petitioner's Representative) & Inge Turner (Arctic Devco Representative)

- Explained the modifications to phase 3A-2 on the master plan.
- Answered questions from the board on the property and roadways.
- Agrees with all the recommendations.

MOTION:

- Mr. Anderson moved to approve the modification of phase lines within The Ranch Master Plan Phase 3A-2 and the recording of Phase 3A-2A prior to completion of the Trunk Road Extension South construction for the Parks Hwy to Nelson Road, seconded by Mr. Zimmerman. Modify finding #11 and add #13 and #14.

DISCUSSION:

- Discussion about the roadways and the signage for The Ranch
- Discussion about approving the modification to phase 3A-2.

**EXHIBIT D-61**

FINDINGS:

- Modify #11: The petitioner has proposed how traffic will be detoured to use Nelson Road ingress and egress other than Nelson Road, which is a requirement for the borough's support.
- Add #13: The petitioner stated that the contract that is written between the petitioner and the contractors will require their employees to use Fireweed and Nelson Road from the east to access phase 3A-2A.
- Add #14: The petitioner state that traffic using Fireweed to Nelson would be enforced by the troopers because signage directing traffic would be DOT approved.

VOTE:

- The motion failed with 4 against (Mr. Pugh, Mr. Johnson, Ms. Hansen, and Mr. Jay Van Diest) and 3 in favor. (Mr. Anderson, Mr. Zimmerman, and Mr. Gillespie)

FINDINGS FOR DENIAL:

1. The Ranch Master Plan currently expires December 4, 2018.
2. There are 273 platted lots with access to Fireweed Road and the Parks Hwy from Nelson Road to the East and access to Fairview Loop via Creekside Drive, Brome Ave and Abby Blvd to the North.
3. Brad Sworts, MSB Pre-Design & Engineering Division Manager, stated: "The Trunk Road Extension South project has restarted (now out of winter shut-down) with the following work either completed or in process:
  - The base for the road embankment between Nelson Road and the ARRC tracks has been placed with additional material stockpiled on top to accelerate any settlement that may occur.
  - The foundation and (MSE) retaining wall on the north side of the ARRC tracks are being constructed for the road bridge over the railroad.
  - The foundation and (MSE) retaining wall on the south side of the ARRC tracks will be constructed in early to mid-May.
  - The concrete girders for the road bridge over the railroad are being created in Washington State this week. Mid-June the girders they will leave Seattle by barge. By first week of July girders should be trucked to the project site.
  - Completion of the roundabout has been affected/delayed by ADOT&PF's Parks Highway repaving project, but roundabout should be finished in August – September timeframe.
  - Funding is available to complete the roundabout and the bridge over the railroad. The project will need additional funding to complete the road approaches (bring the embankment elevations up to final grade) to the bridge on both the north and south sides of the track."
4. Brad Sworts, MSB Transportation Planner has previously stated that once Trunk Road South is completed and Nelson Road is paved, that route would become the primary route to the school because of the numerous sharp angles, speed bumps and stop signs drivers are faced with going through Abby, Brome and Creekside Dr.

**EXHIBIT D-62**

5. The petitioner has not demonstrated to the platting board's satisfaction that traffic will be prohibited from using ingress and egress other than Nelson Road, which is a requirement for the borough's support.
6. Two objections from nearby property owners were received as a result of the public noticing. Mr. Buzby does not support the addition of more lots as roads do not support the current traffic. Ms. Walser does not want more development until infrastructure is completed.
7. Traffic signs do not guarantee traffic will use Nelson Road to Fireweed Route to access The Ranch.
8. In December 2011, Platting Board place a condition of approval stating: "Other than the three phases laid out in the petitioner's paving plan dated November 14, 2011, no additional phases are to record until a collector standard road is constructed connecting Nelson Road to an equal or higher standard public road.

**TIME: 2:42 P.M.**

**CD: 01:42:21**

#### **4. PUBLIC HEARINGS**

##### **A. BARRY'S FINGER LAKE #2 RSB L/5, 8, 13A & 14 W/ ROW VACATION**

Sloan Von Gunten (Administrative Specialist)

- Stated that 69 public hearing notices were mailed out on April 14, 2016, to this date there have been 1 return, no objection, 1 non-objection, and no concerns.

Peggy Horton (Platting Technician)

- Gave an overview of the case.

Jay Van Diest (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.

Matthew Knepper (Petitioner) & Craig Hanson (Petitioner's Representative)

- Agrees with all the recommendations.

#### **MOTION:**

- Mr. Zimmerman moved to approve the preliminary plat for Barry's Finger Lake #2 RSB L/5, 8, 13A & 14 and a vacation of that portion of the platted 20' right-of-way, seconded by Mr. Johnson.

#### **DISCUSSION:**

- Mr. Anderson would like to know if DOT has concerns on access for lot 5A onto Bogard Road.

**EXHIBIT D -63**

RECEIVED

MAY 25 2016

PLANNING

Platting Division  
Planning and Land Use Department  
Palmer, AK 99645

Subject: Extension of the Ranch Master Plan  
MSB Case No. 1984-416

Dear Ms. Horton:

This letter supplements our request dated May 18, 2016 for extension of the Ranch Master Plan for seven years.

The Ranch Master Plan was originally approved in 1984. A revised plan was approved on December 26, 2008 with an expiration date of December 4, 2013. The expiration was extended five years by adoption of MSBC 43.15.016(H)(8) to December 4, 2018.

Over the many years the master plan has been in effect, we have completed numerous phases. Development has been limited by access conditions imposed by the Platting Board. On December 6, 2011, the Board clarified the access condition by allowing certain phases to proceed but conditioning approval of the remainder of the phases on completion of Trunk Road South into the subdivision. We have completed all of the phases allowed by that action. When we entered into an agreement with the Borough to donate the corridor for Trunk Road South extension, an anticipated completion date of 2015 was targeted.

Our application to allow a small phase to be completed in 2016 was recently denied. Development of The Ranch is therefore now at a standstill. We learned that the Borough now does not expect to complete the road despite building the bridge itself over the Alaska Railroad tracks. The Board was told in that case that it is presently

EXHIBIT E-1

unknown when funding will be available to complete the Trunk Road South project.

We accordingly are requesting a seven year extension of the master plan to December 4, 2025.

Respectfully submitted ,  
May 25, 2016



Arctic Devco Inc, Sec Treasurer



Ingeborg M Turner , Land Owner

EXHIBIT E-2

## Peggy Horton

---

**From:** Brad Sworts  
**Sent:** Thursday, April 28, 2016 12:12 PM  
**To:** Peggy Horton  
**Cc:** Bob Walden  
**Subject:** RE: Trunk Road Extension South status

Peggy,

The Trunk Road Extension South project has restarted (now out of winter shut-down) with the following work either completed or in process:

- The base for the road embankment between Nelson Road and the ARRC tracks has been placed with additional material stockpiled on top to accelerate any settlement that may occur.
- The foundation and (MSE) retaining wall on the north side of the ARRC tracks are being constructed for the road bridge over the railroad.
- The foundation and (MSE) retaining wall on the south side of the ARRC tracks will be constructed in early to mid-May.
- The concrete girders for the road bridge over the railroad are being created in Washington State this week. Mid-June the girders they will leave Seattle by barge. By first week of July girders should be trucked to the project site.
- Completion of the roundabout has been affected/delayed by ADOT&PF's Parks Highway repaving project, but roundabout should be finished in August – September timeframe.

Funding is available to complete the roundabout and the bridge over the railroad. The project will need additional funding to complete the road approaches (bring the embankment elevations up to final grade) to the bridge on both the north and south sides of the track.

### Brad Sworts

*MSB Pre-Design & Engineering Division Mgr.  
Capital Projects Department*

1-907-861-7715 office  
mailing: 350 E. Dahlia Ave., Palmer, AK 99645  
physical: 533 E. Fireweed Ave., Palmer, AK 99645  
web: [www.matsugov.us](http://www.matsugov.us)

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---

**From:** Peggy Horton  
**Sent:** Thursday, April 28, 2016 10:27 AM  
**To:** Brad Sworts; Bob Walden  
**Subject:** Trunk Road Extension South status

Gentlemen,

The Ranch Master Plan is going back before the Platting Board next week (5/5/2016) to request an additional 20 lots be platted prior to Trunk Road Extension South completion. Mr. Moosey has provided a letter of support for this limited development.

Can I get a status on that project please? Is money available to complete it? Do you have a timeframe for completion?

## Peggy Horton

---

**From:** Susan Lee  
**Sent:** Friday, May 20, 2016 12:40 PM  
**To:** Platting  
**Subject:** RE: Request for Comments for The Ranch Case #1984-416 Tech: PH

No comment.

Susan

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

---

**From:** Peggy Horton **On Behalf Of** Platting  
**Sent:** Friday, May 20, 2016 9:25 AM  
**To:** [holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov); [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); [planning@ci.wasilla.ak.us](mailto:planning@ci.wasilla.ak.us); publicworks; Stan Gillespie ([stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)); [ken@slauson.us](mailto:ken@slauson.us); 'dmelliott@mtaonline.net' ([dmelliott@mtaonline.net](mailto:dmelliott@mtaonline.net)); John Aschenbrenner; 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; [brian.young@usps.gov](mailto:brian.young@usps.gov); George McKee  
**Cc:** Jay Van Diest ([jay@valleymarket.com](mailto:jay@valleymarket.com)); LaMarr Anderson ([lamarra05@gmail.com](mailto:lamarra05@gmail.com)); Stan Gillespie ([stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)); [jordan@alaskaplans.com](mailto:jordan@alaskaplans.com); Tait Zimmerman ([tait@zimmermanteamak.com](mailto:tait@zimmermanteamak.com)); Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com)); Amy Hansen ([amyhansenhomes@gmail.com](mailto:amyhansenhomes@gmail.com)); Marty Van Diest - Valley Market Real Estate ([marty@valleymarket.com](mailto:marty@valleymarket.com)); Gregory Pugh ([winforhim@aol.com](mailto:winforhim@aol.com))  
**Subject:** Request for Comments for The Ranch Case #1984-416 Tech: PH

Good Morning,

Attached is a request for a seven-year extension for The Ranch Master Plan. Please review and provide any comments you have by June 6, 2016.

## Peggy Horton

---

**From:** Jamie Taylor  
**Sent:** Friday, May 27, 2016 3:55 PM  
**To:** Platting  
**Cc:** Peggy Horton  
**Subject:** RE: Request for Comments for The Ranch Case #1984-416 Tech: PH

No comment.

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](mailto:jamie.taylor@matsugov.us)  
<http://www.matsugov.us/>

---

**From:** Peggy Horton **On Behalf Of** Platting  
**Sent:** Friday, May 20, 2016 9:25 AM  
**To:** [holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov); [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); [planning@ci.wasilla.ak.us](mailto:planning@ci.wasilla.ak.us); [publicworks](mailto:publicworks); Stan Gillespie ([stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)); [ken@slauson.us](mailto:ken@slauson.us); 'dmelliott@mtaonline.net' ([dmelliott@mtaonline.net](mailto:dmelliott@mtaonline.net)); John Aschenbrenner; 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; [brian.young@usps.gov](mailto:brian.young@usps.gov); George McKee  
**Cc:** Jay Van Diest ([jay@valleymarket.com](mailto:jay@valleymarket.com)); LaMarr Anderson ([lamarra05@gmail.com](mailto:lamarra05@gmail.com)); Stan Gillespie ([stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)); [jordan@alaskaplans.com](mailto:jordan@alaskaplans.com); Tait Zimmerman ([tait@zimmermanteamak.com](mailto:tait@zimmermanteamak.com)); Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com)); Amy Hansen ([amyhansenhomes@gmail.com](mailto:amyhansenhomes@gmail.com)); Marty Van Diest - Valley Market Real Estate ([marty@valleymarket.com](mailto:marty@valleymarket.com)); Gregory Pugh ([winforhim@aol.com](mailto:winforhim@aol.com))  
**Subject:** Request for Comments for The Ranch Case #1984-416 Tech: PH

Good Morning,

Attached is a request for a seven-year extension for The Ranch Master Plan. Please review and provide any comments you have by June 6, 2016.

**EXHIBIT H**

## Peggy Horton

---

**From:** Tina Crawford <tcrawford@ci.wasilla.ak.us>  
**Sent:** Monday, May 23, 2016 9:39 AM  
**To:** Peggy Horton  
**Subject:** RE: Request for Comments for The Ranch Case #1984-416 Tech: PH

Peggy,

The Planning and Public Works departments do not have any comments/concerns. Thanks!

### Tina Crawford, AICP

City Planner  
City of Wasilla Planning Department  
290 E. Herning Avenue  
Wasilla, AK 99654  
(907) 373-9022  
(907) 373-9021 fax

---

**From:** Planning  
**Sent:** Friday, May 20, 2016 10:16 AM  
**To:** Tina Crawford  
**Subject:** FW: Request for Comments for The Ranch Case #1984-416 Tech: PH

---

**From:** Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting  
**Sent:** Friday, May 20, 2016 9:25 AM  
**To:** [holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov); [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); Planning; publicworks; Stan Gillespie ([stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)); [ken@slauson.us](mailto:ken@slauson.us); 'dmelliott@mtaonline.net' ([dmelliott@mtaonline.net](mailto:dmelliott@mtaonline.net)); John Aschenbrenner; 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; [brian.young@usps.gov](mailto:brian.young@usps.gov); George McKee  
**Cc:** Jay Van Diest ([jay@valleymarket.com](mailto:jay@valleymarket.com)); LaMarr Anderson ([lamarra05@gmail.com](mailto:lamarra05@gmail.com)); Stan Gillespie ([stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)); [jordan@alaskaplans.com](mailto:jordan@alaskaplans.com); Tait Zimmerman ([tait@zimmermanteamak.com](mailto:tait@zimmermanteamak.com)); Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com)); Amy Hansen ([amyhansenhomes@gmail.com](mailto:amyhansenhomes@gmail.com)); Marty Van Diest - Valley Market Real Estate ([marty@valleymarket.com](mailto:marty@valleymarket.com)); Gregory Pugh ([winforhim@aol.com](mailto:winforhim@aol.com))  
**Subject:** Request for Comments for The Ranch Case #1984-416 Tech: PH

Good Morning,

Attached is a request for a seven-year extension for The Ranch Master Plan. Please review and provide any comments you have by June 6, 2016.

**EXHIBIT I**



## 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:** 25 May 2016  
**TO:** Peggy Horton, Platting Technician  
**FROM:** Sandra Cook, Architectural Historian  
**SUBJECT:** Preliminary App  
**TITLE:** The Ranch Master Plan  
**LEGAL:** Section 17, 19, 20, 21, T17N, R01E, SM  
**TAX MAP:** WA 10 & 15

### NO OBJECTION -- Caution

Cultural Resources Division staff has reviewed the above application and finds there are **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 Planning action on said property, we recommend caution during construction or related activities in the event cultural remains may come to light or be recovered. 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) 861-8436. 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 J**

**Peggy Horton**

---

**From:** Deb Walser <djanel2130@yahoo.com>  
**Sent:** Tuesday, May 31, 2016 1:12 PM  
**To:** Platting  
**Cc:** dragoncatcher72@gmail.com  
**Subject:** Platting Meeting June 8, 2016

objections  
**RECEIVED**  
MAY 31 2016  
**PLATTING**

In reference to the proposed petitioner requesting to extend his current Ranch Master Plan by seven years, I would like to see this petition denied.

Though promises keep being made to upgrade the infrastructure, the current infrastructure already needs upgrading. The current road surfaces are showing wear and tear, for an incredibly busy community with the overall demographics of young professionals many with smaller children, it is inconceivable that there are no safety guidelines that have yet been presented nor implemented. Among these items that would have allowed for more favorable future development are:

- 1.) Sidewalks and bike paths for the current community members to enjoy and to avoid near misses and other tragedies that may occur. We have children walking the sides of the road in the dark to bus stops.
- 2.) Curbs to protect the edges of the roadway from crumbling....many vehicles now swerve to avoid crumbling sections of roadway
- 3.) The much needed secondary collector road connecting Nelson Road to an equal or higher standard public road
- 4.) The multiple sewer fields on small lot sizes that will eventually end up leaching into Wasilla Creek or other water sources. Most suburban communities have a commercial sewage waste disposal system to connect into that precludes each home having a separate one. Common sense and logic dictates that at some point enough is enough.

To keep adding extensions only allows the developer to ignore the items addressed above. I would suggest quite strongly that the Ranch Master Plan expire at its current date of December 4, 2018.

Respectfully,

Deborah J. Walser  
2130 S Sweetie Pie St  
Wasilla, AK 99654



**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 \$ 000.46<sup>5</sup>  
 02 1W  
 0001399405 MAY 26 2016

objection  
 RECEIVED

JUN 0 1 2016

FIRST CLASS

56983B13L034  
 ✓ BOOTHE MICHAEL  
 SEARS GENOA K  
 PO BOX 670814  
 CHUGIAK AK 99567

22 PLATTING

*Genoa K. Sears*

*M. Booth*

Phase 7A; Block 13; Lot 34

**NOTIFICATION OF PUBLIC HEARING**

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

**PETITIONER: REXFORD & INGBOG TURNER, ARCTIC DEVCO, INC., TURNER CONSTRUCTION**  
 (owners/petitioners)

**REQUEST:** The request is for the Platting Board to grant a 7-year extension for **THE RANCH MASTER PLAN** from the present expiration date of December 4, 2018 to December 4, 2025. On May 5, 2016, the Platting Board denied development of additional phases until a collector standard road is constructed connecting Nelson Road to an equal or higher standard public road.

**LOCATION:** Located within Sec 17, 19, 20 & 21, T17N, R01E, S.M. AK, lying south and west of the Alaska Railroad and bisected by Wasilla Creek.

**Community Council:** Gateway      **Assembly District:** #3: George McKee      **Area:** 973.21 Acres +/-

The Matanuska-Susitna Borough **Platting Board** will hold a public hearing in the **Assembly Chambers** of the **Dorothy Swanda** **Res Building**, 350 E. Dahlia Avenue, Palmer, Alaska on the proposed **Master Plan Extension** on **June 16, 2016**. The meeting begins 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 600' 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: [plattling@matsugov.us](mailto:plattling@matsugov.us). Comments received by 3:00 PM one week prior to the meeting, **June 8, 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, **Peggy Horton** at (907) 861-7881 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](http://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 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: Boothe, Michael L      Address: 5272 E. Beak Circle  
SEARS, GENOA K

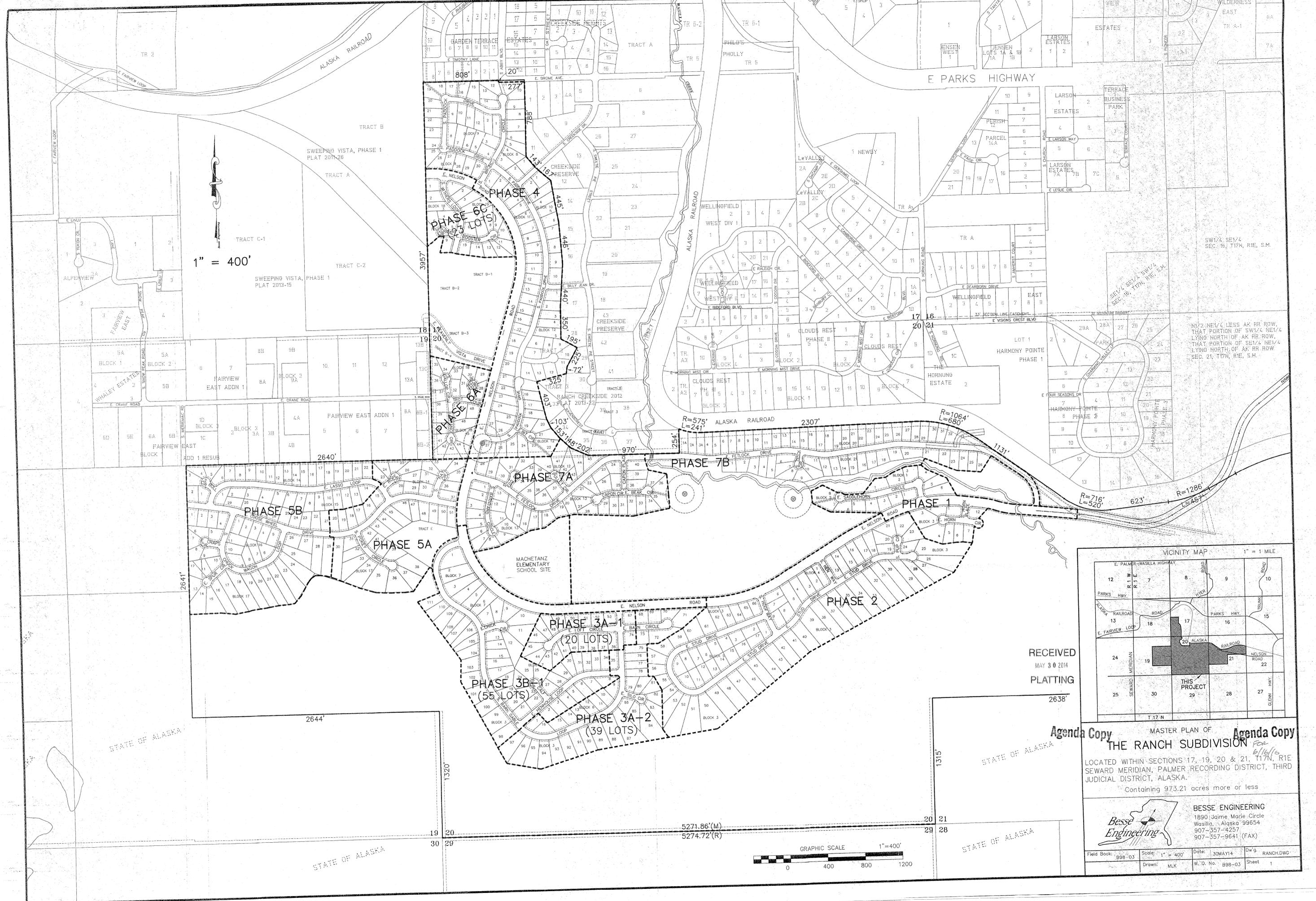
Comments: NO EXTENSION UNTIL BETTER ROADS; NELSON ROAD

NEEDS PAVED; TRAFFIC especially at school time

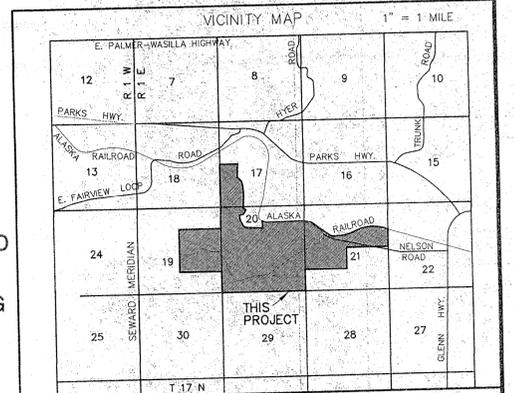
Case #1984-416 PH      Note: Vicinity Map Located on Reverse Side

is horrible. There are not enough ways  
in and out of here and it is. M. Booth

EXHIBIT K-2



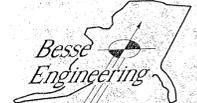
1" = 400'



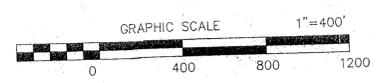
RECEIVED  
MAY 30 2014  
PLATTING

Agenda Copy  
MASTER PLAN OF  
THE RANCH SUBDIVISION  
Agenda Copy

LOCATED WITHIN SECTIONS 17, 19, 20 & 21, T17N, R1E SEWARD MERIDIAN, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, ALASKA.  
Containing 973.21 acres more or less



BESSE ENGINEERING  
1890 Jaime Marie Circle  
Wasilla, Alaska 99654  
907-357-4257  
907-357-9641 (FAX)



|                    |                  |               |                    |
|--------------------|------------------|---------------|--------------------|
| Field Book: 898-03 | Scale: 1" = 400' | Date: 30MAY14 | Dwg. No. RANCH.DWG |
| Drawn: MLK         | W.O. No. 898-03  | Sheet 1       |                    |

**3B**

**STAFF REVIEW AND RECOMMENDATIONS  
PUBLIC HEARING  
JUNE 16, 2016**

PRELIMINARY PLAT:       **N. NORTHGATE PLACE PUBLIC USE EASEMENT**  
LEGAL DESCRIPTION:       **SEC 31, T18N, R01E, SM, AK**  
PETITIONER(S):           **DALE HAMMITT, NORTHGATE ALASKA**  
SURVEYOR:                 **ALL POINTS NORTH, MAX SCHILLINGER, RPLS**  
ACRES: NA                 **PARCELS: NA**  
REVIEWED BY:             **AMY OTTO-BUCHANAN**                               **CASE: 2016-044**

---

This case was originally heard and approved by the Platting Board on May 5, 2016, written notification May 11, 2016. The request is to create a 60' wide, 300' long Public Use Easement with a T-turnaround, in the northeast corner of Tract B, Gemstone Estates, Phase 1, Section 31, Township 18 North, Range 01 East, SM AK, to be known as N. NORTHGATE PLACE. It was determined the 15' wide utility easement on the northern boundary of Tract A, Gemstone Estates, Phase 1, which was created by the plat of Roetman's Ridge, Plat No. 90-62, will need to be eliminated within the 60' wide Public Use Easement, as the Borough does not accept public rights-of-way that have an underlying interest in them.

**EXHIBITS**

|  |                  |
|--|------------------|
| Vicinity Map   | <b>Exhibit A</b> |
| Notification of Action, dated May 11, 2016                   | <b>Exhibit B</b> |
| Petition for Elimination/Modification of Utility ...Easement | <b>Exhibit C</b> |

**AGENCY COMMENTS**

|                                  |                  |
|----------------------------------|------------------|
| MEA's Letter of Non-Objection    | <b>Exhibit D</b> |
| MTA's Letter of Non-Objection    | <b>Exhibit E</b> |
| Enstar's Letter of Non-Objection | <b>Exhibit F</b> |
| GCI's Letter of Non-Objection    | <b>Exhibit G</b> |

**DISCUSSION:** Petitioner has submitted a Petition for Elimination/Modification of Utility ...Easement in accordance with MSB 43.15.032. The reason the 15' wide utility easement needs to be eliminated from the 60' wide proposed Public Use Easement is due to MSB the section of code, MSB 43.20.120(A)(1) Legal access, which states legal access shall be "an unrestricted public right-of-way" and also in MSB 43.20.120(A)(2) "dedicated or irrevocably conveyed to the public...." Under MSB 43.15.032(A)(1), the authority (the utility companies) having jurisdiction over the easement must consent. However, the platting officer may approve the vacation if there are currently no existing improvements within the subject easement - MSB 43.15.023(A)(1)(a); if necessary a substitute easement is provided - MSB 43.15.023(A)(1)(b); and findings of fact support the elimination - MSB 43.15.023(A)(1)(c).

Staff notes a substitute easement will be provided, as the utility companies will have the ability to use the Public Use Easement for utility lines, with an encroachment permit from MSB Permit Center. The elimination of the 60' wide portion of the 15' wide utility easement will be done by resolution and recorded with the Public Use Easement documentation. To be clear, the 15' wide utility easement platted by Roetman's Ridge, Plat No. 90-62, is the only existing easement in the subject area. A utility easement shown on a subsequent plat, ends at the eastern boundary of Lot 1, Block 6, Gemstone Estates Phase 1. The other utility easement has been released by document recorded at Book 168, Page 513, May 2, 1978.

Letters of Non-Objection from all of the utility companies are at Exhibits D-G.

**CONCLUSION:** The N. Northgate Place Public Use Easement is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.021 Public Use Easement Acceptance Procedure. The elimination of the 15' wide utility easement within the 60' wide proposed Public Use Easement is consistent with MSB 43.15.032 Elimination/Modification of Utility Easements. No objections were received from the general public in response to the Notice of Public Hearing.

#### **RECOMMENDATION FOR APPROVAL OF PUBLIC USE EASEMENT**

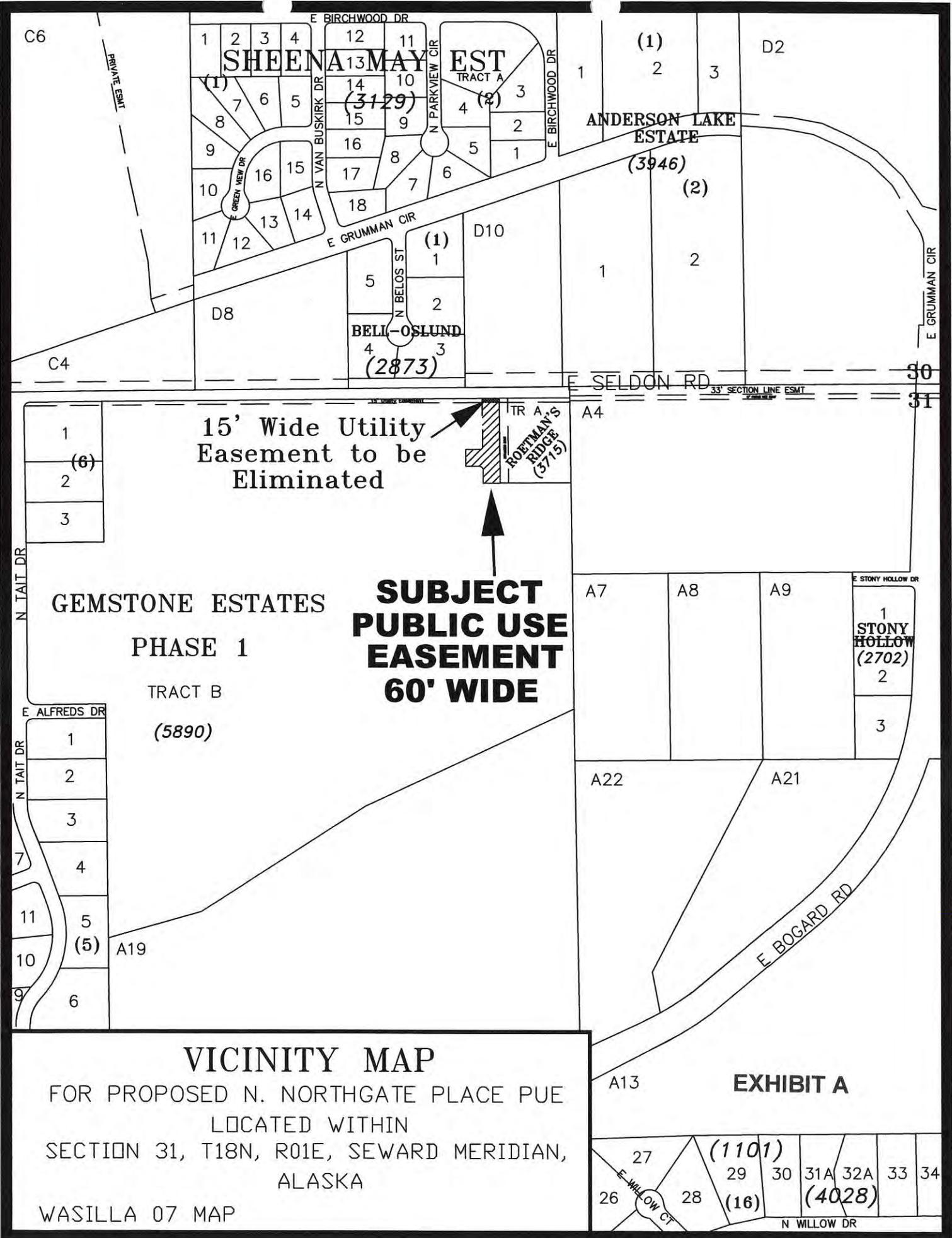
**Suggested motion: "I move to approve the N. Northgate Place Public Use Easement and Elimination of the 15' wide Utility Easement with the Public Use Easement, Section 31, Township 18 North, Range 01 East, Seward Meridian, Alaska, contingent on staff recommendations:"**

1. Obtain Assembly approval on the elimination of the 15' wide utility easement within 30 days of written platting board decision.
2. Provide updated Certificate to Plat executed within 90 days of recording and submit Beneficiary Acknowledgement for any holder of a beneficial interest.
3. Submit recording fee payable to State of Alaska, Department of Natural Resources (SOA/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 a legal and equitable interest, in full compliance with Title 43.
5. Eliminate the 15' wide utility easement within the 60' wide Public Use Easement by resolution and record with the Public Use Easement document.

#### **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) The elimination of the 15' wide utility easement within the 60' wide proposed Public Use Easement is consistent with MSB 43.15.032 Elimination/Modification of Utility Easements.
- 3) There were no objections from utility companies.
- 4) There were no objections from the general public in response to the Notice of Public Hearing.

- 5) Pursuant to MSB 43.15.023(A)(1)(b), a substitute easement will be provided, as the utility companies will have the ability to use the Public Use Easement for utility plants, with an encroachment permit from MSB Permit Center.



15' Wide Utility Easement to be Eliminated

**SUBJECT PUBLIC USE EASEMENT 60' WIDE**

GEMSTONE ESTATES  
PHASE 1  
TRACT B  
(5890)

**VICINITY MAP**

FOR PROPOSED N. NORTHGATE PLACE PUE  
LOCATED WITHIN  
SECTION 31, T18N, R01E, SEWARD MERIDIAN,  
ALASKA

WASILLA 07 MAP

**EXHIBIT A**

### PETITION FOR ELIMINATION OR MODIFICATION OF UTILITY, DRAINAGE, SANITATION, AND SCREENING EASEMENTS

Comes now the undersigned, NORTHGATE ALASKA, and petitions the Matanuska-Susitna Borough to eliminate or modify the *utility, slope, snow storage, drainage, sanitation, buffers or screening easement(s)* lying within the following described property, to-wit:

GEMSTONE ESTATES PHASE 1  
PLAT 2006-91

RECEIVED

MAY 11 2016

Said easement(s) being more fully described as:

15' wide utility easement created by Plat No. 90-62, Rockman's Ridge

PLATTING

NOTE: Utility easement eliminations may require non-objection letters from the service area utility companies as a condition of approval, see MSB 43.15.032.

Submitted herewith are the following:

1. A copy of the as-built showing the easement(s) to be vacated/modified (if due to encroachment)
2. \$500.00 Public Hearing Fee (no fee if submitted with Regular Plat) WAIVED 7.2. 5.11.16

The action sought by this petition is for the following reasons: (ATTACH PAGES, IF NEEDED)

TO COMPLY WITH MSB PLATTING REQUEST TO HAVE SERVICE AREA UTILITY COMPANIES SEND NON-OBJECTION LETTERS,

**APPLICANT** Name: NORTHGATE ALASKA Email: www.northgatealaska.com

**OR** Mailing Address: 2991 N. TAIT DRIVE Zip: 99654

**OWNER** Contact Person: DENNIS NOTCHKISS Phone: 907-864-6701  
DALE NAMMITT (406) 697-0271 OR MARTY KINGAID (907) 355-7047

**SURVEYOR** Name (FIRM): ALL POINTS NORTH Email: max@allpointsnorth.us  
PO Box 4207 PALMER, AK 99645

Mailing Address: 17600 E. RAMBLING RD Zip: 99645

Contact Person: MAX SCHILLINGER Phone: 907-746-4185

**SIGNATURES OF PETITIONER(S):**

Dale Hammitt 5.11.16

Dale Hammitt



**THIS AREA TO BE COMPLETED BY THE MATANUSKA-SUSITNA BOROUGH**

THE APPLICATION HAS BEEN REVIEWED AND FOUND TO MEET SUBMITTAL STANDARDS AS NOTED ABOVE.

5/11/16  
DATE

Amy G. Ott-Bush  
PLATTING DIVISION REPRESENTATIVE

SCHEDULED FOR PUBLIC HEARING ON: June 16, 2016

E SELDON RD.

(S 89°58'16" E)

15' UTILITY EASEMENT  
DOC. #2003-015123-0

15' UTILITY EASEMENT  
PLAT # 90-62



PORCION OF 15'  
UTILITY EASEMENT  
TO BE REMOVED

GEMSTONE ESTATES  
PHASE 1  
TRACT B  
PLAT #: 2006-91



N 00°06'03" W 190.14'

PUBLIC USE EASEMENT

N. NORTHGATE PLACE

240.07'

N 00°06'03" W 300.07'

(S 00°06'03" E 300.00')

ROETMAN'S RIDGE SUBD.  
TRACT A  
PLAT #: 90-62  
SEE ALSO Plat 2006-91, Sheets 2 & 5

A=31.42'  
R=20.00'  
Delta=90°00'00"  
Chord=28.28'  
N 44°53'57" E

10.00'  
N 89°53'57" E

N 00°06'03" W 60.00'

S 89°53'57" W  
60.00'

S 89°53'57" W  
10.00'

A=31.42'  
R=20.00'  
Delta=90°00'00"  
Chord=28.28'  
N 45°06'03" W

N 00°06'03" W  
10.00'

S 89°51'54" W 60.00'



0 30 60

SCALE: 1"=30 FEET

**PUBLIC USE EASEMENT – EXHIBIT B**

TRACT B, GEMSTONE ESTATES PLAN #2006-91, T 18 N, R 1 E, SECTION 31, SEWARD MERIDIAN

**ALL POINTS NORTH --- PO BOX 4207. PALMER, AK 99645 TEL: 907-746-4185**



# MATANUSKA-SUSITNA BOROUGH

## Planning and Land Use Department Platting Division

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

May 11, 2016

### NOTIFICATION OF ACTION

Dale Hammitt  
Northgate Alaska  
2991 N. Tait Drive  
Wasilla, AK 99654

#### RE: N. NORTHGATE PLACE PUE

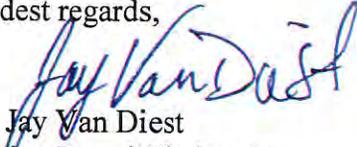
Action taken by the Platting Board on May 5, 2016 is as follows:

THE PUBLIC USE EASEMENT FOR N. NORTHGATE PLACE WAS APPROVED  
CONTINGENT UPON THE FOLLOWING CONDITIONS / REASONS (see attached).

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

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

Kindest regards,

  
Mr. Jay Van Diest  
Platting Board Chairman

cc:  
DPW – Jamie Taylor

All Point North  
Max Schillinger, RPLS  
PO Box 4207  
Palmer, AK 99645

**EXHIBIT C - 1**

**CONDITIONS of APPROVAL:**

The Platting Board approved the Public Use Easement for N. Northgate Place, contingent upon the following:

1. Pay mailing and advertising fees of \$107.43.
2. Provide updated Certificate to Plat executed within 90 days of recording and submit Beneficiary Acknowledgement for any holder of a beneficial interest.
3. Submit recording fee payable to State of Alaska, Department of Natural Resources (SOA/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 a legal and equitable interest, in full compliance with Title 43.
5. Utility companies to relinquish the 15' wide utility easement within the proposed Public Use easement. Provide documentation to Platting staff and all utility companies affected have relinquished the easement.

**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 or state agencies, Borough departments, or utilities.
3. There were no objections from the general public in response to the Notice of Public Hearing.
4. 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; North Lakes Community Council; Road Service Area #25 Bogard; MSB Assessments, Permit Center and Pre-Design Division; MEA, MTA or GCI.
5. Surveyor submitted the public use easement drawing and legal description, pursuant to MSB 43.15.021(A).
6. Surveyor submitted topographic information and a statement of constructability, pursuant to MSB 43.15.021(C).

**EXHIBIT C -2**

## Amy Otto-Buchanan

---

**From:** Keith R Quintavell <Keith.Quintavell@mea.coop>  
**Sent:** Thursday, May 12, 2016 10:14 AM  
**To:** Amy Otto-Buchanan  
**Cc:** Jessica Thompson (jthompson@mta-telco.com); marty@mtaonline.net  
**Subject:** RE: RFC N. Northgate PI PUE REVISED

Hi Amy,

MEA has no objection to the PUE or the elimination of the platted utility easement where it overlaps the PUE. Thank you for the opportunity to comment.

Sincerely,  
Keith Quintavell  
MEA Land Services Manager

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

From: Amy Otto-Buchanan [<mailto:Amy.Otto-Buchanan@matsugov.us>]  
Sent: Thursday, May 12, 2016 9:39 AM  
To: Keith R Quintavell; [mearow@matanuska.com](mailto:mearow@matanuska.com)'; MTA; Jessica Thompson ([jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)); [jennifer.diederich@enstarnaturalgas.com](mailto:jennifer.diederich@enstarnaturalgas.com); Robin L. Leighty ([Robin.Leighty@enstarnaturalgas.com](mailto:Robin.Leighty@enstarnaturalgas.com)); [row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com); 'ospdesign@gci.com' ([ospdesign@gci.com](mailto:ospdesign@gci.com)); 'dblehm@gci.com' ([dblehm@gci.com](mailto:dblehm@gci.com))  
Cc: Zafian, Holly K (DFG) ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); [brian.young@usps.gov](mailto:brian.young@usps.gov); John Aschenbrenner; George McKee; [jay@valleymarket.com](mailto:jay@valleymarket.com); [lamarra05@gmail.com](mailto:lamarra05@gmail.com); [stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com); [jordan@alaskaplans.com](mailto:jordan@alaskaplans.com); [tait@zimmermanteamak.com](mailto:tait@zimmermanteamak.com); [patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com); [amyhansenhomes@gmail.com](mailto:amyhansenhomes@gmail.com); [marty@mtaonline.net](mailto:marty@mtaonline.net); [winforhim@aol.com](mailto:winforhim@aol.com)  
Subject: RFC N. Northgate PI PUE REVISED

Attached is a REVISED Request for Comments for N. Northgate Place Public Use Easement, MSB Case #2016-044. Comments are due by June 2, 2016. Please let me know if you have any questions. Thanks. A.

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

**EXHIBIT D**

## Amy Otto-Buchanan

---

**From:** Jessica Thompson <jthompson@mta-telco.com>  
**Sent:** Thursday, May 12, 2016 11:28 AM  
**To:** Amy Otto-Buchanan; marty@mtaonline.net  
**Cc:** Keith Quintavell (Keith.Quintavell@mea.coop)  
**Subject:** RE: RFC N. Northgate PI PUE REVISED

Hi Amy,

MTA also has no objection to the PUE or the elimination of the platted utility easement where it overlaps the PUE.

Please let me know if you need anything else. We appreciate the opportunity to comment.

Thank you,

Jessica Thompson  
Matanuska Telephone Association, Inc.  
Right Of Way Agent  
907.761.2510

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

**From:** Keith R Quintavell [<mailto:Keith.Quintavell@mea.coop>]  
**Sent:** Thursday, May 12, 2016 10:14 AM  
**To:** Amy Otto-Buchanan <[Amy.Otto-Buchanan@matsugov.us](mailto:Amy.Otto-Buchanan@matsugov.us)>  
**Cc:** Jessica Thompson <[jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)>; [marty@mtaonline.net](mailto:marty@mtaonline.net)  
**Subject:** RE: RFC N. Northgate PI PUE REVISED

Hi Amy,

MEA has no objection to the PUE or the elimination of the platted utility easement where it overlaps the PUE. Thank you for the opportunity to comment.

Sincerely,  
Keith Quintavell  
MEA Land Services Manager

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

**From:** Amy Otto-Buchanan [<mailto:Amy.Otto-Buchanan@matsugov.us>]  
**Sent:** Thursday, May 12, 2016 9:39 AM  
**To:** Keith R Quintavell; [mearow@matanuska.com](mailto:mearow@matanuska.com)'; MTA; Jessica Thompson ([jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)); [jennifer.diederich@enstarnaturalgas.com](mailto:jennifer.diederich@enstarnaturalgas.com); Robin L. Leighty ([Robin.Leighty@enstarnaturalgas.com](mailto:Robin.Leighty@enstarnaturalgas.com)); [row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com); 'ospdesign@gci.com' ([ospdesign@gci.com](mailto:ospdesign@gci.com)); 'dblehm@gci.com' ([dblehm@gci.com](mailto:dblehm@gci.com))  
**Cc:** Zafian, Holly K (DFG) ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); [brian.young@usps.gov](mailto:brian.young@usps.gov); John Aschenbrenner; George McKee; [jay@valleymarket.com](mailto:jay@valleymarket.com); [lamarra05@gmail.com](mailto:lamarra05@gmail.com); [stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com); [jordan@alaskaplans.com](mailto:jordan@alaskaplans.com); [tait@zimmermanteamak.com](mailto:tait@zimmermanteamak.com); [patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com); [amyhansenhomes@gmail.com](mailto:amyhansenhomes@gmail.com); [marty@mtaonline.net](mailto:marty@mtaonline.net); [winforhim@aol.com](mailto:winforhim@aol.com)  
**Subject:** RFC N. Northgate PI PUE REVISED



**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

May 12, 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 – N. Northgate Place PUE  
(Case No. 2016-044)**

Dear Ms. Otto-Buchanan:

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

If you have any questions, please feel free to contact me at 334-7944 or by email at [cassie.wohlgemuth@enstarnaturalgas.com](mailto:cassie.wohlgemuth@enstarnaturalgas.com).

Sincerely,

A handwritten signature in blue ink that reads "Cassie Wohlgemuth".

Cassie Wohlgemuth  
Right-of-Way and Compliance Technician  
ENSTAR Natural Gas Company

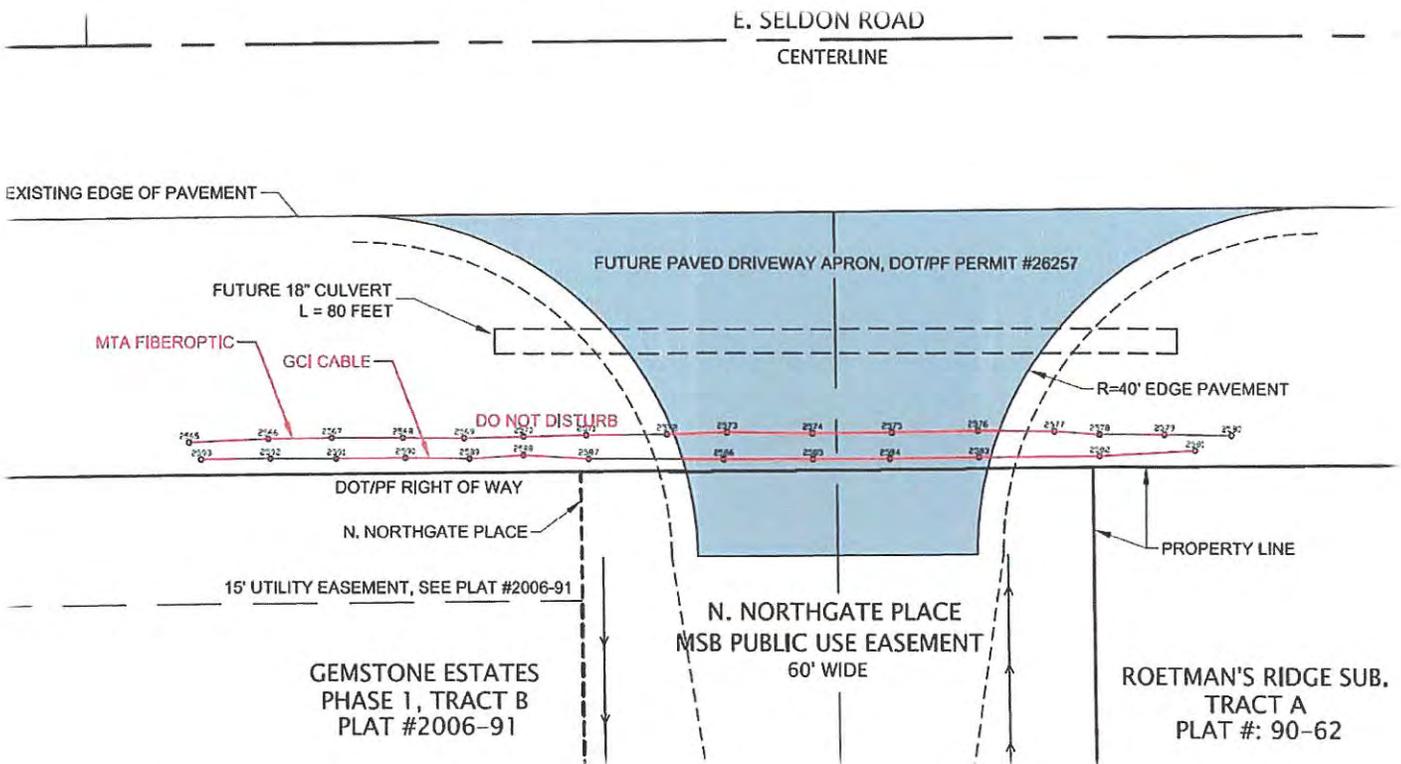
**EXHIBIT F**

To: **Dale Hammit** Date: **5/26/2016**  
**Northgate Alaska Church**  
**dalehammitt@yahoo.com** Job: **15-64**

Subject: **N. Northgate Place Asbuilt**

**MEMORANDUM**

Mr. Hammitt,  
 You have requested that I survey the utility locate paint lines within the area of N. Northgate Place, and evaluate whether the utilities are either on State DOT/PF Seldon Road Right of Way or on Northgate Alaska private property.  
 We have surveyed the lines on 5/25/2016. We can conclusively say that all the lines are on the State Right of Way, as shown below:



Please let me know if you need any further information.  
 Regards,

*Max Schillinger*  
 Max Schillinger, P.E., P.L.S.

*GCI has no objection to the proposed vacation of the PUE easement.*  
*Rebecca Colton*

**APPROVED AS: SHOWN**   
**CORRECTED**   
 SIGNATURE: *Rebecca Colton* 5-27-2016  
 ENGINEERING & DESIGN  
 GCI CABLE, INC.

4A



The access road for the Palmer Hay Flats State Game Refuge is in the Section Line Easement along the north boundary of the parcel. A portion of the Refuge access road encroaches on the northeast corner and again at the southeast corner of proposed Tract A. The access road has existed for a very long time. Staff recommends either that petitioner grants a public use easement over the existing access or that surveyor shows the encroachment on final plat with a plat note to read: "The existing access for the Palmer Hay Flats State Game Refuge encroaches onto a portion of Tract A. There is no documented easement for this access." (see *Recommendation #4*).

Lots 1, 7 and 8, Block 1 and Tract B are flag lots, pursuant MSB 43.20.300(D) Flag lots.

**Soils:** Geotechnical report, submitted per MSB 43.20.281(A) at **Exhibit B**. Curt Holler, PE, Holler Engineering, notes the soils evaluation included logging soils conditions in five new testholes, review of provided topography information and other observations at the site. A testhole location, drainage and topography map is attached for details. Soils logs are also attached. The parent parcel has gently rolling hills and valley, with some areas nearly level. A large steep bluff forms the southeast boundary with a drop of approximately 90' to the mud flats. Several minor steep areas exist in other areas and are delineated on the attached sketch. Drainage generally runs to local low areas, some of which pond seasonally. Total elevation differential is around 110'. Portions of the parcel were previously cleared and developed with a home site and several outbuildings, as well as driveways. Large areas near the center have been cleared and used for hay fields. Undeveloped areas are moderate density mature birch and spruce, with a few willows. Soils logged consistently had a 1' to 2.5' layer of soft loess silt topsoils under a thin organic layer at the surface. Base materials are relatively clean sands and gravels. Groundwater was not encountered in the testholes excavated to 16'. Based on the available soils and water table information, topography, MSB Title 43 definitions and observations at the site, each of the proposed lots will contain over 10,000 sf of contiguous useable septic area and an additional 10,000 sf of useable building area. The two tracts are over 40000,000 sf and do not require area verification.

**Preliminary Drainage Plan:** Drainage arrows are provided on the attached map to show drainage along the proposed roads and general drainage patterns in the area. Proposed culvert and infiltration points are also shown. The plan will likely be subject to minor field modification and improvement during construction. Area drainage will be minimally affected by the project.

**Road Construction:** The project requires construction of approximately 1080' of residential street, one cul-de-sac and one intersection. Existing NSF base soils will serve well for a road base, and material on site may be mined if needed. The road can be constructed to a maximum grade of well under 6% with no significant cut and fill area. Construction details will meet shape requirements in the Subdivision Construction Manual/No Engineer Left Behind for residential streets and cul-de-sac. Each lot will have a reasonable access point.

**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 the flag lots, which will have over 30' frontage and lots on the cul-de-sac, which will have 45' of frontage.

**Comments:** Department of Public Works Operations & Maintenance (**Exhibit D**) Road Superintendent 1 has no issues. Civil Engineer notes Lots 1 & 2 shall have a shared access point onto S. Hayfield Road; all other lots should take access from the internal street. Code Compliance notes (**Exhibit E**) 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 F**) notes the structure on the parcel has a construction date of 1961. If this structure is not in compliance with setback requirements, it may be eligible for a pre-existing legal nonconforming status (grandfather rights). *Staff notes there appears to be a structure within the Section Line Easement on Lot 1 (the flag lot). This structure will need to be removed (see Recommendation #7).*

Department of Emergency Services and #130 Fire Service Area Central Mat-Su (**Exhibit G**) has no objections to the subdivision, as internal access meets the minimums of the International Fire Code (IFC); however, the existing driveway does not meet the minimum standard. It is an over-grown single lane road. Emergency vehicles are over 10' in width and need 13'6" of height clearance. If the access is over 150' in length, an approved turnaround is required. We should follow these statutory requirements, these have been lessons learned from Miller's Reach, Sockeye, and many other fires across the state. A copy of the IFC Chapter 5 is attached. *Staff notes again that MSB 43.05.015 lists the BLM manual of survey instructions; platting procedures pamphlet; and the Subdivision Construction Manual as the list of documents incorporated within MSB Title 43.*

Site visit report with photos, dated May 26, 2016 at **Exhibit J**.

**Utilities:** (**Exhibit H**) MTA has no objections; Enstar has no recommendations, comments or objections. MEA has requested 15' wide utility easements continuing through the north line of Lot 11, Block 1 to Tract B and through Lot 3, Block 2, on the south. Staff notes petitioner is agreeable to the 15' wide utility easements being granted (see **Recommendation #8**). GCI did not respond.

**Agencies:** (**Exhibit I**) ADF&G notes the plat appears to accurately depict the 33' Section Line Easements (SLEs) located along the north and west property boundaries. The subject property is bordered to the north and to the southeast by Palmer Hay Flats State Game Refuge. The Refuge access road runs south from S. Hayfield Road, then east along the subject property boundary within the SLE, then southwest along the property boundary. A portion of the southwest segment of the Refuge access road lies within the subject property. ADF&G staff is working with the landowner and Alaska DNR to resolve this issue (see **Recommendation #4**). The SLE located along the west property boundary was modified by a replacement easement by EV 2-795 (Plat No. 2000-134). This SLE runs north-south and provides legal public access from S. Hayfield Road to the refuge. ADF&G does not object to

the preliminary plat as proposed; however, they look forward to resolving the Refuge access road issue.

**General Public:** (Exhibit K) Paul Holman, owner of Lot 9, Block 2, Lucy Lake Subdivision, to the northwest of the subject parcels, has no immediate concern about the development; however, the concern he would like addressed at this meeting is with the development of this area and shortly to come, more traffic on Hayfield Road, he would appreciate if ADOT&PF could do something about the hill just past the intersection of Hayfield Road and Lucy Lake Road. Traffic from Hayfield comes screaming down the blind hill going anywhere between 40-60 mph and he has almost been involved in many auto accidents because of this blind spot. Others that live on Lucy Lake Road have similar issues. Any update into this consideration would be very helpful. *Staff notes S. Hayfield Road is a Borough owned and maintained street. Staff contacted Mr. Holman, and suggested he call the Road Maintenance Hotline to address this issue.*

At the time of staff report write-up, there were no responses to the Request for Comments (RFC) from US Army Corps of Engineers; Knik-Fairview Community Council; Road Service Area #14 Fairview; MSB Community Development, Cultural Resources, Assessments, Permit Center and Pre-Design Division; or GCI.

**CONCLUSION:** The preliminary plat of Drinkhouse Bluffs MSP is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.016 Preliminary Plats. There were no objections to the plat or variances from any federal or state agency, Borough department, or utilities. No 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, and MSB 43.20.300(D). 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 Drinkhouse Bluffs Master Plan, Section 01, Township 16 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 \$49.86.
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. Petitioner to grant a public use easement over the existing access of the Palmer Hay Flats State Game Refuge access **or** surveyor to show the encroachment on final plat with a plat note to read: "The existing access for the Palmer Hay Flats State Game Refuge encroaches onto a portion of Tract A. There is no documented easement for this access."
5. Show or list all easements of record on each phase plat.

6. Construct S. Emdee Drive and W. Aidee 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 DPW acceptance of the roads to Platting staff.
7. Remove the structure in the Section Line Easement on Lot 1 and provide proof of removal to Platting staff.
8. Grant the additional utility easements as requested by MEA.
9. Submit recording fee payable to State of Alaska, Department of Natural Resources (SOA/DNR).
10. Submit each phase final plat in full compliance with Title 43.

**FINDINGS for PRELIMINARY PLAT**

1. The plat of Drinkhouse Bluffs Master Plan is consistent with AS 29.40.070 Platting Regulations, MSB 43.15.016 Preliminary Plats and MSB 43.20.300(D) Flag lots.
2. There were no objections to the plat from any federal or state agencies, Borough departments, or utilities.
3. There were no objections from the general public in response to the Notice of Public Hearing.
4. There was one concern received regarding access to S. Hayfield Road.
5. At the time of staff report write-up, there were no responses to the Request for Comments (RFC) from US Army Corps of Engineers; Knik-Fairview Community Council; Road Service Area #14 Fairview; MSB Community Development, Cultural Resources, Assessments, Permit Center and Pre-Design Division; or GCI.
6. Lot sizes and useable area are consistent with MSB 43.20.281(A)(2) Area.
7. 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. The two tracts are over 400,000 sf and do not require area verification, as the surveyor provided topographic information.
8. Frontage for the subdivision will exist pursuant to MSB 43.20.320 Frontage and MSB 43.20.300(D) Flag lots.
9. 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, MSB 43.20.140 Physical Access, and MSB 43.20.300(D) Flag lots.
10. ADF&G is working on the resolution of the encroachment of the Palmer Hay Flats State Game Refuge access road on proposed Tract A.

LUPINE LANE ACR 73

(3305)

ADD NO 2  
TRACT A  
PHASE I

D9

B2

C1

C1

A7

LUCY LAKE

1

2

3

4

5(1)

6

7

8

9

10

11

12

13

14

15

D3

S HAYFIELD RD

**SUBJECT  
PROPERTY**



LUCY LAKE

(1)  
(6201)

LUCY LAKE  
ADD #1

35

50' SECTION LINE ESMT

50' SECTION LINE ESMT

50' SECTION LINE ESMT

TR A

16

17

TIDEWATER  
STREAM

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LUCY LAKE

UPSTREAM

HAYFIELD

EXHIBIT A-2





RECEIVED

MAY 02 2016

PLATTING

GARY LORUSSO

KEYSTONE SURVEYING AND MAPPING

*P.O. Box 2216*

*Palmer, Alaska 99645*

*Email: garyl@mtaonline.net*

*Phone: (907) 376-7811*

04/29/16

Amy Otto-Buchanan  
Matanuska- Susitna Borough  
Platting Dept.  
RE: Drinkhouse Bluffs Masterplan

Amy,  
Enclosed are documents for the above referenced Masterplan.

There are 14 lots and 2 Tracts proposed. The owner wishes to maintain the fields that occupy most of Tracts A & B. The subdivision of the rest of the parcel will lessen the current property tax burden once the lots are sold. We are proposing Phases in order to slowly accomplish this goal using funds from sales of lots in created phases to pay for roads and utilities in subsequent phases. We expect the timing of phases to mirror market conditions. Phase 1 will be this year with the hopes of selling Lots 1 and 2 in order to pay for the road and utility installations in Phase 2.

The pre-application conference identified a few items that I will address.

When we first looked at access into the property I rough designed the entrance across from the unconstructed Upstream Drive in Tidewater Stream which I also designed. When attempting this access it quickly became apparent that we would be creating undesirable triangle shaped lots. This would obviously defeat the purpose of development. I also calculated that such a design would cause an additional 500 feet of roads and utilities to be constructed. 500 feet of extra roads and utilities would create an additional acre of cleared area ( 500 foot long x 90 feet foot clearing for roads and utilities). Besides creating more hard surfaced area devoid of vegetation the extra cost was substantial especially for a subdivision as small as this one. Using an approximate cost of \$125/ foot for roads and utilities this equates to \$62,500 in construction costs. Adding to this the loss of an acre lot ( area has to come from somewhere) at average sales price of \$50,000 the total cost of this unnecessary construction comes to \$112,500. The owner would have to apply proceeds of over two lots just to cover this unnecessary expense and then find a way to be able to pay for the cost of what is actually necessary. The extra cost added to the cost of constructing what is actually necessary adds up rapidly and becomes unrealistic.

Since this was obviously not an option I looked at moving the access to a location that would make more sense and comply with standards for separation distance between roadways.

EXHIBIT B - /

The Subdivision Construction Manual in Section A13.3 b) (2) states that separation distance between intersections on a residential collector OR HIGHER shall be 330'. MSB classifies Hayfield Road as a minor collector. The existing traffic count at this location on this dead end road is approximately 650 trips per day (108 lots x 6) using the SCM method. That would barely require a residential collector standard. It would take 400 additional lots to create the need to be classified at a higher standard that collector (SCM A06.1 (d) -  $3000 / 6 = 500$  lots). Since the majority of the property beyond this subdivision is already developed this threshold would be impossible to reach at this location. Further along towards Fairview Loop possibly but not here. Road classifications sometimes don't meet the actual classification based on use - current or projected.

Since the traffic count method contained within the SCM does not directly address roads higher than a collector standard I looked at the ADOT criteria.

Understanding that Hayfield Road functionally serves primarily as a through road to get to Fairview Loop, it would be fair to say that Hayfield Road would fit into the ADOT classification of a Rural Arterial or Collector Road. The criteria for separation distance as shown on the attached chart from the ADOT Pre-construction manual is related to speed limit and functional classification. The posted speed limit on Hayfield Road is 35 miles per hour. Under the category of the ADOT manual this would equate to a separation distance of 400 feet. The separation distance as proposed is 427 feet which is closer to the next higher speed limit delineation of a 40 miles per hour speed limit.

This design exceeds the separation distance requirements on all counts. Sight distance is not a limiting factor.

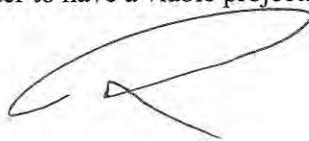
All lots will gain access from interior roads except for the Tract A that already, and for the past 50 years, has taken access at the existing location. Both Lots 1 and 2 will access Hayfield Road at the Section Line Easement on the west boundary of the subdivision in conjunction with the existing driveways to several adjoining parcels.

The sketch submitted with the pre-application request showed a "T" turnaround for access to Lots 7, 8 and 9. We have re-designed this to be a cul-de-sac to alleviate concerns expressed about maintenance. In addition, we have designated a very large Drainage Easement on Lot 6 which is inside a very large existing natural hole. Since snow is H<sub>2</sub>O and needs to drain when it melts this area will serve very well as a snow storage area. Quite a bit more than on a typical cul-de-sac where no such area is designated. There is a utility easement serving Lots 7 and 8 that is placed where it will not interfere with driveways or snow removal and road maintenance.

Again, this is a very small subdivision of only 14 lots and 2 Tracts. Quite a bit of thought went into meeting or exceeding the design and construction standards making this property a nice place where people want to live and in order to have a viable project.

Respectfully,

Gary LoRusso



**Table 1190-2  
Driveway Return Radii (feet)**

| Driveway<br>Width (ft) | Residential |          | Farm   |          | Commercial |          |
|------------------------|-------------|----------|--------|----------|------------|----------|
|                        | Curbed      | Uncurbed | Curbed | Uncurbed | Curbed     | Uncurbed |
| 14 - 20                | *20         | 20       | -      | 20       | -          | -        |
| 24 - 34                | -           | -        | -      | 40       | *40        | 40       |

\* For curbed roadways where residential driveways or commercial driveway have a 100-vehicles-per-hour or fewer repetitive peak, use a curb cut rather than a return.

**Table 1190-3  
Distance Between Driveways**

*(On Same Parcel)*

| Hourly Volume > 10 vph                     |                                    |                                      |   |
|--|------------------------------------|--------------------------------------|---|
| Speed (mph)                                | Rural Arterial and Collector Roads | Urban Arterial and Collector Streets | Urban and Rural Local Streets and Roads |
| 30   | 370 feet                           | 200 feet                             | 200 feet                                |
| 35   | 400 feet                           | 260 feet                             | 250 feet                                |
| 40   | 440 feet                           | 340 feet                             | 310 feet                                |
| 45   | 540 feet                           | 430 feet                             | 390 feet                                |
| 50   | 690 feet                           | 510 feet                             | 490 feet                                |
| Hourly Volume Less than or equal to 10 vph |                                    |                                      |   |
| Functional Classification                  |                                    | Distance                             |   |
| Arterial roadways                          |                                    | 75 feet                              |   |
| Collector roadways                         |                                    | 50 feet                              |   |
| Local roadways                             |                                    | 35 feet                              |   |

SPEED  
LIMIT  
35

EXHIBIT B-4



# HOLLER ENGINEERING

Water, Wastewater & Soils Consulting

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

RECEIVED  
MAY 02 2016  
PLATTING

May 2, 2016

Fred Wagner  
Platting Officer  
Matanuska-Susitna Borough  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Re: **Drinkhouse Bluffs;** Useable Areas, Roads and Drainage; HE# 16013

Dear Mr. Wagner:

At the request of the project owner, we have performed a soils investigation and related preliminary design work for the referenced proposed subdivision. The master plan project will ultimately create 14 new lots and 2 tracts from existing parcels with a total area of 52.7 acres. The new lots will have areas of 1.0 to 2.6 acres; both tracts are over 400,000 ft<sup>2</sup> and will not require soils/useable area verification. Our soils evaluation included logging soil conditions in 5 new testholes, review of the provided topography information and our other observations at the site. See the attached testhole location, drainage and topography map for details.

Topography. The parent parcel has gently rolling hills and valleys, with some areas nearly level. A large, steep bluff forms the southeast property boundary with a drop of approximately 90' down to lower mud flats. Several minor steep areas exist in other areas and are delineated on the attached sketch. Drainage generally runs to local low areas, some of which pond seasonally. The total elevation differential on the provided map is around 110'.

Soils & Vegetation. Portions of the parcel were previously cleared and developed with a home site and several outbuildings, as well as driveways to serve the site. Large areas have been cleared and used for hay fields near the center of the property. Undeveloped areas are wooded with moderate density mature birch and spruce trees, with a few willow trees. Soils logged in the 5 testholes consistently had a 1' to 2.5' layer of soft loess silt topsoil under a thin organic layer at the surface. Base materials were all relatively clean sands and gravels. The soils encountered are consistent with our prior experiences in this area, including the adjacent subdivision, extensive cut areas along the beach access road and a 12' hole near the existing garage on Tract A which our staff observed many years ago. Copies of the soil logs and a location/topography/useable area map are attached.

Groundwater. Groundwater was not encountered in any of the logged testholes to 16', even adjacent to a spring pond area. Areas with less than 8' to groundwater may exist in the lowest of the ponded areas.

Useable Areas. The proposed lots have a few limitations on areas defined by MSB code as *useable septic area* or *useable building area*. Useable septic areas will be limited by lotlines, steep areas and related setbacks, setbacks to water wells, and potentially areas with high groundwater or spring ponds. For building areas, lotlines, utility easements and ROW/PUE setbacks will be limiting factors. The two tracts are over 400,000 ft<sup>2</sup> and do not require area verification. The other 14 lots will each contain adequate unencumbered area to meet the useable area requirements. Some lots were added after our testholes were complete; 2 additional testholes to support phase 3 & 4 could be made a condition of approval for those phases, however soil types are very consistent in the surrounding area and groundwater will not be a limiting factor. Based on the available soils & water table information, topography, MSB Title 43 Code definitions, and our observations at the site, ***each of the proposed lots will contain over 10,000 square feet of contiguous useable septic area, and an additional 10,000 square feet of useable building area.***

Preliminary Drainage Plan. Drainage arrows were provided on the attached map to show drainage along the proposed roads and general drainage patterns in the area. A proposed culvert and infiltration points are also shown. Due to the re-grading which will be undertaken for road construction, and the 2' topography contours, the plan will likely be subject to some minor field modification and improvement during construction. Based on prior experiences, during construction the low grades and gravelly/sandy soils typically will adequately control erosion. Rock-filled infiltration points along the roads are planned, and coupled with the open soil types will provide mitigation to address runoff within the property. Road construction should not negatively impact drainage for adjacent properties, and no concentrated runoff will leave the site. Area drainage will be minimally affected by the project.

Road Construction. The proposed plat will require construction of about 1080' of *residential* street, 1 cul-de-sac, and 1 intersection. Existing NSF base soils will serve well for a road base, and the property has material which could be mined if needed. Road topping materials will need to be screened onsite or imported during road construction. Based on our initial assessment, the road can be constructed with a maximum grade of well under 6% with no significant cut and fill area. Construction details in all areas will meet shape requirements in the SCM/NELB for *residential* streets and cul-de-sacs. Each lot will have a reasonable access point.

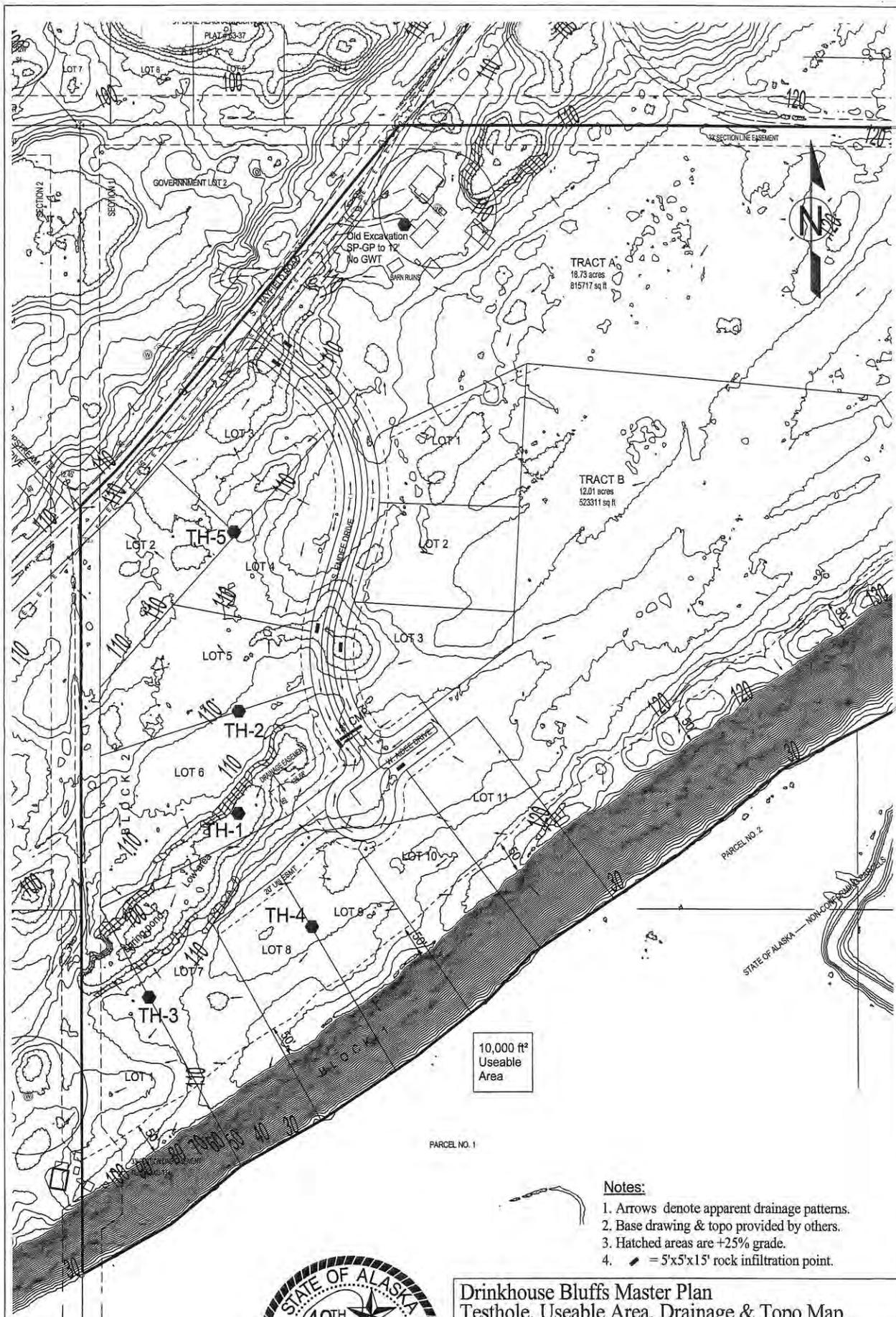
Thank you for your assistance, and please feel free to call with any questions you may have.

Sincerely,  


Curtis Holler, PE

c: M. Drinkhouse, w/attachments





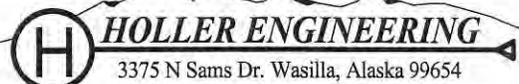
10,000 ft<sup>2</sup>  
Useable  
Area

- Notes:**
1. Arrows denote apparent drainage patterns.
  2. Base drawing & topo provided by others.
  3. Hatched areas are +25% grade.
  4.  = 5'x5'x15' rock infiltration point.

**EXHIBIT C -3**



**Drinkhouse Bluffs Master Plan  
Testhole, Useable Area, Drainage & Topo Map**



5/02/16      Scale: 1"=150'      Job # 16013



# HOLLER ENGINEERING

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



## SOILS LOG / PERCOLATION TEST

TEST HOLE # 1 of 5

Performed For: M. Drinkhouse

Legal Description: Drinkhouse Bluffs

| Depth, feet | Soil Type  |
|-------------|--|
| 0 - 0.5     | OL   |
| 0.5 - 1.0   | ML   |
| 1.0 - 2.0   | SM-ML  |
| 2.0 - 3.0   |  |
| 3.0 - 4.0   | SW w/GW. CLEAN. ROCKS TO 5", FEW TO 8", FEW BANDS PEBBLES. |
| 4.0 - 5.0   | SLIGHT TRACE OF SILT BELOW 6'                              |
| 5.0 - 6.0   |  |
| 6.0 - 7.0   |  |
| 7.0 - 8.0   |  |
| 8.0 - 9.0   |  |
| 9.0 - 10.0  |  |
| 10.0 - 11.0 |  |
| 11.0 - 12.0 | NO GW  |
| 12.0 - 13.0 |  |
| 13.0 - 14.0 |  |
| 14.0 - 15.0 |  |
| 15.0 - 16.0 |  |
| 16.0 - 17.0 |  |
| 17.0 - 18.0 |  |
| 18.0 - 19.0 |  |
| 19.0 - 20.0 |  |
| 20.0 - 21.0 |  |
| 21.0 - 22.0 |  |

Slope

Site Plan

See attached testhole & topo map

↑ N ↓

WAS GROUNDWATER ENCOUNTERED? No

IF YES, AT WHAT DEPTH? N/A

DEPTH AFTER MONITORING? N/A

Slope

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

- PERCOLATION RATE \_\_\_\_\_ (min/inch) PERC HOLE DIAMETER \_\_\_\_\_

- TEST RUN BETWEEN \_\_\_\_\_ FT AND \_\_\_\_\_ FT DEPTH

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

- \_\_\_\_\_

- PERFORMED BY: L. Holler

DATE: 3-31-2016

### EXHIBIT C -4









# HOLLER ENGINEERING

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

Seal



## SOILS LOG / PERCOLATION TEST

TEST HOLE # 5 of 5

Performed For: M. Drinkhouse

Legal Description: Drinkhouse Bluffs

| Depth, feet | Soil Type   | Slope | Site Plan  |
|-------------|---|-------|--|
| 1           | OL<br>SM-ML   |       | <p>See attached testhole &amp; topo map</p> <p style="text-align: center;">↑<br/>N<br/>↓</p> |
| 2           |   |       |  |
| 3           | SP W/GP AND WITH TRACE SILT. ROCKS TO 6", FEW TO 9". VARIES TO SP-GW WITH TRACE SILT. |       |  |
| 4           |   |       |  |
| 5           |   |       |  |
| 6           |   |       |  |
| 7           |   |       |  |
| 8           |   |       |  |
| 9           |   |       |  |
| 10          |   |       |  |
| 11          |   |       |  |
| 12          | SP, CLEAN, NO ROCKS, NO GWT   |       |  |

WAS GROUNDWATER ENCOUNTERED?

- No

IF YES, AT WHAT DEPTH?

- N/A

DEPTH AFTER MONITORING?

- N/A

Slope

### PERCOLATION TEST

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

- PERCOLATION RATE \_\_\_\_\_ (min/inch) PERC HOLE DIAMETER \_\_\_\_\_

- TEST RUN BETWEEN    FT AND    FT DEPTH

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

- PERFORMED BY: L. Holler

DATE: 3-31-2016

## EXHIBIT C - 8

## Amy Otto-Buchanan

---

**From:** Jamie Taylor  
**Sent:** Friday, May 13, 2016 3:57 PM  
**To:** Platting  
**Subject:** RE: Drinkhouse Bluffs MSP 16-061 Tech AOB

- Lots 1 & 2 should have a shared access point on Hayfield Road
- All other lots should take access from internal road

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](mailto:jamie.taylor@matsugov.us)  
<http://www.matsugov.us/>

---

**From:** Amy Otto-Buchanan **On Behalf Of** Platting  
**Sent:** Tuesday, May 03, 2016 4:55 PM  
**To:** Zafian, Holly K (DFG) ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); John Aschenbrenner; [brian.young@usps.gov](mailto:brian.young@usps.gov); Dan Mayfield; 'kelleyg@mtaonline.net' ([kelleyg@mtaonline.net](mailto:kelleyg@mtaonline.net)); [cc1@wwdb.org](mailto:cc1@wwdb.org); 'ken.slauson@gmail.com' ([ken.slauson@gmail.com](mailto:ken.slauson@gmail.com)); 'dmelliott@mtaonline.net' ([dmelliott@mtaonline.net](mailto:dmelliott@mtaonline.net)); 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](mailto:jthompson@mta-telco.com)); [jennifer.diederich@enstarnaturalgas.com](mailto:jennifer.diederich@enstarnaturalgas.com); Robin L. Leighty ([Robin.Leighty@enstarnaturalgas.com](mailto:Robin.Leighty@enstarnaturalgas.com)); [row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com); 'ospdesign@gci.com' ([ospdesign@gci.com](mailto:ospdesign@gci.com)); 'dblehm@gci.com' ([dblehm@gci.com](mailto:dblehm@gci.com))  
**Cc:** [jay@valleymarket.com](mailto:jay@valleymarket.com); [lamarra05@gmail.com](mailto:lamarra05@gmail.com); [stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com); [jordan@alaskaplans.com](mailto:jordan@alaskaplans.com); [tait@zimmermanteamak.com](mailto:tait@zimmermanteamak.com); [patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com); [amyhansenhomes@gmail.com](mailto:amyhansenhomes@gmail.com); [marty@valleymarket.com](mailto:marty@valleymarket.com); [winforhim@aol.com](mailto:winforhim@aol.com)  
**Subject:** Drinkhouse Bluffs MSP 16-061 Tech AOB

Attached is the Request for Comments (RFC) for Drinkhouse Bluffs Master Plan, MSB Case #2016-061, Tech AOB. Also attached is a letter of explanation from the surveyor, soils report, Vicinity Map and Owner's Statement. Comments are due by June 3, 2016. Please let me know if you have any questions. Thanks. A.

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

## Amy Otto-Buchanan

---

**From:** Scott Sanderson  
**Sent:** Thursday, May 12, 2016 9:46 AM  
**To:** Amy Otto-Buchanan  
**Cc:** Jim Jenson; Terry Dolan  
**Subject:** FW: Drinkhouse Bluffs MSP 16-061 Tech AOB  
**Attachments:** RFC Drinkhouse Blfs MSP 16-061.pdf; Drinkhouse Bluffs MSP.PDF

Looks better, I see no issues.

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

---

**From:** Jim Jenson  
**Sent:** Wednesday, May 04, 2016 8:16 AM  
**To:** Scott Sanderson  
**Subject:** FW: Drinkhouse Bluffs MSP 16-061 Tech AOB

RSA 14

---

**From:** Amy Otto-Buchanan **On Behalf Of** Platting  
**Sent:** Tuesday, May 03, 2016 4:55 PM  
**To:** Zafian, Holly K (DFG) ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); John Aschenbrenner; [brian.young@usps.gov](mailto:brian.young@usps.gov); Dan Mayfield; 'kelleyg@mtaonline.net' ([kelleyg@mtaonline.net](mailto:kelleyg@mtaonline.net)); [cc1@wwdb.org](mailto:cc1@wwdb.org); 'ken.slauson@gmail.com' ([ken.slauson@gmail.com](mailto:ken.slauson@gmail.com)); 'dmelliott@mtaonline.net' ([dmelliott@mtaonline.net](mailto:dmelliott@mtaonline.net)); 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](mailto:jthompson@mta-telco.com)); [jennifer.diederich@enstarnaturalgas.com](mailto:jennifer.diederich@enstarnaturalgas.com); Robin L. Leighty ([Robin.Leighty@enstarnaturalgas.com](mailto:Robin.Leighty@enstarnaturalgas.com)); [row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com); 'ospdesign@gci.com' ([ospdesign@gci.com](mailto:ospdesign@gci.com)); 'dblehm@gci.com' ([dblehm@gci.com](mailto:dblehm@gci.com))  
**Cc:** [jay@valleymarket.com](mailto:jay@valleymarket.com); [lamarra05@gmail.com](mailto:lamarra05@gmail.com); [stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com); [jordan@alaskaplans.com](mailto:jordan@alaskaplans.com); [tait@zimmermanteamak.com](mailto:tait@zimmermanteamak.com); [patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com); [amyhansenhomes@gmail.com](mailto:amyhansenhomes@gmail.com); [marty@valleymarket.com](mailto:marty@valleymarket.com); [winformhim@aol.com](mailto:winformhim@aol.com)  
**Subject:** Drinkhouse Bluffs MSP 16-061 Tech AOB

Attached is the Request for Comments (RFC) for Drinkhouse Bluffs Master Plan, MSB Case #2016-061, Tech AOB. Also attached is a letter of explanation from the surveyor, soils report, Vicinity Map and Owner's Statement. Comments are due by June 3, 2016. Please let me know if you have any questions. Thanks. A.

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

EXHIBIT D - 2



Matanuska - Susitna Borough  
Development Services

# MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

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

MAY 04 2016

RECEIVED

JUN 02 2016

Received

PLATTING

Comments Due: June 3, 2016

Date: May 3, 2016

## Preliminary Plat Request for Comments

AK Dept. of Transportation – Anchorage  
 AK Dept. of Transportation – Palmer  
 AK Dept. of Transportation – Aviation  
 AK DNR, Division of Mining/Land/Wat  
 AK DNR, Public Access Defense  
 AK DNR, Division of Agriculture  
 AK DF&G, Habitat Mgmt. & Permitting  
 AK DF&G, Division of Sport Fish  
 AK Railroad, Engineering Department  
 Corp of Engineers  
 U.S. Postmaster  
 City of:  
 Community Council: Knik-Fairview  
 Fire Service Area: #130 Central Mat  
 Road Service Area: #14 Fairview  
 MSB – Borough Attorney

MSB – Emergency Services

Open Cases Y or N  SpUD Y or N

FIRM # 8065 Zone X

Comments: \_\_\_\_\_

Date: 6/5/16 By: [Signature]

ASSESSMENT DISTRICT #3 DAN MAYFIELD

Title: DRINKHOUSE BLUFFS MASTER PLAN  
 Location: SEC 01, T16N, R02W, S.M, AK  
 Petitioners: MARIE DRINKHOUSE  
 Address: 5959 S. HAYFIELD ROAD WASILLA AK 99623-0392  
 Surveyor: KEYSTONE SURVEYING, GARY LoRUSSO, PLS  
 Address: PO BOX 2216 PALMER AK 99645  
 Engineer: HOLLER ENGINEERING  
 Address: 3375 N. SAMS DRIVE WASILLA AK 99623

**The request is to create 14 lots and two tracts by a four phased Master Plan, from Tax Parcel B3 (Parcel #1 of MSB Waiver 76-37, recorded as 79-270w) and Tax Parcel B8 (described in deed recorded 8/25/2014 at Reception #2014-014923-0), Section 01, Township 16 North, Range 02 West, SM AK, to be known as DRINKHOUSE BLUFFS MASTER PLAN, containing 52.69+ acres. Petitioner will be constructing interior streets for access.**

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 **June 3, 2016** so that we may incorporate this information into our recommendations to the Platting Board, for the public hearing to be held on **June 16, 2016**.

Sincerely,

[Signature]

Amy Otto-Buchanan  
Platting Technician  
direct line: 861-7872

[amy.otto-buchanan@matsugov.us](mailto:amy.otto-buchanan@matsugov.us)

*Providing Outstanding Borough Services to the Matanuska-Susitna Community.*

Case #: 2016-061 Tax ID: 216N02W01B003 & B008 Tax Map #: OC 03 Pre-App Date: 04/12/2016

EXHIBIT E

## Amy Otto-Buchanan

---

**From:** Susan Lee  
**Sent:** Wednesday, May 04, 2016 11:38 AM  
**To:** Platting  
**Subject:** RE: Drinkhouse Bluffs MSP 16-061 Tech AOB

The assessment record indicates that there is a structure on 16N02W01B003, with a construction date of 1961. If this structure is not in compliance with setback requirements it may be eligible for pre-existing legal nonconforming status (grandfather rights).

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:** Tuesday, May 03, 2016 4:55 PM  
**To:** Zafian, Holly K (DFG) ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); John Aschenbrenner; [brian.young@usps.gov](mailto:brian.young@usps.gov); Dan Mayfield; 'kelleyg@mtaonline.net' ([kelleyg@mtaonline.net](mailto:kelleyg@mtaonline.net)); [cc1@wwdb.org](mailto:cc1@wwdb.org); 'ken.slauson@gmail.com' ([ken.slauson@gmail.com](mailto:ken.slauson@gmail.com)); 'dmelliott@mtaonline.net' ([dmelliott@mtaonline.net](mailto:dmelliott@mtaonline.net)); 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](mailto:jthompson@mta-telco.com)); [jennifer.diederich@enstarnaturalgas.com](mailto:jennifer.diederich@enstarnaturalgas.com); Robin L. Leighty ([Robin.Leighty@enstarnaturalgas.com](mailto:Robin.Leighty@enstarnaturalgas.com)); [row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com); 'ospdesign@gci.com' ([ospdesign@gci.com](mailto:ospdesign@gci.com)); 'dblehm@gci.com' ([dblehm@gci.com](mailto:dblehm@gci.com))  
**Cc:** [jay@valleymarket.com](mailto:jay@valleymarket.com); [lamarra05@gmail.com](mailto:lamarra05@gmail.com); [stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com); [jordan@alaskaplans.com](mailto:jordan@alaskaplans.com); [tait@zimmermanteamak.com](mailto:tait@zimmermanteamak.com); [patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com); [amyhansenhomes@gmail.com](mailto:amyhansenhomes@gmail.com); [marty@valleymarket.com](mailto:marty@valleymarket.com); [winforhim@aol.com](mailto:winforhim@aol.com)  
**Subject:** Drinkhouse Bluffs MSP 16-061 Tech AOB

Attached is the Request for Comments (RFC) for Drinkhouse Bluffs Master Plan, MSB Case #2016-061, Tech AOB. Also attached is a letter of explanation from the surveyor, soils report, Vicinity Map and Owner's Statement. Comments are due by June 3, 2016. Please let me know if you have any questions. Thanks. A.

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

## Amy Otto-Buchanan

---

**From:** Richard Boothby  
**Sent:** Wednesday, May 04, 2016 11:37 AM  
**To:** Platting  
**Cc:** James Steele; Ken Barkley; Bill Gamble  
**Subject:** RE: Drinkhouse Bluffs MSP 16-061 Tech AOB

The Central Mat-Su FSA and DES Has no objections to the subdivision, the internal access meets the minimums of the International Fire Code but the existing driveway does not meet the minimum standard. It is over grown single lane road. Our fire Engines are over 10' in width and need 13' 6" of height clearance. If the access is over 150' in length an approved turnaround is required. We should follow these statutory requirements, these have been lessons learned from Miller Reach, Sockeye, and many other fires across or state. I have included the adopted code site for your review.

# IFC<sup>®</sup>

## INTERNATIONAL FIRE CODE<sup>®</sup>

### 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.

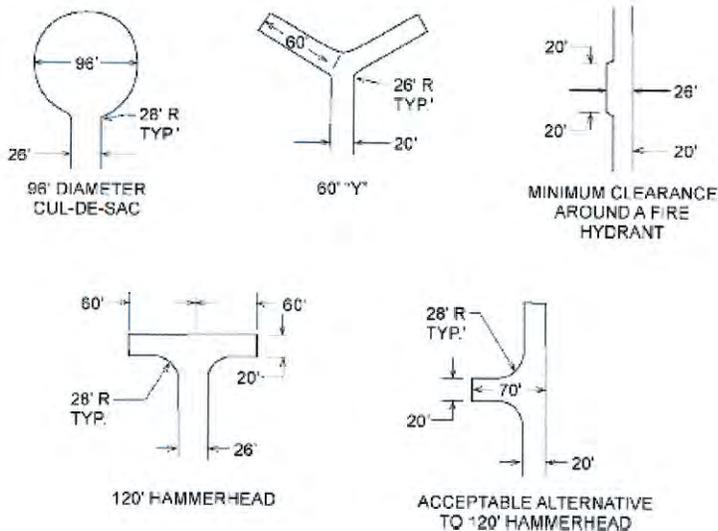
**D103.3 Turning radius.** The minimum turning radius shall be determined by the *fire code official*.

**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.

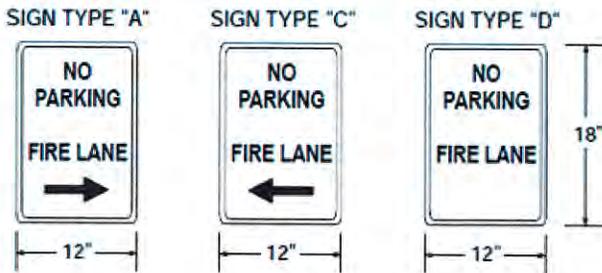


FIGURE D103.6  
FIRE LANE SIGNS

**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 m<sup>2</sup>) 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 520m<sup>2</sup>) 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, May 03, 2016 4:55 PM

**To:** Zafian, Holly K (DFG) (holly.zafian@alaska.gov); mark.fink@alaska.gov; regpagemaster@usace.army.mil; John Aschenbrenner; brian.young@usps.gov; Dan Mayfield; 'kelleyg@mtaonline.net' (kelleyg@mtaonline.net); cc1@wwdb.org; 'ken.slauson@gmail.com' (ken.slauson@gmail.com); 'dmelliott@mtaonline.net' (dmelliott@mtaonline.net); 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:** Drinkhouse Bluffs MSP 16-061 Tech AOB

Attached is the Request for Comments (RFC) for Drinkhouse Bluffs Master Plan, MSB Case #2016-061, Tech AOB. Also attached is a letter of explanation from the surveyor, soils report, Vicinity Map and Owner's Statement. Comments are due by June 3, 2016. Please let me know if you have any questions. Thanks. A.

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

## Amy Otto-Buchanan

---

**From:** Jessica Thompson <jthompson@mta-telco.com>  
**Sent:** Thursday, May 05, 2016 9:44 AM  
**To:** Platting  
**Cc:** Becky Glenn  
**Subject:** RE: Drinkhouse Bluffs MSP 16-061 Tech AOB

MTA has no objections. Thank you for the opportunity to comment.

Jessica Thompson  
Matanuska Telephone Association, Inc.  
Right Of Way Agent  
907.761.2510

**From:** Amy Otto-Buchanan [<mailto:Amy.Otto-Buchanan@matsugov.us>] On Behalf Of Platting  
**Sent:** Tuesday, May 03, 2016 4:55 PM  
**To:** Zafian, Holly K (DFG) ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)) <[holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)>; [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); John Aschenbrenner <[John.Aschenbrenner@matsugov.us](mailto:John.Aschenbrenner@matsugov.us)>; [brian.young@usps.gov](mailto:brian.young@usps.gov); Dan Mayfield <[Dan.Mayfield@matsugov.us](mailto:Dan.Mayfield@matsugov.us)>; 'kelleyg@mtaonline.net' ([kelleyg@mtaonline.net](mailto:kelleyg@mtaonline.net)) <[kelleyg@mtaonline.net](mailto:kelleyg@mtaonline.net)>; [cc1@wwdb.org](mailto:cc1@wwdb.org); 'ken.slauson@gmail.com' ([ken.slauson@gmail.com](mailto:ken.slauson@gmail.com)) <[ken.slauson@gmail.com](mailto:ken.slauson@gmail.com)>; 'dmelliott@mtaonline.net' ([dmelliott@mtaonline.net](mailto:dmelliott@mtaonline.net)) <[dmelliott@mtaonline.net](mailto:dmelliott@mtaonline.net)>; Richard Boothby <[Richard.Boothby@matsugov.us](mailto:Richard.Boothby@matsugov.us)>; Elizabeth Weiant <[Elizabeth.Weiant@matsugov.us](mailto:Elizabeth.Weiant@matsugov.us)>; Eric Phillips <[Eric.Phillips@matsugov.us](mailto:Eric.Phillips@matsugov.us)>; Sandra Cook <[Sandra.Cook@matsugov.us](mailto:Sandra.Cook@matsugov.us)>; Michael Weller <[Michael.Weller@matsugov.us](mailto:Michael.Weller@matsugov.us)>; Sheila Armstrong <[Sheila.Armstrong@matsugov.us](mailto:Sheila.Armstrong@matsugov.us)>; Tracy McDaniel <[Tracy.McDaniel@matsugov.us](mailto:Tracy.McDaniel@matsugov.us)>; Terry Dolan <[Terry.Dolan@matsugov.us](mailto:Terry.Dolan@matsugov.us)>; Jim Jenson <[James.Jenson@matsugov.us](mailto:James.Jenson@matsugov.us)>; Jamie Taylor <[Jamie.Taylor@matsugov.us](mailto:Jamie.Taylor@matsugov.us)>; Nicole Wilkins <[Nicole.Wilkins@matsugov.us](mailto:Nicole.Wilkins@matsugov.us)>; Theresa Taranto <[Theresa.Taranto@matsugov.us](mailto:Theresa.Taranto@matsugov.us)>; Susan Lee <[Susan.Lee@matsugov.us](mailto:Susan.Lee@matsugov.us)>; Eileen Probasco <[Eileen.Probasco@matsugov.us](mailto:Eileen.Probasco@matsugov.us)>; Jessica Smith <[Jessica.Smith@matsugov.us](mailto:Jessica.Smith@matsugov.us)>; Frankie Barker <[Frankie.Barker@matsugov.us](mailto:Frankie.Barker@matsugov.us)>; Permit Center <[PermitCenter@matsugov.us](mailto:PermitCenter@matsugov.us)>; Andy Dean <[Andy.Dean@matsugov.us](mailto:Andy.Dean@matsugov.us)>; MEA <[mearow@matanuska.com](mailto:mearow@matanuska.com)>; Becky Glenn <[rglenn@mta-telco.com](mailto:rglenn@mta-telco.com)>; Jessica Thompson <[jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)>; [jennifer.diederich@enstarnaturalgas.com](mailto:jennifer.diederich@enstarnaturalgas.com); Robin L. Leighty ([Robin.Leighty@enstarnaturalgas.com](mailto:Robin.Leighty@enstarnaturalgas.com)) <[Robin.Leighty@enstarnaturalgas.com](mailto:Robin.Leighty@enstarnaturalgas.com)>; [row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com); 'ospdesign@gci.com' ([ospdesign@gci.com](mailto:ospdesign@gci.com)) <[ospdesign@gci.com](mailto:ospdesign@gci.com)>; 'dblehm@gci.com' ([dblehm@gci.com](mailto:dblehm@gci.com)) <[dblehm@gci.com](mailto:dblehm@gci.com)>  
**Cc:** [jay@valleymarket.com](mailto:jay@valleymarket.com); [lamarra05@gmail.com](mailto:lamarra05@gmail.com); [stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com); [jordan@alaskaplans.com](mailto:jordan@alaskaplans.com); [tait@zimmermanteamak.com](mailto:tait@zimmermanteamak.com); [patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com); [amyhansenhomes@gmail.com](mailto:amyhansenhomes@gmail.com); [marty@valleymarket.com](mailto:marty@valleymarket.com); [winforsim@aol.com](mailto:winforsim@aol.com)  
**Subject:** Drinkhouse Bluffs MSP 16-061 Tech 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.

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Attached is the Request for Comments (RFC) for Drinkhouse Bluffs Master Plan, MSB Case #2016-061, Tech AOB. Also attached is a letter of explanation from the surveyor, soils report, Vicinity Map and Owner's Statement. Comments are due by June 3, 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

May 5, 2016

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

Subject: Preliminary Plat Request for Comments – **Drinkhouse Bluffs Master Plan**  
(Case No. 2016-061)

Dear Ms. Otto-Buchanan:

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

If you have any questions, I can be reached by phone at 907-334-7953 or by email at [robin.leighty@enstarnaturalgas.com](mailto:robin.leighty@enstarnaturalgas.com).

Sincerely,

A handwritten signature in blue ink that reads "Robin Leighty". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Robin Leighty  
Right-of-Way and Permitting Agent

*Sent via e-mail to [plattling@matsugov.us](mailto:plattling@matsugov.us)*

**EXHIBIT H - 2**



## Amy Otto-Buchanan

---

**From:** Zafian, Holly K (DFG) <holly.zafian@alaska.gov>  
**Sent:** Thursday, June 02, 2016 9:58 AM  
**To:** Amy Otto-Buchanan  
**Cc:** Meehan, Joe (DFG); Fink, Mark J (DFG); Schoniger, Cindy K (DNR); Hill, Doug D (DFG); 'Gary LoRusso'; 'MarieDrinkhouse@yahoo.com'; Burch, Mark E (DFG); Benkert, Ronald C (DFG); Ivey, Samuel S (DFG); Price, Richard A (DFG)  
**Subject:** FW: Drinkhouse Bluffs MSP 16-061 Tech AOB  
**Attachments:** RFC Drinkhouse Blfs MSP 16-061.pdf; Drinkhouse Bluffs MSP.PDF

Good morning,

The Alaska Department of Fish and Game (ADF&G) has reviewed the preliminary plat which requests to subdivide Tax Parcel B3 and Tax Parcel B8, Section 1, T. 16 N., R. 2 W., S.M., Alaska in order to create 14 new lots and 2 new tracts by a four-phased Master Plan to be known as Drinkhouse Bluffs Master Plan. The plat appears to accurately depict the 33' section line easements (SLEs) located along the north and west property boundaries. The subject property is bordered to the north and to the southeast by Palmer Hay Flats State Game Refuge (the refuge).

The refuge access road runs south from S Hayfield Road, then east along the subject property boundary within the SLE, then southwest along the property boundary. A portion of the southwest segment of the refuge access road lies within the subject property. ADF&G staff are working with the landowner and the Alaska Department of Natural Resources in order to resolve this issue.

The SLE located along the west property boundary was modified with a replacement easement by EV 2-795 (Plat 2000-134, Palmer Recording District). This SLE runs north-south and provides legal public access from S Hayfield Road to the refuge.

ADF&G does not object to the preliminary plat as proposed, however, we look forward to resolving the refuge access road issue. Thank you for the opportunity to review and comment on this platting action. If you have any questions or would like to discuss our comments, please feel free to contact me.

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

---

**From:** Amy Otto-Buchanan [<mailto:Amy.Otto-Buchanan@matsugov.us>] **On Behalf Of** Platting  
**Sent:** Tuesday, May 03, 2016 4:55 PM  
**To:** Zafian, Holly K (DFG); Fink, Mark J (DFG); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); John Aschenbrenner; [brian.young@usps.gov](mailto:brian.young@usps.gov); Dan Mayfield; 'kelleyg@mtaonline.net' ([kelleyg@mtaonline.net](mailto:kelleyg@mtaonline.net)); [cc1@wwdb.org](mailto:cc1@wwdb.org); 'ken.slauson@gmail.com' ([ken.slauson@gmail.com](mailto:ken.slauson@gmail.com)); 'dmelliott@mtaonline.net' ([dmelliott@mtaonline.net](mailto:dmelliott@mtaonline.net)); Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; Michael Weller; O'Donnell-Armstrong, Sheila (DNR sponsored); McDaniel, Tracy (DNR sponsored); Terry Dolan; Jim Jenson; Jamie Taylor; Wilkins, Nicole (DNR sponsored); Theresa Taranto; [susan.lee@matsugov.us](mailto:susan.lee@matsugov.us); Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; MEA; MTA; Jessica Thompson ([jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)); [jennifer.diederich@enstarnaturalgas.com](mailto:jennifer.diederich@enstarnaturalgas.com); Robin L. Leighty

# SITE VISIT REPORT

|                                    |                                     |
|------------------------------------|-------------------------------------|
| Case Name: Drinkhouse Bluffs MSP   | Date: May 25, 2016    Time: 4:04 pm |
| Owner: Marie Drinkhouse            | Case Number: 2016-061               |
| Surveyor/Engineer: Keystone/Holler | Tax ID #: 216N02W01B003 & B008      |
| Subdivision: NA                    | Regarding: 16 lot MSP               |

## SITE CONDITIONS

|   |                         |
|---|-------------------------|
| <b>Weather:</b> Sunny   | <b>Temperature:</b> 65° |
| <b>Wind:</b> None   |                         |
| <b>General Site Condition:</b> 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 16, 2016

**Reason for Visit/Remarks:** Check sight distances for proposed access road and driveways.

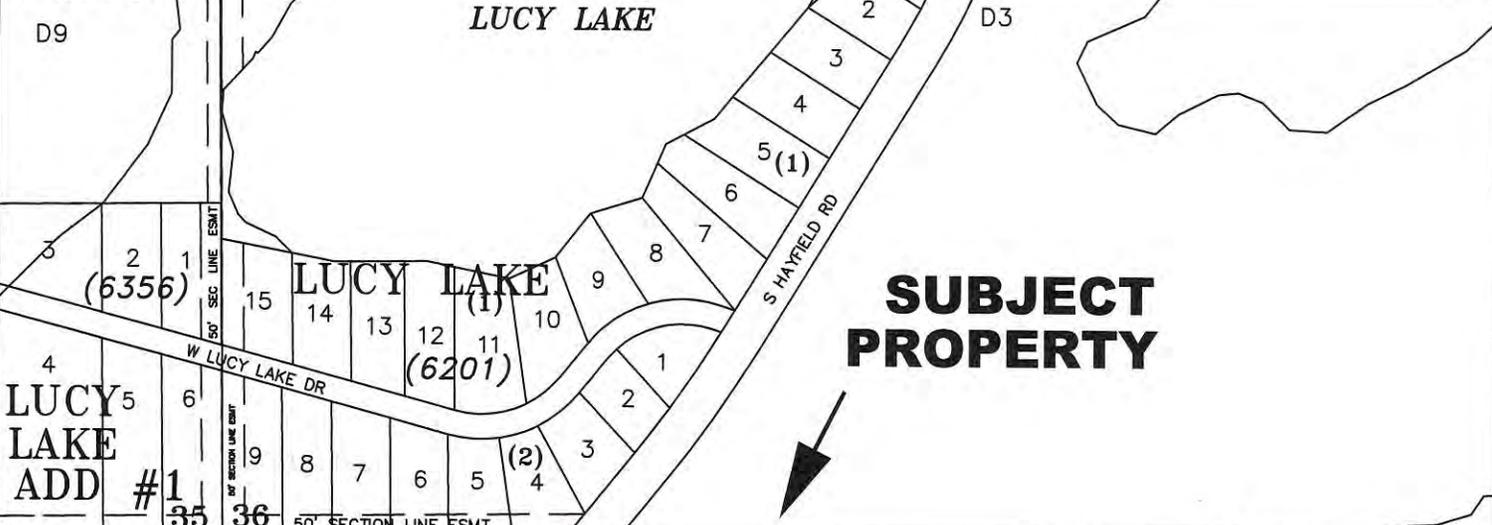
(See attached photos)

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

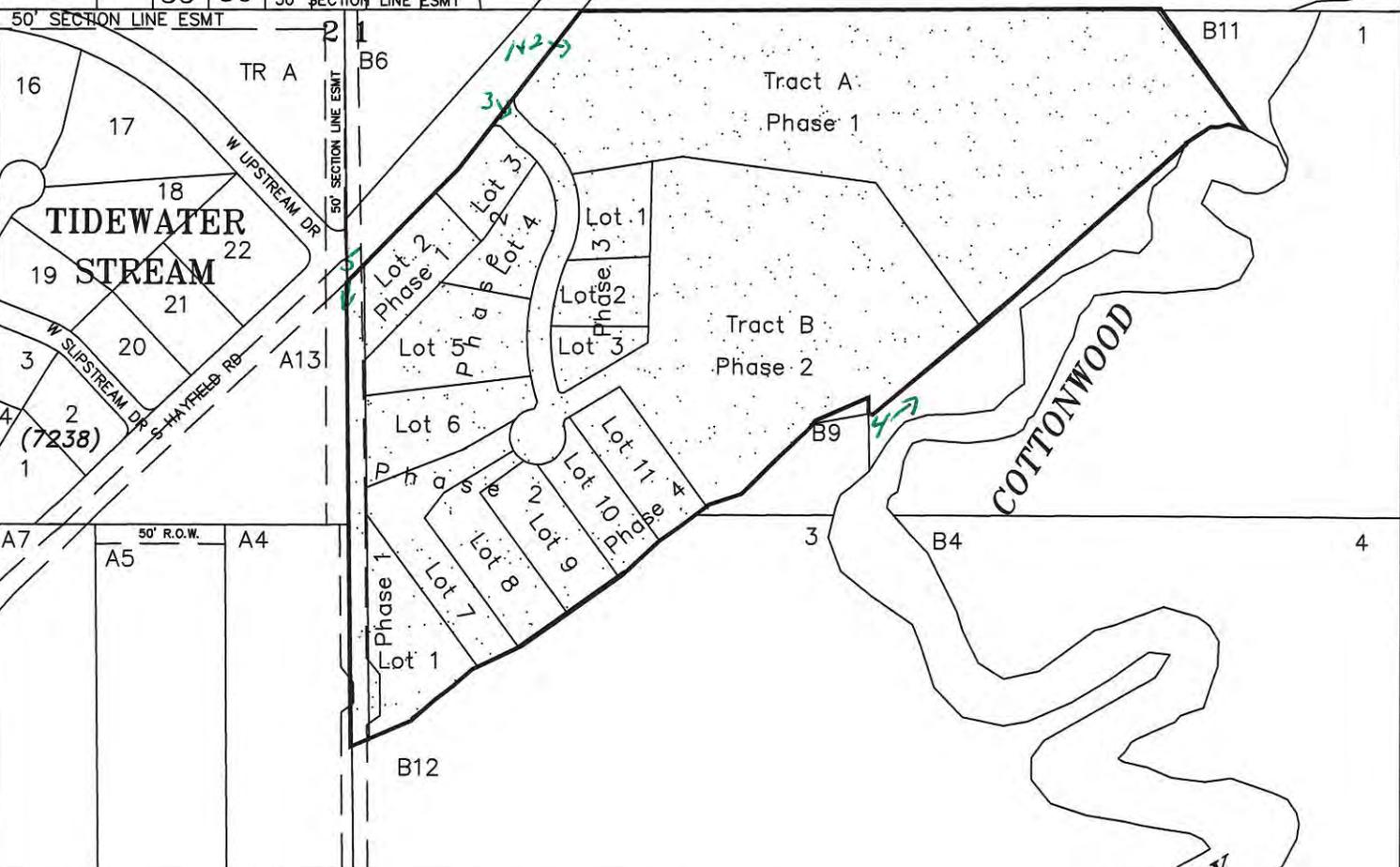
**Date:** May 26, 2016

LUPINE LANE ACRES

(3305)  
ADD NO 2  
TRACT A  
PHASE I



**SUBJECT PROPERTY**



**VICINITY MAP**

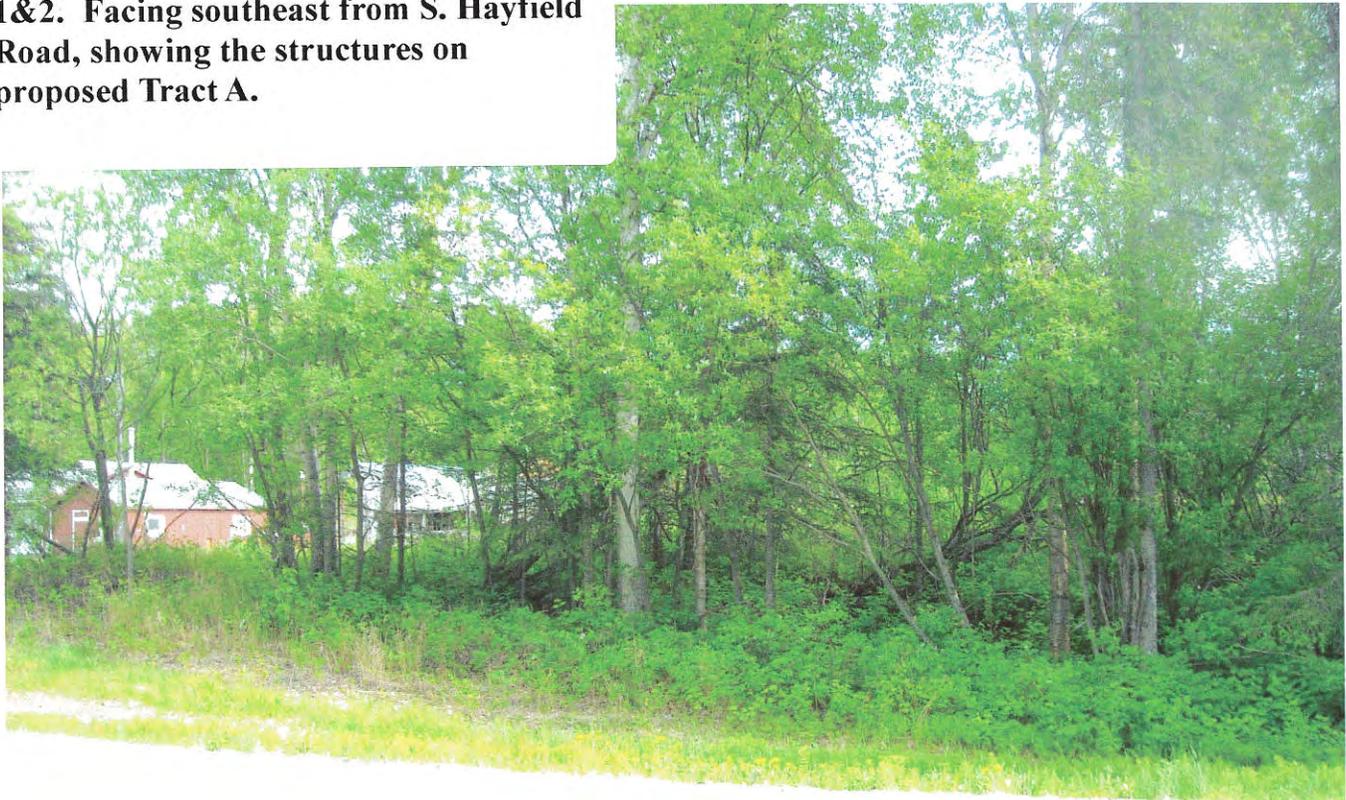
FOR PROPOSED DRINKHOUSE BLUFFS MSP  
LOCATED WITHIN  
SECTION 01, T16N, R02W, SEWARD MERIDIAN,  
ALASKA

O'BRIEN CREEK 03 MAP

**EXHIBIT J-2**



**1&2. Facing southeast from S. Hayfield Road, showing the structures on proposed Tract A.**

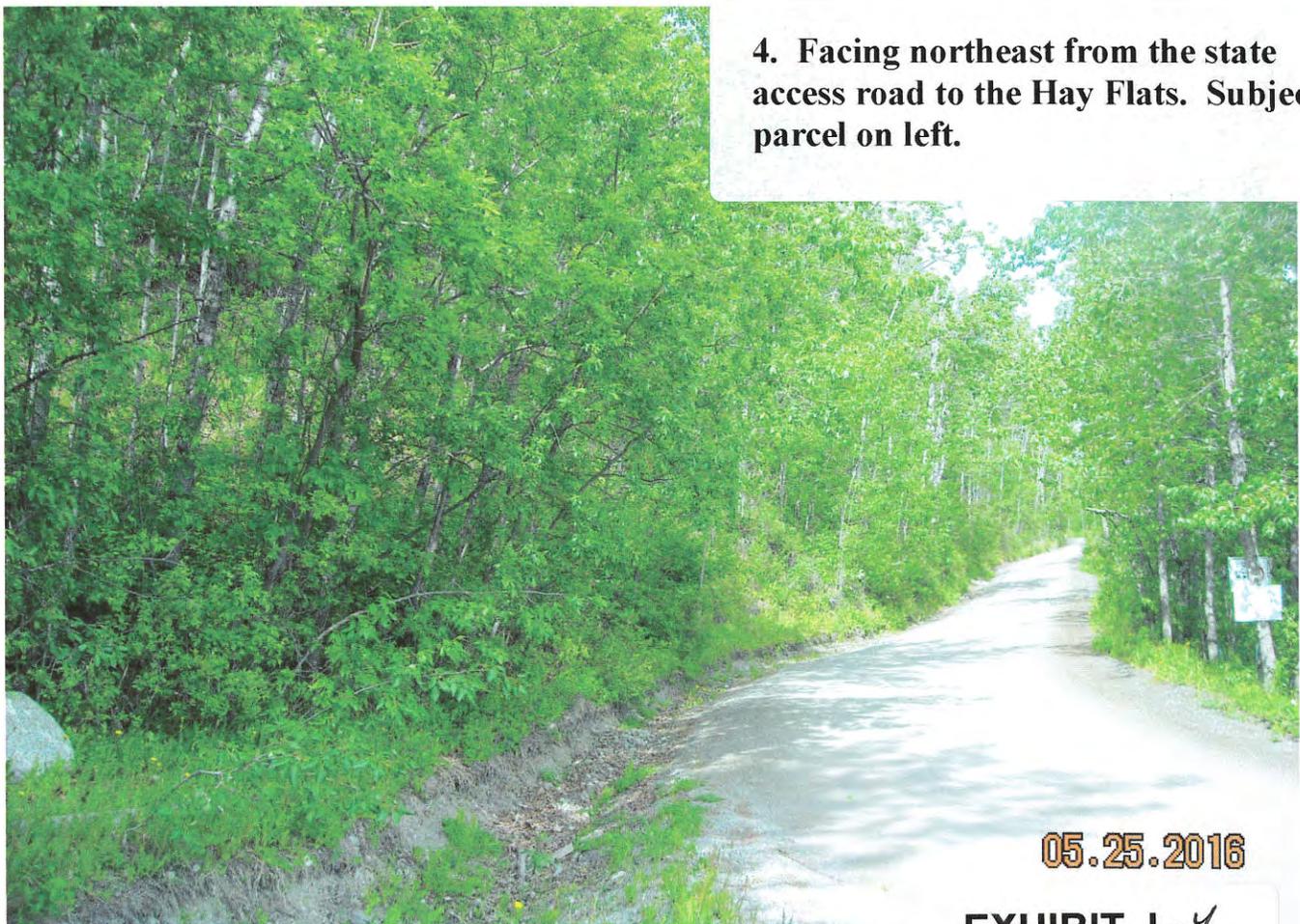


**05.25.2016**

**3. Facing southwest from S. Hayfield Road, approximate location of access street. Subject parcel on left.**



**4. Facing northeast from the state access road to the Hay Flats. Subject parcel on left.**





**5. Facing south from S. Hayfield Road, showing the existing driveway in the Section Line Easement on the western border of subject parcels.**

## Amy Otto-Buchanan

---

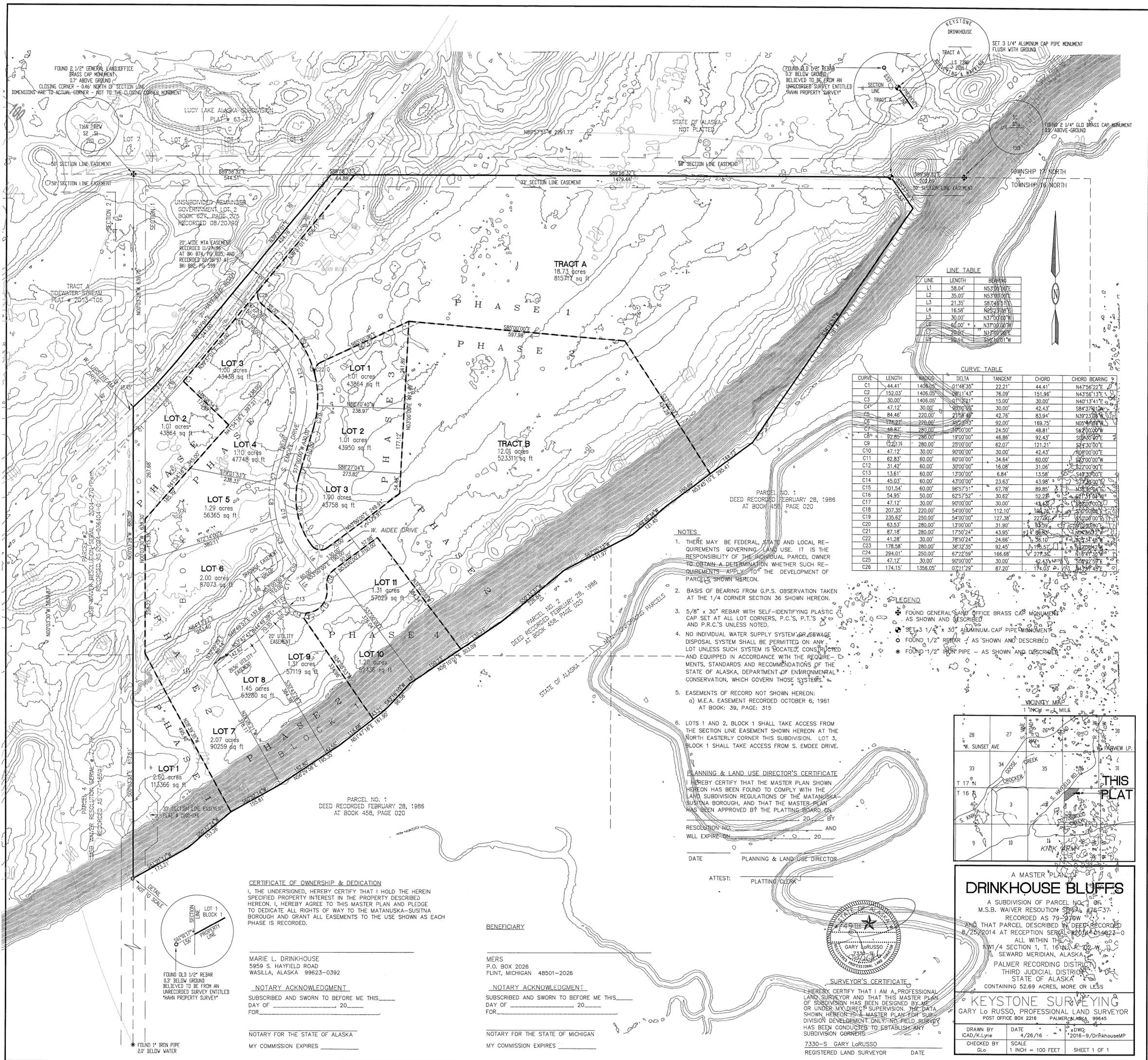
**From:** paul peters <paulwyodel@yahoo.com>  
**Sent:** Monday, May 30, 2016 5:20 PM  
**To:** Platting  
**Subject:** Case #16-061 AOB-Drinkhouse Bluffs Master Plan

To Amy Otto-Buchanan or concerned parties,

My name is Paul Holman and I received your notice about the platting board meeting and land to be discussed on June 16th 2016. I have no immediate concerns about this "development" however the one concern I would like addressed at the meeting is that with the development of this area and shortly to come more traffic on Hayfield road I would appreciate if the DOT could do something about the hill just past the intersection of Hayfield Road and Lucy Lake Road. Traffic from Hayfield comes screaming down the blind hill going anywhere between 40-60mph and I've personally almost been involved in many auto accidents because of this "blind spot" I also know others that live on Lucy Lake have similar issues. So any update into this consideration would be very helpful. Please let me know of any questions and or concerns...

-Paul Holman  
POBox 874026  
Wasilla, AK 99687  
907-841-9112  
[paulwyodel@yahoo.com](mailto:paulwyodel@yahoo.com)

**EXHIBIT K**



**LINE TABLE**

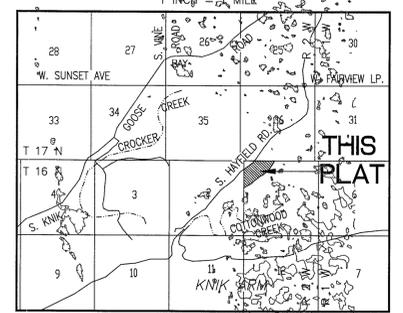
| LINE | LENGTH | BEARING     |
|------|--------|-------------|
| L1   | 58.04' | N53°00'00"W |
| L2   | 35.00' | N53°00'00"W |
| L3   | 21.58' | S87°43'11"W |
| L4   | 16.58' | N62°33'00"W |
| L5   | 30.00' | N37°00'00"W |
| L6   | 64.00' | N37°00'00"W |
| L7   | 28.61' | N17°00'00"W |
| L8   | 28.14' | S64°58'01"W |

**CURVE TABLE**

| CURVE | LENGTH  | RADIUS   | DELTA     | TANGENT | CHORD   | CHORD BEARING |
|-------|---------|----------|-----------|---------|---------|---------------|
| C1    | 44.41'  | 1408.05' | 01°48'35" | 22.21'  | 44.41'  | N47°56'22"E   |
| C2    | 152.03' | 1406.05' | 08°11'43" | 76.09'  | 151.96' | N43°56'13"E   |
| C3    | 30.00'  | 1406.05' | 01°38'21" | 15.00'  | 30.00'  | N40°13'41"E   |
| C4    | 47.12'  | 30.00'   | 90°00'00" | 30.00'  | 42.43'  | S84°37'12"W   |
| C5    | 84.46'  | 220.00'  | 21°58'48" | 42.76'  | 83.94'  | N39°23'08"W   |
| C6    | 174.27' | 220.00'  | 46°27'33" | 92.00'  | 169.75' | N05°41'57"W   |
| C7    | 48.87'  | 280.00'  | 16°00'00" | 24.50'  | 48.81'  | S42°00'00"W   |
| C8    | 92.85'  | 280.00'  | 19°00'00" | 46.86'  | 92.43'  | S06°30'00"E   |
| C9    | 124.74' | 280.00'  | 25°00'00" | 62.07'  | 121.21' | S24°30'00"E   |
| C10   | 47.12'  | 30.00'   | 90°00'00" | 30.00'  | 42.43'  | N08°00'00"E   |
| C11   | 62.83'  | 60.00'   | 60°00'00" | 34.64'  | 60.00'  | S67°00'00"W   |
| C12   | 31.42'  | 60.00'   | 30°00'00" | 16.08'  | 31.06'  | S27°00'00"E   |
| C13   | 13.81'  | 60.00'   | 13°00'00" | 6.84'   | 13.58'  | S48°30'00"E   |
| C14   | 45.03'  | 60.00'   | 43°00'00" | 23.63'  | 43.98'  | S73°40'00"E   |
| C15   | 101.54' | 60.00'   | 96°57'51" | 67.78'  | 89.85'  | N03°31'00"W   |
| C16   | 54.95'  | 50.00'   | 62°57'52" | 30.62'  | 52.28'  | S60°31'00"W   |
| C17   | 47.12'  | 30.00'   | 90°00'00" | 30.00'  | 42.43'  | S10°00'00"E   |
| C18   | 207.35' | 220.00'  | 54°00'00" | 112.10' | 184.78' | S37°00'00"E   |
| C19   | 235.62' | 250.00'  | 54°00'00" | 127.38' | 227.60' | S10°00'00"E   |
| C20   | 63.53'  | 280.00'  | 13°00'00" | 31.90'  | 63.49'  | S10°00'00"E   |
| C21   | 87.18'  | 280.00'  | 17°50'24" | 43.95'  | 87.14'  | N06°34'16"W   |
| C22   | 41.28'  | 30.00'   | 78°50'24" | 24.66'  | 41.10'  | S63°34'16"W   |
| C23   | 178.58' | 280.00'  | 36°32'35" | 92.45'  | 176.57' | N15°20'00"W   |
| C24   | 294.01' | 250.00'  | 67°22'59" | 166.68' | 277.36' | N15°11'30"W   |
| C25   | 47.12'  | 30.00'   | 90°00'00" | 30.00'  | 42.43'  | S09°23'00"E   |
| C26   | 174.15' | 1356.05' | 07°11'29" | 87.20'  | 174.03' | N14°44'49"E   |

- NOTES**
1. THERE MAY BE FEDERAL, STATE AND LOCAL REQUIREMENTS GOVERNING LAND USE. IT IS THE RESPONSIBILITY OF THE INDIVIDUAL PARCEL OWNER TO OBTAIN A DETERMINATION WHETHER SUCH REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN HEREON.
  2. BASIS OF BEARING FROM G.P.S. OBSERVATION TAKEN AT THE 1/4 CORNER SECTION 36 SHOWN HEREON.
  3. 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.
  4. 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.
  5. EASEMENTS OF RECORD NOT SHOWN HEREON:
    - a) M.E.A. EASEMENT RECORDED OCTOBER 6, 1961 AT BOOK: 39, PAGE: 315
  6. LOTS 1 AND 2, BLOCK 1 SHALL TAKE ACCESS FROM THE SECTION LINE EASEMENT SHOWN HEREON AT THE NORTH EASTERLY CORNER THIS SUBDIVISION. LOT 3, BLOCK 1 SHALL TAKE ACCESS FROM S. EMDIE DRIVE.

- LEGEND**
- FOUND GENERAL LAND OFFICE BRASS CAP MONUMENTS AS SHOWN AND DESCRIBED
  - SET 3 1/4" x 30" ALUMINUM CAP PIPE MONUMENT
  - FOUND 1/2" REBAR AS SHOWN AND DESCRIBED
  - FOUND 1/2" IRON PIPE - AS SHOWN AND DESCRIBED



**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 \_\_\_\_\_ AND WILL EXPIRE ON \_\_\_\_\_ 20\_\_\_\_.

DATE \_\_\_\_\_ PLANNING & LAND USE DIRECTOR

ATTEST: \_\_\_\_\_ PLATTING CLERK

**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.

MARIE L. DRINKHOUSE  
5959 S. HAYFIELD ROAD  
WASILLA, ALASKA 99623-0392

**NOTARY ACKNOWLEDGMENT**  
SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ FOR \_\_\_\_\_

NOTARY FOR THE STATE OF ALASKA  
MY COMMISSION EXPIRES \_\_\_\_\_

**BENEFICIARY**

MERS  
P.O. BOX 2026  
FLINT, MICHIGAN 48501-2026

**NOTARY ACKNOWLEDGMENT**  
SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ FOR \_\_\_\_\_

NOTARY FOR THE STATE OF MICHIGAN  
MY COMMISSION EXPIRES \_\_\_\_\_

**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.

GARY LoRUSSO  
REGISTERED LAND SURVEYOR

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

**DRINKHOUSE BLUFFS**  
A SUBDIVISION OF PARCEL NO. 06 M.S.B. WAIVER RESOLUTION SERIAL # 78-37 RECORDED AS 79-3700 AND THAT PARCEL DESCRIBED IN DEED RECORDED 8/25/2014 AT RECEPTION SERIAL # 2014-014023-0 ALL WITHIN THE NW 1/4 SECTION 1, T. 16 N., R. 20 W., Seward Meridian, Alaska PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA CONTAINING 52.69 ACRES, MORE OR LESS

DRAWN BY ICAD/K.Lyne DATE 4/26/16 DWG # 2016-9/DrinkhouseMP  
CHECKED BY GLo SCALE 1 INCH = 100 FEET SHEET 1 OF 1

RECEIVED  
MAY 02 2016  
PLATTING  
Agenda Copy

**4B**

**STAFF REVIEW AND RECOMMENDATIONS  
PUBLIC HEARING  
JUNE 16, 2016**

PRELIMINARY PLAT:      **END OF THE RAINBOW B/2 L/9A & 9B**  
LEGAL DESCRIPTION:    **SEC. 9, T17N, R2W, SEWARD MERIDIAN, AK**  
PETITIONER:           **NEAL & BRENDA BULLOCK**  
SURVEYOR:             **ALASKA RIM ENGINEERING**  
PARCELS: **2**             **ACRES: 2.76**  
REVIEWED BY:          **PEGGY HORTON**                    **CASE: 2016-062**

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The request is to create 2 new lots from a combination of Lots 8 and 9, Block 2, End of the Rainbow, Plat 70-23, containing 2.76 acres more or less. One of the lots will be a utility lot, to contain an existing cell tower. A variance to MSB 43.20.281, Area, is requested for a lack of useable septic area on the larger lot. Approval for a variance from physical and legal access was granted for this project on August 20, 2015. Approval for a setback variance was granted for this property on January 18, 2016.

**EXHIBITS**

|                                 |                  |
|---------------------------------|------------------|
| Vicinity Maps                   | <b>EXHIBIT A</b> |
| Prior Platting NOA & Minutes    | <b>EXHIBIT B</b> |
| Cell Tower Variance Resolution  | <b>EXHIBIT C</b> |
| Setback Variance Reso & Minutes | <b>EXHIBIT D</b> |
| Soils Report                    | <b>EXHIBIT E</b> |
| Variance to MSB 43.20.281       | <b>EXHIBIT F</b> |

**COMMENTS:**

|                               |                  |
|-------------------------------|------------------|
| Dept of Public Works Engineer | <b>EXHIBIT G</b> |
| Dept of Public Works O&M      | <b>EXHIBIT H</b> |
| West Lakes FSA & DES          | <b>EXHIBIT I</b> |
| Code Compliance               | <b>EXHIBIT J</b> |
| Current Planner               | <b>EXHIBIT K</b> |
| Enstar                        | <b>EXHIBIT L</b> |

**HISTORY**

Aug 1970 -- End of the Rainbow Subdivision was recorded with platted rights-of-way, and construction of the roads was not a requirement.

- Feb 2005 -- The Planning Commission approved a setback variance to MSB 17.55.010(A) to allow a telecommunications tower and equipment building on Block 2, Lot 9, End of the Rainbow Subdivision to be located less than 25 feet from the Robing Circle right-of-way with 15 findings
- Aug 2015 -- Platting Board approved the variance request to MSB 43.20.120, *Legal Access* and MSB 43.20.140, *Physical Access* to allow for the combining of Lots 8 & 9, Block 2, End of the Rainbow Subdivision, Plat #70-23 and the creation of a utility lot for the existing cell tower with 6 findings (**Exhibit B**).
- Feb 2016 -- The Planning Commission approved a setback variance to MSB 17.55.010(A) to allow an existing single-family residence to remain set back less than 25 feet from the section line easement on the west side of Block 2, Lot 9, End of the Rainbow Subdivision.

### **DISCUSSION:**

The petitioners request is to combine Lots 8 & 9, End of the Rainbow and create a small utility lot for an existing cellular tower. Proposed Lot 9B, the utility lot, will be approximately 4, 448 sq ft. Lot 9A contains a single-family residence and will be approximately 115,618 sq ft. The lots have significant topographic constraints. The surveyor has placed a plat note on the preliminary plat stating Lot 9B is for utility purposes only and shall have no on-lot sewer or water as required by MSB 43.20.281(D).

**Access:** Access to the lots is by S. Robin Circle, a non-borough maintained cul-de-sac. Legal and physical access to the proposed subdivision was waived by the Platting Board in 2015 when they approved the variance (**Exhibit B**). Findings of fact to support this variance were approved to support the conclusion.

**Structural Setback Variances:** A variance to the setback requirements from a public right-of-way was approved in February, 2005 to allow the cell tower to remain within 25 feet of the cul-de-sac of S. Robin Circle (**Exhibit C**). Several findings of fact supporting this conclusion were provided.

The Planning Commission, in January, 2016, approved a setback variance to allow the single-family residence to remain where it is (**Exhibit D**). The structure is 14.6 feet from the edge of the section line easement. They had several findings of fact to support their conclusion.

**Soils:** Alaska Rim Engineering supplied a useable area report which discusses the existing wastewater system and useable area (**Exhibit E**). The existing septic system are outside the required 100-ft well protection radius for the onsite well. One test hole log was provided. Water was not found in the test hole, which was dug to 11 feet.

The terrain consists of a high gravel ridge which runs along the northern and western portion of Lot 0. The top of this ridge was leveled off and flattened to house the existing residential improvements. The remainder of the combined lots consists of slopes which exceed the

minimum 25 percent grades. From the top of the ridge the terrain drops 75 to 80 feet to the south and east toward Robin Lake, and roughly 60 to 80 feet toward the north and west. The property is mostly vegetated with birch and spruce trees.

The engineer determined, that because of topographic conditions on the site, Lot 9A will have 40,000 sq ft or greater of total area with a minimum of 10,000 sq ft of useable building area, but will not have 10,000 sq ft of usable septic area due to the topographic conditions on the site and a variance application was submitted to address the requirements for useable septic area (**Exhibit D**).

**Variance:**

- A. The granting of the variance shall not be detrimental to the public health, safety, or welfare, or injurious to adjacent property;*

This platting action will combine two substandard lots which were created by the 1970's End of the Rainbow Subdivision plat, and will also be creating a utility lot for the existing cellular tower under MSB Title 43.20.281(D) with no on-lot sewer.

Lot 9 is currently served by an existing wastewater disposal system. The platting action to combine Lots 8 and 9 into one larger lot will be reducing the impact on this property.

The combining of two substandard lots into one larger lot will be removing one of the residential lots which will be reducing the future development of this property.

The utility lot is prohibited from having on-lot sewer.

- B. The conditions upon which the variance application is based do not apply generally to properties for which the variance is sought;*

Lots 8 and 9, Block 2 of the End of the Rainbow Subdivision are two existing lots today. This platting action is not adding to the use of the existing substandard lot conditions, but will actually be reducing the usage by combining Lots 8 & 9 into one larger lot to be known as Lot 9A.

The utility lot for the existing cellular tower is being created under MSB Title 43.20.281(D) where there will be no on-lot sewer permitted. This lot will be known as Lot 9B.

- 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.*

The property consist of a gravel ridge which runs along the north boundary of Lot 9 and loops around to the south west portion of the lot. This ridge had to be cut down and widened in order to building the existing driveway to the building site. The improvements consist of a modest residential building with onsite water and wastewater disposal systems. From the top of the ridge the property drops off 60 to 80 feet in all directions.

The top of the ridge, where the improvements have been constructed, cannot be widened to increase the usable area on this property.

### **COMMENTS:**

The Public Works Engineer had no comment (**Exhibit G**). MSB Road Superintendent has no concerns since the roads are not maintained by the borough (**Exhibit H**). The West Lakes FSA and Dept of Emergency Services has no objections to the request (**Exhibit I**). Code Compliance stated there are no open code compliance cases, the property is not within a Special Land Use District and is not within a Special Flood Hazard Area (**Exhibit J**). MSB Planner stated a setback variance for the existing house on Block 2, Lot 9 was approved by the Planning Commission on January 18, 2016 (**Exhibit K**).

Enstar has no comments or objections (**Exhibit L**).

### **CONCLUSION:**

The petitioners request is to combine Lot 8 & 9, End of the Rainbow and create a small utility lot to contain an existing cellular tower. A variance to legal and physical access was approved by the Platting Board August, 2015. A variance to the cell tower-right-of-way setback MSB 17.55.010(A) was approved by the Planning Commission February, 2005. A variance to the structural setback MSB 17.55.010(A) was approved by the Planning Commission January, 2016. A variance to MSB 43.20.281(A)(1)(a) is requested to allow the platting of Lot 9A, without 10,000 sq ft of useable septic area.

There were no objections from the borough departments, outside agencies or the public as a result of the public noticing. The findings from the previous variance approvals are attached. The civil engineer provided a report stating the lot will have 10,000 sq ft of useable building area, but not 10,000 sq ft of useable septic area due to topographic constraints. All of this provides staff with evidence to support this preliminary plat and variance.

### **RECOMMENDATIONS:**

***Suggested motion: "I move to approve the variance to MSB 43.20.281(A)(1)(a) and the preliminary plat of End of the Rainbow Block 2, Lots 9A & 9B, contingent upon staff recommendations and findings."***

1. Pay the postage and advertising fee.
2. Apply for a driveway permit for the existing driveway onto S. Robin Circle.
3. Provide updated Certificate to Plat executed within 90 days, prior to recording per MSB 43.15.053(E). Obtain beneficiary affidavits from holders of legal and beneficial interest to be recorded with the final plat, if any.

4. Submit the final plat in full compliance with Title 43.
5. Submit recording fee, payable to State of Alaska, DNR.
6. Taxes and special assessments must be current prior to recording, per MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.

## **FINDINGS**

1. The preliminary plat of End of the Rainbow Block 2, Lot 9A & 9B is consistent with AS 29.40.070 Platting Regulations; and MSB 43.15.016 Preliminary Plat with the submittal of a variance from MSB 43.20.281(A)(1)(a) and the variances already approved.
2. End of the Rainbow Subdivision was recorded in August, 1970, with platted rights-of-way, and construction of the roads was not a requirement at the time.
3. Access to the lots is by S. Robin Circle, a non-borough maintained dead-end cul-de-sac. The Platting Board, in August, 2015 approved a variance to legal and physical access to the proposed subdivision.
4. The Planning Commission, in February, 2005 approved a setback variance to allow the cell tower to remain within 25 feet of the cul-de-sac of S. Robin Circle.
5. The Planning Commission, in January, 2016, approved a setback variance to allow the single-family residence on Lot 9 to remain 14.6 feet from the edge of the section line easement for the purposes of this subdivision.
6. A civil engineer certified that Lot 9A will have 40,000 sq ft or greater of total area with a minimum of 10,000 sq ft of useable building area. He stated that due to topographic conditions on the site Lot 9A will not have 10,000 sq ft of useable septic area per MSB 43.20.281(A)(1)(a).
7. Lot 9A will be approximately 115,618 sq ft. There is an existing wastewater disposal system on the lot which serves the existing residential dwelling. All portions of the system are outside the required 100-ft well protection radius for the onsite well.
8. A variance to MSB 43.20.281(A)(1)(a) was requested and presented to the Platting Board to allow for the resubdivision of Lots 8 & 9, into a larger residential lot to be known as Lot 9A and the creation of a utility lot to be known as Lot 9B where the proposed Lot 9A will not have the 10,000 sq ft of usable septic area.
  - A. *The granting of the variance shall not be detrimental to the public health, safety, or welfare, or injurious to adjacent property;*  
This platting action will combine two substandard lots which were created by the 1970's End of the Rainbow Subdivision plat, and will also be creating a utility lot for the existing cellular tower under MSB Title 43.20.281(D) with no on-lot sewer.

Lot 9 is currently served by an existing wastewater disposal system. The platting action to combine Lots 8 and 9 into one larger lot will be reducing the impact on this property.

The combining of two substandard lots into one larger lot will be removing one of the residential lots which will be reducing the future development of this property.

The utility lot is prohibited from having on-lot sewer.

- B. *The conditions upon which the variance application is based do not apply generally to properties for which the variance is sought;*

Lots 8 and 9, Block 2 of the End of the Rainbow Subdivision are two existing lots today. This platting action is not adding to the use of the existing substandard lot conditions, but will actually be reducing the usage by combining Lots 8 & 9 into one larger lot to be known as Lot 9A.

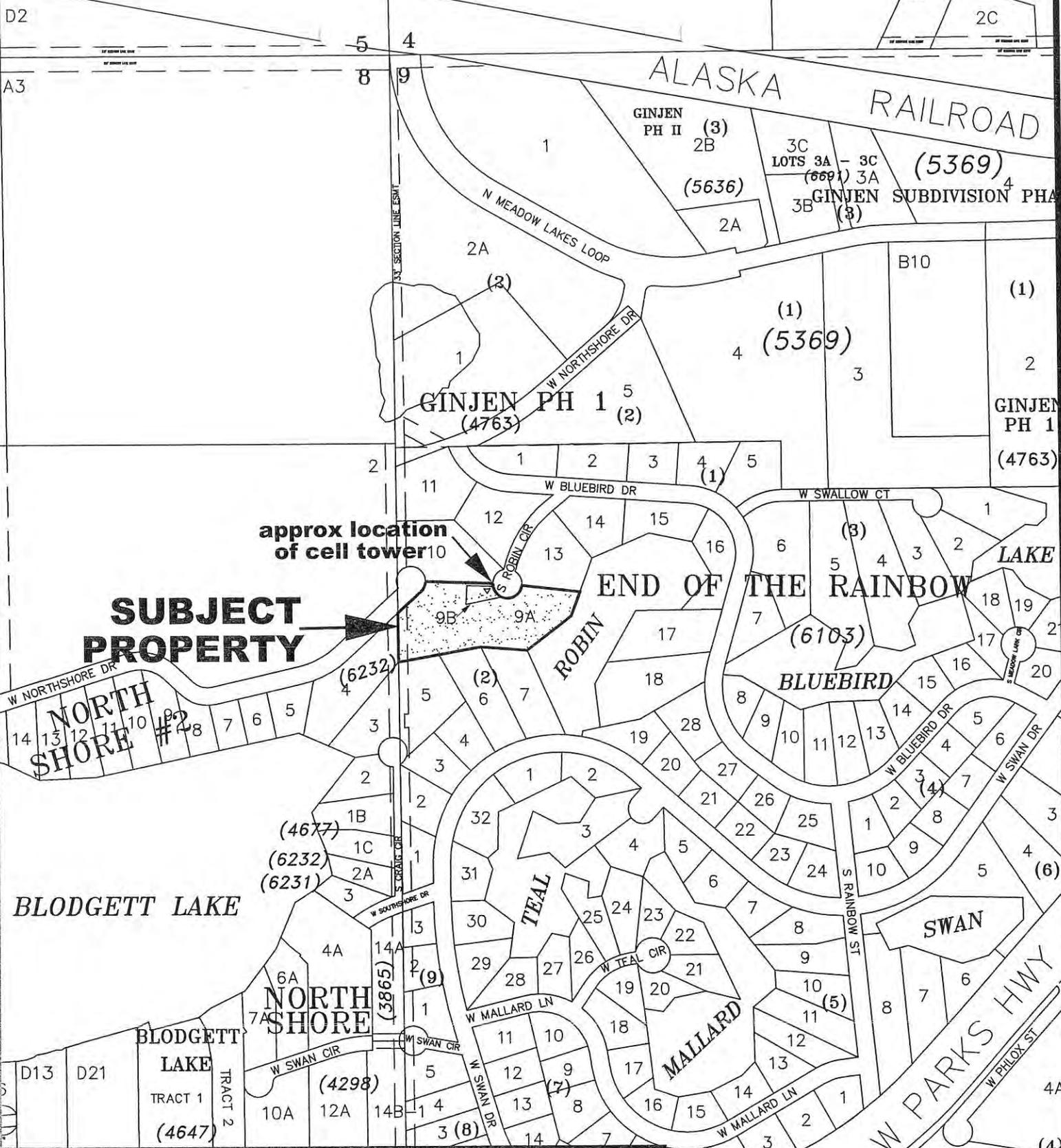
The utility lot for the existing cellular tower is being created under MSB Title 43.20.281(D) where there will be no on-lot sewer permitted. This lot will be known as Lot 9B.

- 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.*

The property consist of a gravel ridge which runs along the north boundary of Lot 9 and loops around to the south west portion of the lot. This ridge had to be cut down and widened in order to building the existing driveway to the building site. The improvements consist of a modest residential building with onsite water and wastewater disposal systems. From the top of the ridge the property drops off 60 to 80 feet in all directions.

The top of the ridge, where the improvements have been constructed, cannot be widened to increase the usable area on this property.

9. Proposed Lot 9B, the utility lot, will be approximately 4, 448 sq ft. The appropriate plat note indicating no on-lot sewer is allowed on Lot 9B is on the preliminary plat.
10. The appropriate Section Line Easements are shown on the preliminary plat.
11. There are no objections from borough departments, outside agencies or the public.
12. No evidence has been submitted which would indicate that the request to allow Lot 9A to be created without the required 10,000 sq ft of useable septic area would be injurious to nearby property nor harmful to the public welfare.



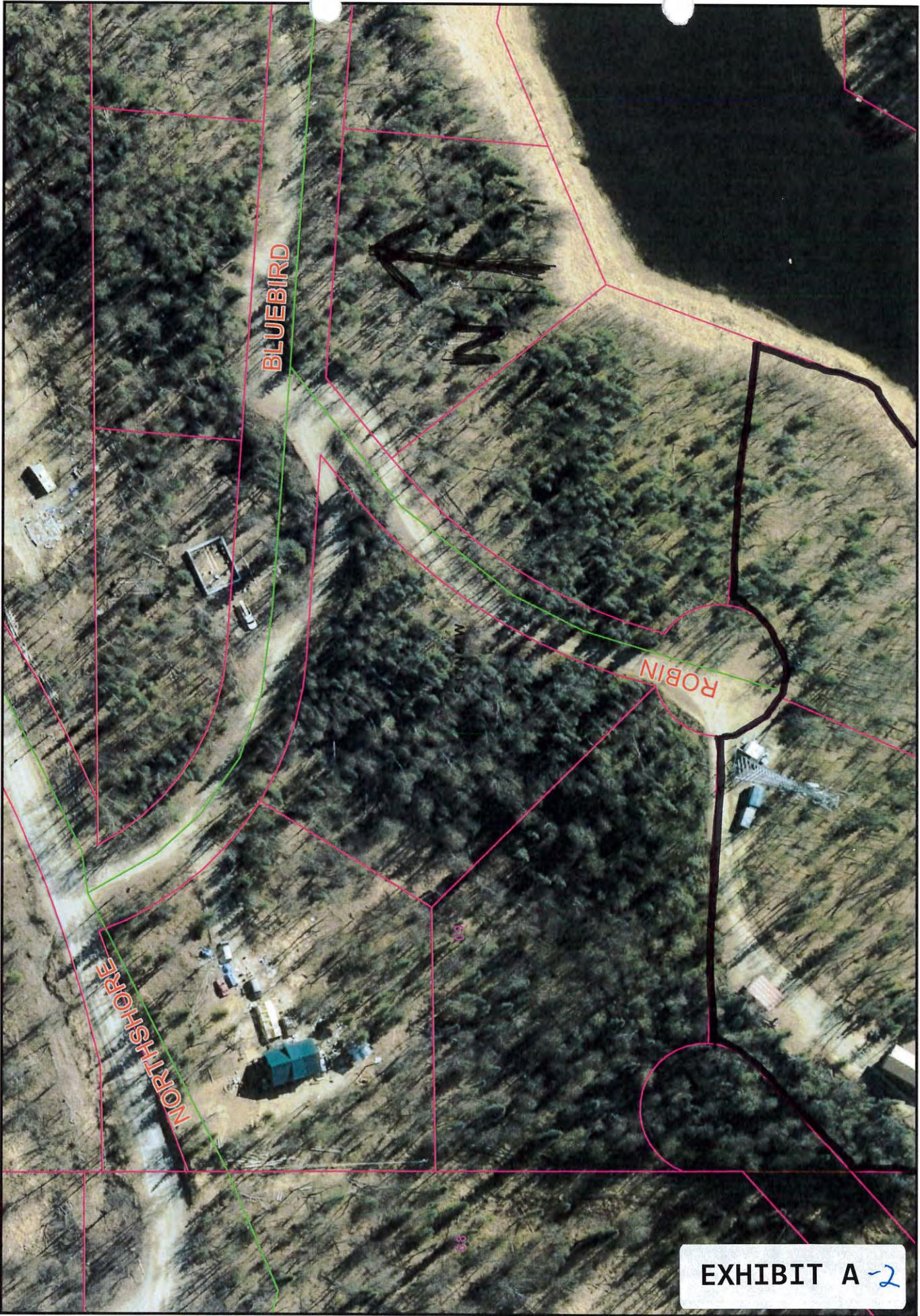
### VICINITY MAP

FOR END OF THE RAINBOW B/2 L/9A & 9B  
 LOCATED WITHIN  
 SECTION 9, T17N, R2W  
 SEWARD MERIDIAN, ALASKA

HOUSTON 10 MAP

EXHIBIT A-1

RAINBOW HEIGHTS EST  
 4 5 6



This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the accuracy of this map, please contact the Planning and Zoning Department, Matanuska-Susitna Borough, GIS Division at 907-745-4801.



**Matanuska Susitna Borough  
Permit Center**



**EXHIBIT A-2**

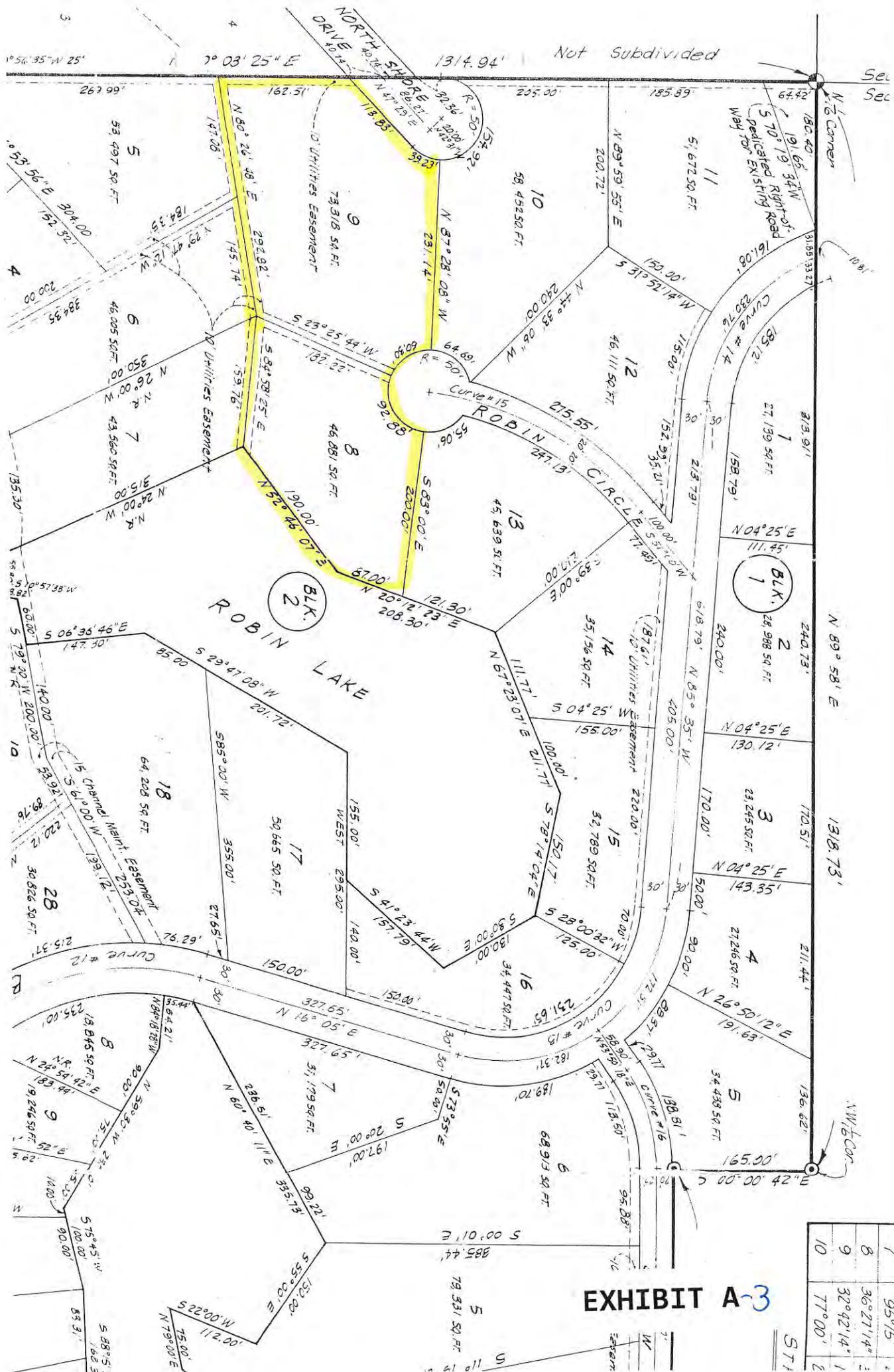


EXHIBIT A-3



# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Platting Division

350 East Dahlia Avenue • Palmer AK 99645

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

August 25, 2015

## NOTIFICATION OF ACTION

Neal & Brenda Bullock  
PO Box 298367  
Wasilla, AK 99654

**RE: BULLOCK VARIANCE**

**CASE: 2015-121**

Action taken by the Platting Board on August 20, 2015 is as follows:

THE VARIANCE TO MSB 43.20.120, LEGAL ACCESS AND 43.20.140, PHYSICAL ACCESS, TO ALLOW FOR THE COMBINING OF LOTS 8 & 9, BLOCK 2, END OF THE RAINBOW SUBDIVISION, PLAT #70-23 AND THE CREATION OF A UTILITY LOT FOR THE EXISTING CELL TOWER WHERE THE EXISTING LEGAL AND PHYSICAL ACCESS TO THE PROPERTY DOES NOT MEET THE CURRENT REQUIREMENTS WAS APPROVED AND WILL EXPIRE ON AUGUST 25, 2021 CONTINGENT UPON THE FOLLOWING CONDITIONS / REASONS (see attached).

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

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

Kindest regards,

Ms. Diana Sorensen  
Platting Board Chairman

cc:  
DCP/ENG

Alaska Rim Engineering, Inc.  
9131 E. Frontage Rd, Ste. 1  
Palmer, AK 99645

Doug Swanson  
PMB 251  
7362 W. Parks Hwy  
Wasilla, AK 99654

**EXHIBIT B-1**

### CONDITIONS of APPROVAL:

The Platting Board approved the Variance to MSB 43.20.120, Legal Access and 43.20.140, Physical Access, to allow for the combining of Lots 8 & 9, Block 2, End of the Rainbow Subdivision, Plat #70-23 and the creation of a utility lot for the existing cell tower where the existing legal and physical access to the property does not meet the current requirements, contingent upon the following:

### FINDINGS

1. A variance to MSB 43.20.120 & 43.20.140 was requested and presented to the Platting Board to allow the combining of Lots 8 & 9, Block 2, End of the Rainbow Subdivision, Plat 70-23, and to create a utility lot for the existing cell tower where the existing legal and physical access to the property does not meet MSB current requirements under Title 43.20.120 & 43.20.140.

- A. The granting of the variance shall not be detrimental to the public health, safety or welfare, or injurious to adjacent property.

*This platting action will be to combine two substandard lots which were created by the 1970's End of the Rainbow Subdivision, and will also be creating a utility lot for the existing cellular tower which is located on this property. With the combining of substandard lots, this platting action will be removing one of the residential lots that access the existing substandard road system and will be creating a utility lot. The cellular tower is an existing structure and the creation of the utility lot for the tower will not be adding additional traffic to the existing substandard road system that isn't already using said road system, nor will the utility lot be generating the type of traffic that would be generated by a residential lot.*

- B. The conditions upon which the variance application is based do not generally apply to properties for which the variance is sought.

*The variance is being requested in order to combine two substandard lots that were created at a time when legal and physical requirements were not to the standards that they are today, and will allow for the creation of a utility lot for the existing cellular tower using the existing legal and physical access within this old 1970's subdivision.*

*It is because of the fact that this property is located within an old 1970's subdivision where the requirements to create rights-of-way (ROW) that are a minimum of 50 feet in width was not required in 1970 and where the construction of the physical roads to the lots were not performed to the standards that they are today.*

*Lots 8 & 9, Block 2, of the End of the Rainbow Subdivision are two existing lots today. This platting action is not adding to the use of the existing substandard road system, but will actually be reducing the usage by combining Lots 8 & 9 into one new lot.*

- C. Because of unusual physical surroundings, shape, or topographic 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 conditions, the

strict application of MSB 43.20 shall result in undue substantial hardship to the owner of the property.

*Title 43.20.120 Legal Access requires that there is unrestricted public ROW connecting the parcels to a state or municipal highway system. The End of the Rainbow plat did create legal access to the parcels, however this existing legal access does not meet the minimum requirements of the subdivision construction manual which requires the ROW width to be a minimum of 50 feet in width. South Robin Circle is only a 40 foot wide ROW and the adjoining parcels are owned by others. To request additional ROW from the adjoining lots where the lots are already substandard would be beyond the ability of this platting action.*

*Title 43.20.140 Physical Access requires that the access road be located entirely within the dedicated ROW and that it conform to existing requirements of the subdivision construction manual. It is evident by the existing topography that shows the physical access road for W. Bluebird Drive was never constructed within the ROW. Subsequently due to the existing residential construction on Lot 1, Block 1, of this subdivision, physical access would require removing other existing development from the ROW and going through a major reconstruction project to relocate the existing access road within the existing ROW. This would be beyond the ability of this platting action.*

2. There were no objections from borough departments, outside agencies, or the public.
3. End of the Rainbow Subdivision was platted in August, 1970. Road construction was not a requirement at that time.
4. W. Bluebird Dr and S. Robin Circle have been constructed, but are not fully within the platted rights-of-way and do not meet the Subdivision Construction Manual standards for road construction.
5. Both Lots 8 & 9, Block 2 have road frontage on S. Robin Circle. Lot 9 also has frontage on an unconstructed portion of W. Northshore Drive.
6. If the variance is approved, the petitioner intends to bring a plat forward to be approved combining Lots 8 & 9 and creating a utility lot for the existing cellular tower.

#### 4. PUBLIC HEARINGS

##### A. BULLOCK VARIANCE

Sloan Von Gunten (Secretary)

- Stated that 106 public hearing notices were mailed out on July 29, 2015, to this date there has been 1 return, 1 objection, no non-objections, and no concerns.

Paul Hulbert (Platting Officer)

- Gave an overview on the case.

Diana Sorensen (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.

Joy Cypra (Petitioner's Representative)

- Agrees with all the recommendations.

##### MOTION:

- Mr. Zimmerman moved to approve the variance to MSB 43.20.120, Legal Access and 43.20.140, Physical Access, to allow for the combining of Lots 8 & 9, Block 2, End of the Rainbow Subdivision, Plat #70-23 and the creation of a utility lot for the existing cell tower where the existing legal and physical access to the property does not meet the current requirements, seconded by Mr. Jay Van Diest.

##### VOTE:

- The motion passed with all in favor. There are 6 findings.

**TIME: 8:43 A.M.**

**CD: 0:11:29**

##### B. KRISTIN LEE ESTATES

Sloan Von Gunten (Secretary)

- Stated that 70 public hearing notices were mailed out on June 25, 2015, to this date there has been 3 returns, no objections, no non-objections, and no concerns.

Amy Otto-Buchanan (Platting Technician)

- Gave an overview on the case.

Diana Sorensen (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.

**EXHIBIT B-4**

MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION 05-07

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING  
COMMISSION APPROVING A VARIANCE TO THE REQUIREMENTS OF MSB  
17.55.010(A) SETBACKS FROM RIGHTS-OF-WAY, FOR BLOCK 2, LOT 9, END OF THE  
RAINBOW SUBDIVISION, PALMER RECORDING DISTRICT

WHEREAS, an application for a variance from the setback requirements of MSB 17.55.010(A) has been received to allow a telecommunications tower and equipment building on Block 2, Lot 9, End of the Rainbow Subdivision, to be located less than 25 feet from the Robin Circle right-of-way; and

WHEREAS, the tower is located 18 feet from the cul-de-sac and the equipment building is located 12 feet from the cul-de-sac, as indicated on the site plan attached as Exhibit "A"; and

WHEREAS, the planning commission has conducted the required public hearing and considered the information submitted as required by code and hereby finds:

1. The unusual circumstances leading to the request for this variance are based on the fact that the Borough's Code Compliance Division approved the Acknowledgement of Existing Land Use Regulations that indicated that the tower and building would be setback more than ten feet, not the required 25 feet from the right-of-way.
2. The applicant's reliance on Borough staff's guidance led them to construct the building and tower too close to the right-of-way.
3. Under normal circumstances, the strict application of the provisions of this title would not deprive the applicant of rights commonly enjoyed by other properties. Because of the extenuating circumstances of the applicant's reliance on erroneous information, a variance is necessary to allow the tower and equipment building to remain in their current location.
4. A variance is also necessary for the approval of the conditional use permit for the extension of the tower to 180 feet in height.
5. The courts have held that property owners who make development decisions based on guidance from government officials cannot be penalized for their error by the governing entity.

EXHIBIT C-1

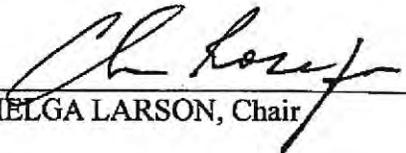
6. No evidence has been submitted which would indicate that the request to allow the tower and equipment building to remain in their current locations would be injurious to nearby property nor harmful to the public welfare.
7. The existing 100 foot tall tower has been in place since 2003.
8. The variance will allow the equipment building and the tower to be located less than 25 feet from the platted right-of-way. The building and tower are located more than 25 feet from the constructed cul-de-sac.
9. Granting this variance will not be in conflict with the 1970 Borough Comprehensive Plan. However, the draft Meadow Lakes Comprehensive Plan recommends a maximum building height of two stories for structures.
10. The relief sought is the minimum relief necessary to allow the structures to encroach into the required 25 foot setback.
11. The applicant has a five year lease with a one five year option to renew on this property and when the use of this tower is terminated, the tower and building will be removed from this location. As a condition of approval, when the tower and building are removed from this site, the variance will be terminated.
12. The special conditions that require the variance are that the applicant relied on the borough to furnish the correct information regarding setbacks and the Code Compliance Division approved the Acknowledgement of Existing Land Use Regulations with the incorrect setback requirement from the right-of-way.
13. The special conditions that require the variance for the extension of the height of the tower to 180 feet are caused by the applicant. Information provided in the conditional use permit application states that the 100 foot tower provides marginal coverage. However, ACS made the decision to only erect a 100 foot tower at this location, which is the minimal height required to allow the system to function.
14. The variance, if granted, will not permit a land use in a district in which that use is prohibited. The existing 100 foot tower and equipment building are allowable uses. The extension of the tower to 180 feet in height is a conditional use.
15. The variance is not sought solely for pecuniary hardship or inconvenience, as the applicant relied on the Borough to provide correct information regarding setback requirements.

EXHIBIT C-2

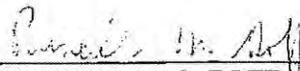
NOW, THEREFORE BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission does hereby grant a variance to allow an existing telecommunications tower and equipment building to be located less than 25 feet from the Robin Circle right-of-way, on Block 2, Lot 9, End of the Rainbow Subdivision, as indicated on the site plan attached as Exhibit "A", with the following conditions:

1. Comply with all applicable federal, state, and borough laws, statutes, regulations, and ordinances.
2. When the use of the tower is terminated, the tower and building will be removed from this location and the variance will be terminated.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 7 day of February, 2005.

  
HELGA LARSON, Chair

ATTEST:

  
PRISCILLA M. GOFF, Planning Clerk

(SEAL)

EXHIBIT C-3

cc

A  
L  
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S  
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2016-002651-0

Recording District 311 PALMER  
02/11/2016 12:50 PM Page 1 of 7



**THIS COVER SHEET HAS BEEN ADDED TO THIS DOCUMENT TO PROVIDE SPACE FOR RECORDING DATA. THIS COVER SHEET APPEARS AS THE FIRST PAGE OF THE DOCUMENT IN THE OFFICIAL PUBLIC RECORD.**

**DO NOT DETACH**

**EXHIBIT D-1**

By: Susan Lee  
Introduced: January 4, 2016  
Public Hearing: January 18, 2016  
Action: Approved

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 16-02**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A VARIANCE TO THE RIGHT-OF-WAY/SECTION LINE EASEMENT SETBACK FOR AN EXISTING SINGLE-FAMILY RESIDENCE ON BLOCK 2, LOT 9, END OF THE RAINBOW SUBDIVISION; PALMER RECORDING DISTRICT

WHEREAS, an application for a variance from the setback requirements of MSB 17.55.010(A) has been received to allow an existing single-family residence to remain set back less than 25 feet from the section line easement on the west side of Block 2, Lot 9, End of the Rainbow Subdivision; 420 S. Robin Circle; within Township 17 North, Range 2 West, Section 9, Seward Meridian; and

WHEREAS, at its closest point, the structure is set back 14.6 feet from the edge of the section line easement on the west side of the lot; and

WHEREAS, the Planning Commission conducted a public hearing on January 18, 2016, on this matter; and

WHEREAS, the Planning Commission reviewed the application, associated materials, and the staff report containing findings of fact and conclusions of law; and

**EXHIBIT D-2**



WHEREAS, End of the Rainbow Subdivision was platted in 1970, which was prior to the adoption of borough setback requirements in 1973; and

WHEREAS, when the subdivision was platted in 1970, section line easements were not required to be depicted on plats; and

WHEREAS, there are topographic issues with the lot as a narrow ridge runs through the property; and

WHEREAS, the top of the ridge had to be cut down and widened in order to construct the driveway and a building site; and

WHEREAS, the average grade from the top of the ridge to the lower portion of the lot is 60 percent; and

WHEREAS, there are unusual conditions and circumstances applicable to this property as the lot was platted prior to section line easements being shown on plats and prior to the adoption of setback requirements, and the lot has topographic issues; and

WHEREAS, based on the evidence submitted, granting the variance will not be injurious to nearby properties, or harmful to the public welfare (MSB 17.65.020(A)(3)); and

WHEREAS, the proposed setback variance is consistent with the policies and goals of the MSB Comprehensive Plan (2005 Update) and the Meadow Lakes Comprehensive Plan (2005) as the variance will allow residential development; and



WHEREAS, the structure was constructed prior to the adoption of the Mandatory Land Use Permit requirements; and

WHEREAS, the person seeking the variance did not cause the topography of the lot; and

WHEREAS, the person seeking the variance did not plat this subdivision which did not depict the section line easement on the plat; and

WHEREAS, the person seeking this variance is doing so in order to resolve the setback violation so that Lots 8 and 9 can be combined and create a utility lot for the telecommunication tower on the property; and

WHEREAS, when the applicants/owners constructed the house in 2005, they were unaware of the section line easement; and

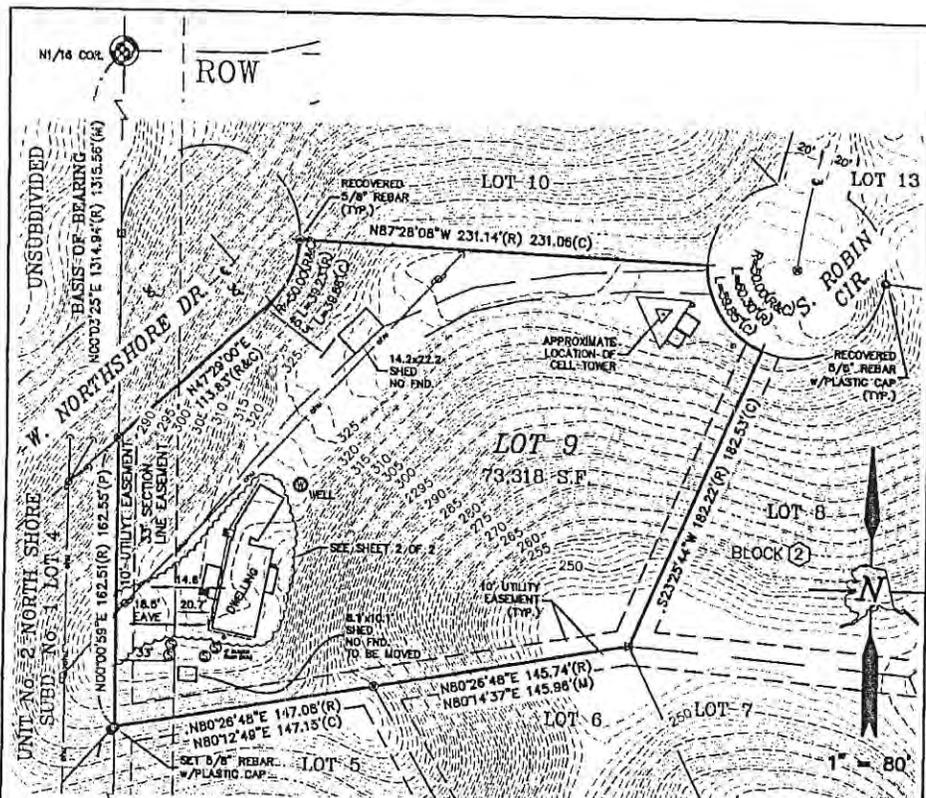
WHEREAS, residential structures are permitted on this property; and

WHEREAS, the variance, will not permit a land use in a district in which that use is prohibited, as residential structures on this site. The variance, will allow an illegally constructed structure to remain in its current location (MSB 17.65.030(A)(2)); and

WHEREAS, the subject lot is not in a special land use district; and







**LEGEND:**  
 (C)=CALCULATED DATA  
 (M)=MEASURED DATA  
 (R)=RECORD DATA PER PLAT  
 (P)=PERPROTIONED DATA  
 FND.=FOUNDATION  
 (TYP.)=TYPICAL

MSB File# 176520150004

- ⊙ RECOVERED 3-1/2" BRASS CAP MONUMENT
- ⊠ RECOVERED WOOD HUB
- ⊙ RECOVERED 5/8" REBAR
- ⊙ SET 5/8"x30" REBAR w/ PLASTIC CAP MARKED 10615-S
- ⊙ 4" PLASTIC SEPTIC RISERS



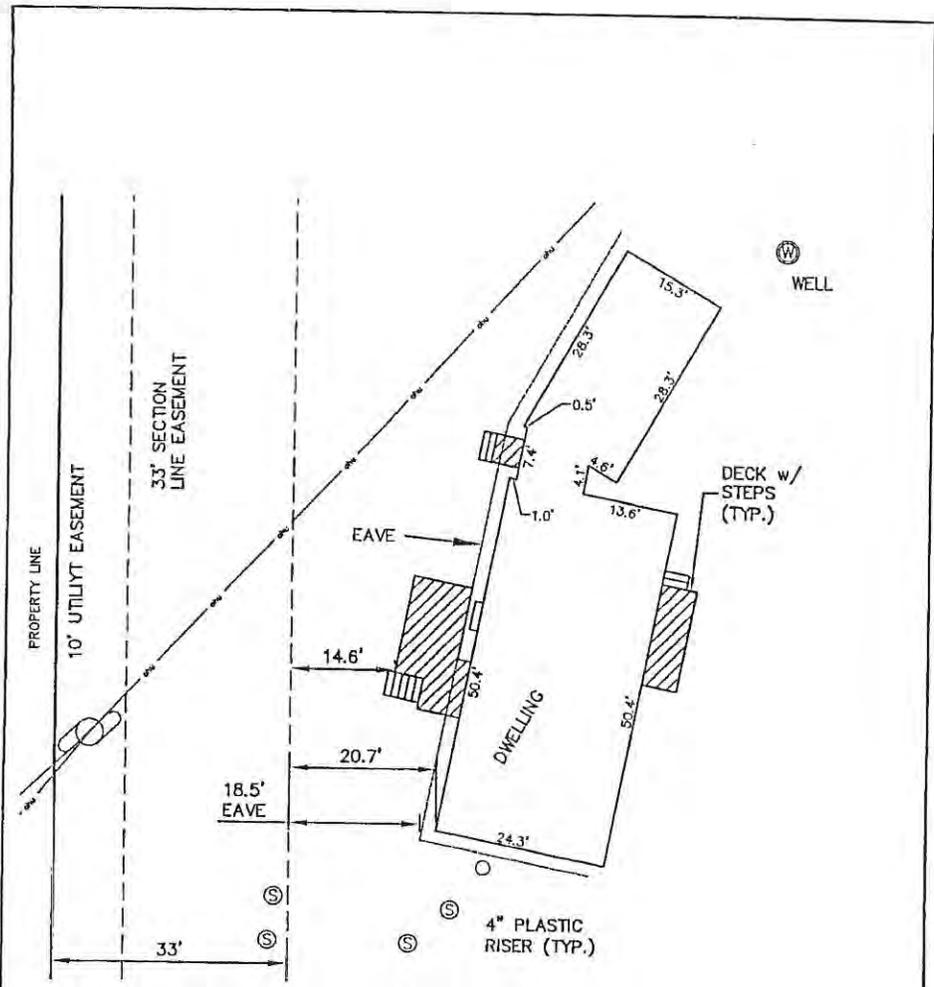
- NOTES:**
- THIS AS-BUILT IS TO BE USED FOR A VARIANCE PER MSB 17.65 FOR A STRUCTURE (DWELLING, DECK, & EAVES) ONLY.
  - EXCEPTING FOR GROSS NEGLIGENCE, THE LIABILITY FOR THIS SURVEY SHALL NOT EXCEED THE COST OF PREPARING THIS SURVEY.
  - THIS SURVEY REPRESENTS VISIBLE IMPROVEMENTS & CONDITIONS ON THE DATE OF SURVEY.
  - TOPOGRAPHY DERIVED FROM MAT-SU BOROUGH LIDAR TOPOGRAPHY MAP CA\_019\_NE DATED 2011. HORIZONTAL DATUM IS BASED ON NAD83. VERTICAL DATUM IS BASED ON NAVD 88 GEOID 09.

**EXCLUSION NOTE:** IT IS THE RESPONSIBILITY OF THE OWNER TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS, OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT. UNDER NO CIRCUMSTANCES SHOULD ANY DATA HEREON BE USED FOR CONSTRUCTION OR FENCE LINES.

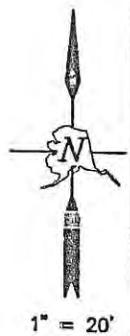
|  |  |  |  |
|--|--|--|--|
| AS-BUILT FOR VARIANCE PER MSB 17.65  |  | <b>ALASKA RIM ENGINEERING, INC.</b><br>9131 E. FRONTAGE RD.<br>PALMER, ALASKA 99645<br>PH: (907)745-0222 : FAX: (907)746-0222<br>EMAIL: akrim@alaskarim.com : WEB: www.alaskarim.com |  |
|  |  | WO: 1500349<br>PAGE: 1 of 2<br>SCALE: 1" = 80'   | FB: 15-11<br>TM: HO10<br>FILE: 1500349NC |
| I HEREBY CERTIFY THAT AN AS-BUILT INSPECTION WAS PERFORMED UNDER MY DIRECTION ON THE FOLLOWING DESCRIBED PROPERTY:<br>END OF THE RAINBOW SUBDIVISION, BLOCK 2, LOT 9, PLAT No. 70-23,<br>PALMER RECORDING DISTRICT, PALMER, ALASKA.<br>SURVEYED ON THE 21st OF OCT., 2015. |  |  |  |

**EXHIBIT D-6**





MSB File# 176520150004



|   |  |   |  |
|---|--|---|--|
| <p>AS-BUILT FOR VARIANCE PER MSB 17.65</p>  |  | <p><b>ALASKA RIM ENGINEERING, INC.</b><br/>         9131 E. FRONTAGE RD.<br/>         PALMER, ALASKA 99645<br/>         PH: (907)745-0222 : FAX: (907)746-0222<br/>         EMAIL: akrim@alaskarim.com : WEB: www.alaskarim.com</p> |  |
|   |  | <p>WO: 1500349<br/>         PAGE: 2 of 2</p>  | <p>FB: 15-11<br/>         TM: HO10</p> |
|   |  | <p>SCALE: 1" = 20' FILE: 1500349NC</p>  |  |
| <p>I HEREBY CERTIFY THAT AN AS-BUILT INSPECTION WAS PERFORMED UNDER MY DIRECTION ON THE FOLLOWING DESCRIBED PROPERTY:<br/>         END OF THE RAINBOW SUBDIVISION, BLOCK 2, LOT 9, PLAT No. 70-23,<br/>         PALMER RECORDING DISTRICT, PALMER, ALASKA.<br/>         SURVEYED ON THE 21st OF OCT., 2015.</p> |  |   |  |

©2015

EXHIBIT D-7



1. **Resolution 16-05**, A resolution recommending Assembly adoption of the Seldon Road Extension Corridor Access Management Plan: Public Hearing: February 1, 2016. (*Staff: Mike Campfield*)

Chair Klapperich read the consent agenda into the record.

Chair Klapperich inquired if there were any changes to the consent agenda.

GENERAL CONSENT: The consent agenda was approved as amended without objection.

**V. COMMITTEE REPORTS**

*(There were no committee reports.)*

**VI. AGENCY/STAFF REPORTS**

*(There were no agency/staff reports.)*

**VII. LAND USE CLASSIFICATIONS**

*(There were no land use classifications.)*

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

The following person spoke regarding concerns with public process: Mr. Eugene Carl Haberman.

**IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS** (*Public Hearing not to begin before 6:15 P.M.*)

*Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.*

- A. **Resolution 16-02**, A resolution approving a variance to allow an existing single-family residence, to remain set back 14.6 feet from a section line easement on the west side of the lot, on Block 2, lot 9, End of the Rainbow Subdivision; 420 S. Robin Circle, within Township 17 North, Range 2 West, Section 9, Seward Meridian. (*Staff: Susan Lee, Applicant: Neal and Brenda Bullock*)

Chair Klapperich read the resolution title into the record.

Chair Klapperich:

- read the memorandum regarding quasi-judicial actions into the record;
- queried commissioners to determine if any of them have a financial interest in the proposed Conditional Use Permit (CUP);
- have had any ex parte contact with the applicant, members of the public, or interested parties in the proposed CUP; and

**EXHIBIT D-8**

- if all commissioners are able to be impartial in a decision.

Ms. Lee provided a staff report:

- staff recommended denial of the variance request.

Commissioners questioned staff regarding:

- was the section line easement (SLE) depicted on the original plat;
- was the land owner required to get a borough land use permit at the time that the property was platted;
- will the substandard issues with each individual lot be resolved if the lots are combined; and
- is the property within a special land use district.

Ms. Joy Cypra, Platting Manager for Alaska RIM Engineering, and Mr. Neal Bullock, property owner, provided an overview of the application.

Commissioners questioned the applicant regarding:

- was there a section line easement on any plat at the time of construction;
- clarification of the effort involved in identifying SLE's and the widths;
- whether the applicant was the builder as well;
- how difficult is it to vacate a SLE; and
- are lot 8 and 9 owned by the applicant, and were they purchased at the same time.

Chair Klapperich opened the public hearing.

The following person spoke regarding concerns with public process, and holding a public hearing during a state holiday: Mr. Eugene Carl Haberman.

Chair Klapperich invited the applicant or representative to respond to questions and comments made by the audience.

Ms. Cypra stated that they didn't have anything further to add.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

MOTION: Commissioner Kendig moved to approve Resolution 16-02. The motion was seconded.

Commissioner Kendig:

- opined that the applicant did his due diligence and was not able find information on the SLE; and
- this was beyond the control of the applicant.

Commissioner Walden:

- stated that he agrees with Commissioner Kendig;
- he tends to err on the side of the property owner; and

**EXHIBIT D-9**

- suggested that the borough needs to do something to prevent this in the future.

Commissioner Adams:

- acknowledged that most homeowners do not typically do the research to identify SLE's;
- noted that there were no requirements that SLE's be shown on plats at the time this was platted;
- opined that the owner/builder did his due diligence and was very thoughtful in how he built his building within the site constraints that he had;
- noted that there used to be a Mandatory Land Use Permit that may have prevented this, but it was not in effect at the time of the original plat;
- the commission needs to be very careful of putting out there that this is the responsibility of the borough;
- in order to grant a variance, the commission will need to find that there are unusual conditions;
- opined that the topographical constraints of these two parcels certainly meet that requirement;
- also feels that the strict application of this SLE on these topographically constrained lots may deprive a reasonable development opportunity on these lots;
- noted that this is a residential structure and appears to be consistent with the adjacent development in the area;
- wants the applicant to understand that the commission isn't authorizing any expansion of the structure going forward;
- opined that combining two substandard lots will help weigh the set-back encroachment to the SLE;
- he supports approving this variance; and
- stated that he has prepared facts and findings to support approval of this variance.

Commissioner Healy:

- shares a concern that variances are difficult to get both through state and borough law;
- opined that this situation warrants a variance; and
- supports this resolution and the facts and findings as proposed by Commissioners Adams.

Mr. Strawn requested a ten minute recess to insert the facts and finding prepared by Commissioner Adams into Resolution 16-02 for the Commissioners review.

*(The meeting recessed at 7:24 p.m., and reconvened at 7:38 p.m.)*

- MOTION: Commissioner Adams moved a primary amendment to Resolution 16-02 to insert the following facts and findings as whereas statements to support approval:
- End of the Rainbow Subdivision was platted in 1970, which was prior to the adoption of borough setback requirements in 1973; and
  - when the subdivision was platted in 1970, section line easements were not required to be depicted on plats; and
  - there are topographic issues with the lot as a narrow ridge runs through the property; and
  - the top of the ridge had to be cut down and widened in order to construct

- the driveway and a building site; and
  - the average grade from the top of the ridge to the lower portion of the lot is 60 percent; and
  - there are unusual conditions and circumstances applicable to this property as the lot was platted prior to section line easements being shown on plats and prior to the adoption of setback requirements, and the lot has topographic issues; and
  - based on the evidence submitted, granting the variance will not be injurious to nearby properties, or harmful to the public welfare (MSB 17.65.020(A)(3)); and
  - the proposed setback variance is consistent with the policies and goals of the MSB Comprehensive Plan (2005 Update) and the Meadow Lakes Comprehensive Plan (2005) as the variance will allow residential development; and
  - the structure was constructed prior to the adoption of the Mandatory Land Use Permit requirements; and
  - the person seeking the variance did not cause the topography of the lot; and
  - the person seeking the variance did not plat this subdivision which did not depict the section line easement on the plat; and
  - the person seeking this variance is doing so in order to resolve the setback violation so that Lots 8 and 9 can be combined and create a utility lot for the telecommunication tower on the property; and
  - when the applicants/owners constructed the house in 2005, they were unaware of the section line easement; and
  - residential structures are permitted on this property; and
  - the variance, will not permit a land use in a district in which that use is prohibited, as residential structures on this site. The variance, will allow an illegally constructed structure to remain in its current location (MSB 17.65.030(A)(2)); and
  - the subject lot is not in a special land use district.
- The motion was seconded.

VOTE: The primary amendment passed without objection.

Chair Klapperich noted that there was no public objection to this variance.

VOTE: The main motion passed as amended without objection.

**X. PUBLIC HEARING LEGISLATIVE MATTERS**

- A. **Resolution 16-01**, A resolution recommending the Assembly approval of Ordinance Serial Number 16-003 Amending MSB 17.60 to include Permit Requirements and Standards for Marijuana Related Facilities, and Repealing Inapplicable Definitions. Referred to the Planning Commission on December 15, 2015, for 45 days. (Staff: Alex Strawn)

**EXHIBIT D-11**



**ALASKA REGISTERED ENGINEERING, INC.**  
ENGINEERS – PLANNERS – SURVEYORS  
P.O. Box 2749 Palmer, Alaska 99645  
9131 E. Frontage Road  
Telephone (907) 745-0222  
Fax (907) 746-0222  
Online at: [www.alaskarim.com](http://www.alaskarim.com)

RECEIVED

APR 29 2016

PLATTING

April 26, 2016

Matanuska-Susitna Borough  
Platting Department  
350 East Dahlia  
Palmer, Alaska 99645

**RE: Useable Area Report**

Proposed End of the Rainbow, Block 2, Lots 9A and 9B  
A Subdivision of Lots 8 & 9, Block 2, End of the Rainbow Subdivision  
ARE File No. 1500349

Dear Platting Officer:

The owner of the above referenced 2.76-acre lots proposes to re-subdivide this property into 2 new lots, to be known as Lots 9A and 9B, Block 2, End of the Rainbow Subdivision (see attached, Preliminary Plat). This development is located at the south end of S. Robin Circle, a non-borough maintained dead-end cul-de-sac, and at the east end of W. Northshore Drive, a non-constructed right-of-way. It is bound on the east by Robin Lake and on the west by a non-platted section line easement. The property is primarily surrounded by residential lots to the north, south and west. The existing development consists of a residential home with onsite water well and wastewater disposal systems located on the western portion of Lot 9. There is an existing Cellular Tower located just southwest of the S. Robin Circle cul-de-sac on Lot 9. Lot 8 is undeveloped.

**USEABLE AREA**

Lots 8 and 9 will be combined to create a larger sized lot to be known as Lot 9A and a utility lot will be created for the existing Cellular Tower to be known as Lot 9B. There is an existing wastewater disposal system on proposed Lot 9A which serves the existing residential dwelling. The septic system consists of a bed absorption system. Our field survey indicates this septic system was installed and all portions of the system, including the septic tank and the drainfield bed, are outside the required 100-ft well protection radius for the onsite well.

We have provided a preliminary plat drawing that shows the locations of the test holes. The soil information supplied is presented to satisfy the soil requirements of MSB Code 43.20.281. The test hole was dug on proposed Lot 9A for the purpose of evaluating the soil for water table and soil information for the construction of wastewater disposal system. The test hole was logged in the field by Norman K. Gutcher, P.E. (see attached, Soils Logs, dated 9/3/15).

The soils in the test holes consist mostly of gray to brown gravelly sand, damp moderately dense 0 ft. to 11 ft. below grade. No groundwater or impermeable layers were encountered at the time the test hole was dug. The soil is suitable for onsite disposal of septic tank effluent.

**EXHIBIT E-1**

Proposed Lot 9A is served by an onsite well and wastewater disposal system. Lot 9A will have 40,000 sq. ft. or greater of total area with a minimum of 10,000 sq. ft. of useable building area. Lot 9A will not have 10,000 sq. ft. of usable septic area per MSB 43.20.281(1)(a) due to the topographic conditions on the site and a Variance Application is being submitted, according to MSB Code 43.20.281(A)(1)(a), to address the requirements for Usable Septic Area.

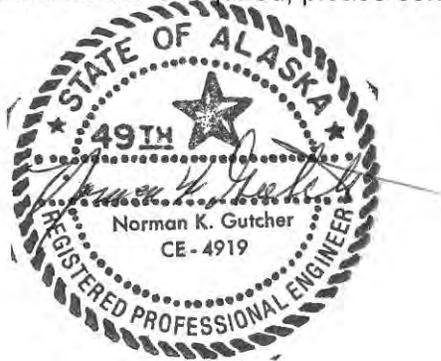
Proposed Lot 9B is being created under MSB Title 43.20.281(D) as a utility lot for the Cellular Tower and will not have an on-lot sewer system. There is no minimum lot size for utility lots and a noted restriction has been placed on the plat restricting the use of this lot for utility purposes.

## TOPOGRAPHY

The terrain consists of a high gravel ridge which runs along the northern and western portion of Lot 9. The top of this ridge was leveled off and flattened to house the existing residential improvements. The remainder of the combined lots consists of slopes which exceed the minimum 25 percent grades. From the top of the ridge the terrain drops 75 to 80 feet to the south and east toward Robin Lake, and roughly 60 to 80 feet toward the north and west. The property is mostly vegetated with birch and spruce trees. The proposed subdivision does not alter the existing drainage.

If there are any questions or additional information is required, please contact me at [Norm@alaskarim.com](mailto:Norm@alaskarim.com) or at 745-0222.

Sincerely,  
ALASKA RIM ENGINEERING, INC.



Norman K. Gutcher,  
Professional Engineer

CC: Alaska Rim Engineering File No. 1500349

### Attachments:

- Preliminary Plat
- Soils Log

# SOIL LOG



Project: **End of Rainbow Subdivision Blk. 2, Lots 9A & 9B**

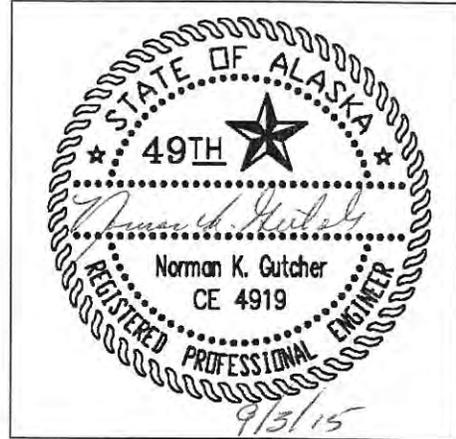
Date: **9/3/15**

Logged By: **Norm Gutcher**

## TEST HOLE NO. 1

AK Rim File No. 15-00349

| Depth<br>(feet) | Description   |
|-----------------|---|
| 1               |   |
| 2               |   |
| 3               |   |
| 4               |   |
| 5               |   |
| 6               |   |
| 7               | 0' to 11'<br>SP                                       |
| 8               | Gray to Brown Gravelly Sand, Damp<br>Moderately Dense |
| 9               |   |
| 10              |   |
| 11              | Bottom of Hole at 11'                                 |
| 12              |   |
| 13              |   |
| 14              |   |
| 15              |   |
| 16              |   |
| 17              |   |
| 18              |   |
| 19              |   |
| 20              |   |



TEST HOLE LOCATION:

Within 25' of proposed SAS.

COMMENTS:

No impermeable layers were encountered.

No Water Encountered..

Callout, Color, Density, Moisture Content, USC

This soil log was prepared for the sole purpose of determining the feasibility of constructing an onsite wastewater disposal system at the location of the test hole. Soil type ratings are based on visual observation and have not been verified with laboratory analyses. These soils have not been analyzed for structural properties, structural stability, and seismic stability or for any purpose other than wastewater absorption field construction. Anyone relying on the information in this log for any use other than wastewater absorption field development shall do so at his or her own risk

**EXHIBIT E-3**

RECEIVED

APR 29 2016

350 East Dahlia Avenue  
Palmer, Alaska 99645-6488

Matanuska-Susitna Borough  
Telephone (907) 861-7874

VARIANCE APPLICATION

PLATTING

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:** Lots 8 & 9, Block 2, End of the Rainbow Subdivision.  
Plat No. 70-23

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

1. The preliminary plat to which the variance pertains or, if presented separately, a graphic representation of what the future platting project would entail;
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, Brenda Bullock the owner (or owner's representative) of the above described property apply for a variance from Section 43.20. 281(A)(a)(1) of the Borough Code in order to allow: For the re-subdivision of lots 8 & 9 into a larger residential lot to be known as Lot 9A and the creation of a utility lot to be known as Lot 9B where the proposed Lot 9A will not have the 10,000 sq. ft. of usable septic area.

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

**APPLICANT OR OWNER**  
Name: Brenda and Neal Bullock Email: brendab1975@gmail.com  
Mailing Address: P.O. box 298367 Wasilla, Alaska Zip: 99629-8367  
Signature: *Brenda Bullock* Phone: 907-232-9723

**SURVEYOR**  
Name (FIRM): Alaska rim Eng., Inc Email: Joy@alaskarim.com  
Mailing Address: 9131 E. Frontage Rd., Palmer Alaska Zip: 99645  
Contact Person: Joy Cypra, Platting Manager Phone: 745-0222

VARIANCE APPLICATION  
Attachment A

- A. The granting of the variance shall not be detrimental to the public health, safety, or welfare, or injurious to adjacent property because:

This platting action will combine two substandard lots which were created by the 1970's End Of The Rainbow Subdivision plat, and will also be creating a utility lot for the existing cellular tower under MSB Title 43.20.281(D) with no on-lot sewer.

Lot 9 is currently served by an existing wastewater disposal system. The platting action to combine Lots 8 and 9 into one larger lot will be reducing the impact on this property.

The combining of two substandard lots into one larger lot will be removing one of the residential lots which will be reducing the future development of this property.

The utility lot is prohibited from having on-lot sewer.

- B. The conditions upon which the variance application is based do not apply generally to properties for which the variance is sought because:

Lots 8 and 9, Block 2 of the End of the Rainbow Subdivision are two existing lots today. This platting action is not adding to the use of the existing substandard lot conditions, but will actually be reducing the usage by combining Lots 8 and 9 into one larger lot to be known as Lot 9A.

The utility lot for the existing cellular tower is being created under MSB Title 43.20.281(D) where there will be no on-lot sewer permitted. This lot will be known as Lot 9B.

- C. Because to unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought 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 because:

The property consist of a gravel ridge which runs along the north boundary of Lot 9 and loops around to the south west portion of the lot. This ridge had to be cut down and widened in order to building the existing driveway to the building site. The improvements consist of a modest residential building with onsite water and wastewater disposal systems. From the top of the ridge the property drops off 60 to 80 feet in all directions.

The top of the ridge, where the improvements have been constructed, cannot be widened to increase the usable area on this property.

## Peggy Horton

---

**From:** Jamie Taylor  
**Sent:** Monday, May 16, 2016 8:31 AM  
**To:** Platting  
**Cc:** Peggy Horton  
**Subject:** RE: Request for comments for End of the Rainbow RSB B/2 L/9 w/variance Case #2016-062  
Tech: PH

No comment

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](mailto:jamie.taylor@matsugov.us)  
<http://www.matsugov.us/>

---

**From:** Peggy Horton **On Behalf Of** Platting  
**Sent:** Wednesday, May 04, 2016 11:09 AM  
**To:** [holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov); [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); [brian.young@usps.gov](mailto:brian.young@usps.gov); [tim.swezey@mlccak.org](mailto:tim.swezey@mlccak.org); [browne@mtaonline.net](mailto:browne@mtaonline.net); [lane@mtaonline.net](mailto:lane@mtaonline.net); John Aschenbrenner; Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; Michael Weller; Tracy McDaniel; Sheila Armstrong; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; Randall Kowalke; [mearow@matanuska.com](mailto:mearow@matanuska.com); Becky Glenn ([rglenn@mta-telco.com](mailto:rglenn@mta-telco.com)); J Thompson ([jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)); [row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com); 'ospdesign@gci.com' ([ospdesign@gci.com](mailto:ospdesign@gci.com)); [dblehm@gci.com](mailto:dblehm@gci.com)  
**Cc:** Jay Van Diest ([jay@valleymarket.com](mailto:jay@valleymarket.com)); LaMarr Anderson ([lamarra05@gmail.com](mailto:lamarra05@gmail.com)); Stan Gillespie ([stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)); [jordan@alaskaplans.com](mailto:jordan@alaskaplans.com); Tait Zimmerman ([tait@zimmermanteam.com](mailto:tait@zimmermanteam.com)); Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com)); Amy Hansen ([amyhansenhomes@gmail.com](mailto:amyhansenhomes@gmail.com)); Marty Van Diest - Valley Market Real Estate ([marty@valleymarket.com](mailto:marty@valleymarket.com)); Gregory Pugh ([winforhim@aol.com](mailto:winforhim@aol.com))  
**Subject:** Request for comments for End of the Rainbow RSB B/2 L/9 w/variance Case #2016-062 Tech: PH

Good Morning,

Attached is a request for preliminary plat approval for a two lot subdivision in the Meadow Lakes area. Please review and provide your comments by June 3, 2016.

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

**EXHIBIT G**

## Peggy Horton

---

**From:** Scott Sanderson  
**Sent:** Wednesday, May 04, 2016 1:04 PM  
**To:** Peggy Horton  
**Cc:** Jim Jenson; Terry Dolan  
**Subject:** FW: Request for comments for End of the Rainbow RSB B/2 L/9 w/variance Case #2016-062  
Tech: PH

Mat-Su Borough does not maintain this area, I have no concerns.

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

---

**From:** Jim Jenson  
**Sent:** Wednesday, May 04, 2016 11:14 AM  
**To:** Scott Sanderson  
**Cc:** Terry Dolan  
**Subject:** FW: Request for comments for End of the Rainbow RSB B/2 L/9 w/variance Case #2016-062 Tech: PH

RSA 27

---

**From:** Peggy Horton **On Behalf Of** Platting  
**Sent:** Wednesday, May 04, 2016 11:09 AM  
**To:** [holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov); [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); [brian.young@usps.gov](mailto:brian.young@usps.gov); [tim.swezey@mlccak.org](mailto:tim.swezey@mlccak.org); [browne@mtaonline.net](mailto:browne@mtaonline.net); [ana@mtaonline.net](mailto:ana@mtaonline.net); John Aschenbrenner; Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; Michael Weller; Tracy McDaniel; Sheila Armstrong; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; Randall Kowalke; [mearow@matanuska.com](mailto:mearow@matanuska.com); Becky Glenn ([rglenn@mta-telco.com](mailto:rglenn@mta-telco.com)); J Thompson ([jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)); [row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com); 'ospdesign@gci.com' ([ospdesign@gci.com](mailto:ospdesign@gci.com)); [dblehm@gci.com](mailto:dblehm@gci.com)  
**Cc:** Jay Van Diest ([jay@valleymarket.com](mailto:jay@valleymarket.com)); LaMarr Anderson ([lamarra05@gmail.com](mailto:lamarra05@gmail.com)); Stan Gillespie ([stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)); [jordan@alaskaplans.com](mailto:jordan@alaskaplans.com); Tait Zimmerman ([tait@zimmermanteamak.com](mailto:tait@zimmermanteamak.com)); Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com)); Amy Hansen ([amyhansenhomes@gmail.com](mailto:amyhansenhomes@gmail.com)); Marty Van Diest - Valley Market Real Estate ([marty@valleymarket.com](mailto:marty@valleymarket.com)); Gregory Pugh ([winforhim@aol.com](mailto:winforhim@aol.com))  
**Subject:** Request for comments for End of the Rainbow RSB B/2 L/9 w/variance Case #2016-062 Tech: PH

Good Morning,

Attached is a request for preliminary plat approval for a two lot subdivision in the Meadow Lakes area. Please review and provide your comments by June 3, 2016.

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

**EXHIBIT H**

## Peggy Horton

---

**From:** Richard Boothby  
**Sent:** Wednesday, May 04, 2016 11:46 AM  
**To:** Platting  
**Cc:** John Fairchild; James Steele; Ken Barkley; Bill Gamble  
**Subject:** RE: Request for comments for End of the Rainbow RSB B/2 L/9 w/variance Case #2016-062  
Tech: PH

The West Lakes FSA and DES has no objections to the request.

---

**From:** Peggy Horton **On Behalf Of** Platting  
**Sent:** Wednesday, May 04, 2016 11:09 AM  
**To:** [holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov); [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); [brian.young@usps.gov](mailto:brian.young@usps.gov); [tim.swezey@mlccak.org](mailto:tim.swezey@mlccak.org); [browne@mtaonline.net](mailto:browne@mtaonline.net); [lane@mtaonline.net](mailto:lane@mtaonline.net); John Aschenbrenner; Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; Michael Weller; Tracy McDaniel; Sheila Armstrong; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; Randall Kowalke; [mearow@matanuska.com](mailto:mearow@matanuska.com); Becky Glenn ([rglenn@mta-telco.com](mailto:rglenn@mta-telco.com)); J Thompson ([jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)); [row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com); 'ospdesign@gci.com' ([ospdesign@gci.com](mailto:ospdesign@gci.com)); [dblehm@gci.com](mailto:dblehm@gci.com)  
**Cc:** Jay Van Diest ([jay@valleymarket.com](mailto:jay@valleymarket.com)); LaMarr Anderson ([lamarra05@gmail.com](mailto:lamarra05@gmail.com)); Stan Gillespie ([stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)); [jordan@alaskaplans.com](mailto:jordan@alaskaplans.com); Tait Zimmerman ([tait@zimmermanteamak.com](mailto:tait@zimmermanteamak.com)); Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com)); Amy Hansen ([amyhansenhomes@gmail.com](mailto:amyhansenhomes@gmail.com)); Marty Van Diest - Valley Market Real Estate ([marty@valleymarket.com](mailto:marty@valleymarket.com)); Gregory Pugh ([winforhim@aol.com](mailto:winforhim@aol.com))  
**Subject:** Request for comments for End of the Rainbow RSB B/2 L/9 w/variance Case #2016-062 Tech: PH

Good Morning,

Attached is a request for preliminary plat approval for a two lot subdivision in the Meadow Lakes area. Please review and provide your comments by June 3, 2016.

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



Matanuska - Susitna Borough  
Development Services

RECEIVED

MAY 10 2016 MATANUSKA-SUSITNA BOROUGH JUN 0 2 2016  
• PLATTING DIVISION •

Received

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

Comments Due: June 3, 2016

May 4, 2016

### Preliminary Plat Request for Comments

|  |  |
|--|--|
| AK Dept. of Transportation – Anchorage       | MSB – Emergency Services                           |
| AK Dept. of Transportation – Palmer          |  |
| AK Dept. of Transportation – Anchorage       | Open Cases Y or <input checked="" type="radio"/> N |
| AK DNR, Division of Mining/Land Conservation | SpUD Y or <input checked="" type="radio"/> N       |
| AK DNR, Public Access Defenses               |  |
| AK DNR, Division of Agriculture              | FIRM # <u>8045</u> Zone <u>X</u>                   |
| AK DF&G, Habitat Mgmt. & Permitting          | Comments: _____                                    |
| AK DF&G, Division of Sport Fishing           | _____  |
| AK Railroad, Engineering Department          | _____  |
| Corp of Engineers                            |  |
| U.S. Postmaster                              |  |
| City of                                      | Date: <u>6/2/16</u> By: <u>[Signature]</u>         |
| Community Council: Meadow Lakes              |  |
| Fire Service Area: #136 West Meadow Lakes    | Assembly District #7                               |
| Road Service Area: #27 Meadow Lakes          |  |
| MSB – Borough Attorney                       |  |

|                    |  |
|--------------------|--|
| Title:             | End of the Rainbow B/2 L/9A & 9B             |
| Location:          | Sec 9, T17N, R2W, S.M, AK                    |
| Petitioner:        | Neal & Brenda Bullock                        |
| Address:           | PO Box 298367, Wasilla AK 99629-8367         |
| Surveyor/Engineer: | Alaska Rim Engineering                       |
| Address:           | 9131 E. Frontage Rd, Ste 1, Palmer, AK 99645 |

The request is to create 2 new lots from a combination of Lots 8 and 9, Block 2, End of the Rainbow, Plat 70-23, containing 2.76 acres more or less. One of the lots will be a utility lot, to contain an existing cell tower. A variance to MSB 43.20.281, Area, is requested for a lack of useable septic area on the larger lot. Approval for a variance from physical and legal access was granted for this project on August 20, 2015. Approval for a setback variance was granted for this property on January 18, 2016.

Please submit your comments in writing, specifying any easements or other requirements that your department or agency may need or any data which you feel should be incorporated on the preliminary plat to help us more effectively enforce our subdivision regulations. All comments, existing files and correspondence that you may have relating to this case must be submitted to the Platting Division by **June 3, 2016** so that we may incorporate this information into our recommendations to the Platting Board, for the public hearing to be held on **June 16, 2016**.

Kindest Regards,

[Signature]  
Peggy Horton  
Platting Technician  
[peggy.horton@matsugov.us](mailto:peggy.horton@matsugov.us)

*Providing Outstanding Borough Services to the Matanuska-Susitna Community.*

**EXHIBIT J**

## Peggy Horton

---

**From:** Susan Lee  
**Sent:** Wednesday, May 04, 2016 11:33 AM  
**To:** Platting  
**Subject:** RE: Request for comments for End of the Rainbow RSB B/2 L/9 w/variance Case #2016-062  
Tech: PH

A setback variance for the existing house on Block 2, Lot 9 was approved by the Planning Commission on January 18, 2016. I think I gave you a copy of the approved variance; if not, let me know and I will give you another copy.

Susan

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

---

**From:** Peggy Horton **On Behalf Of** Platting  
**Sent:** Wednesday, May 04, 2016 11:09 AM  
**To:** [holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov); [mark.fink@alaska.gov](mailto:mark.fink@alaska.gov); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); [brian.young@usps.gov](mailto:brian.young@usps.gov); [tim.swezey@mlccak.org](mailto:tim.swezey@mlccak.org); [browne@mtaonline.net](mailto:browne@mtaonline.net); [lane@mtaonline.net](mailto:lane@mtaonline.net); John Aschenbrenner; Richard Boothby; Elizabeth Weiant; Eric Phillips; Sandra Cook; Michael Weller; Tracy McDaniel; Sheila Armstrong; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Susan Lee; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; Randall Kowalke; [mearow@matanuska.com](mailto:mearow@matanuska.com); Becky Glenn ([rglenn@mta-telco.com](mailto:rglenn@mta-telco.com)); J Thompson ([jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)); [row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com); 'ospdesign@gci.com' ([ospdesign@gci.com](mailto:ospdesign@gci.com)); [dblehm@gci.com](mailto:dblehm@gci.com)  
**Cc:** Jay Van Diest ([jay@valleymarket.com](mailto:jay@valleymarket.com)); LaMarr Anderson ([lamarra05@gmail.com](mailto:lamarra05@gmail.com)); Stan Gillespie ([stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)); [jordan@alaskaplans.com](mailto:jordan@alaskaplans.com); Tait Zimmerman ([tait@zimmermanteamak.com](mailto:tait@zimmermanteamak.com)); Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com)); Amy Hansen ([amyhansenhomes@gmail.com](mailto:amyhansenhomes@gmail.com)); Marty Van Diest - Valley Market Real Estate ([marty@valleymarket.com](mailto:marty@valleymarket.com)); Gregory Pugh ([winforhim@aol.com](mailto:winforhim@aol.com))  
**Subject:** Request for comments for End of the Rainbow RSB B/2 L/9 w/variance Case #2016-062 Tech: PH

Good Morning,

Attached is a request for preliminary plat approval for a two lot subdivision in the Meadow Lakes area. Please review and provide your comments by June 3, 2016.

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



**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

May 5, 2016

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

Subject: Preliminary Plat Request for Comments – **End of the Rainbow Subdivision Block 2,  
Lots 9A and 9B (Case No. 2016-062)**

Dear Ms. Horton:

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

If you have any questions, I can be reached by phone at 907-334-7953 or by email at [robin.leighty@enstarnaturalgas.com](mailto:robin.leighty@enstarnaturalgas.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Robin Leighty". The signature is fluid and cursive, with a large loop at the end.

Robin Leighty  
Right-of-Way and Permitting Agent

*Sent via e-mail to [plattting@matsugov.us](mailto:plattting@matsugov.us)*

**EXHIBIT L**

**PLANNING & LAND USE DIRECTOR'S CERTIFICATE**

I CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION No. \_\_\_\_\_, DATED \_\_\_\_\_, 20\_\_\_\_, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, IN WHICH THE PLAT IS LOCATED.

PLANNING AND LAND USE DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_  
 ATTEST: PLATTING CLERK \_\_\_\_\_

**LEGEND**

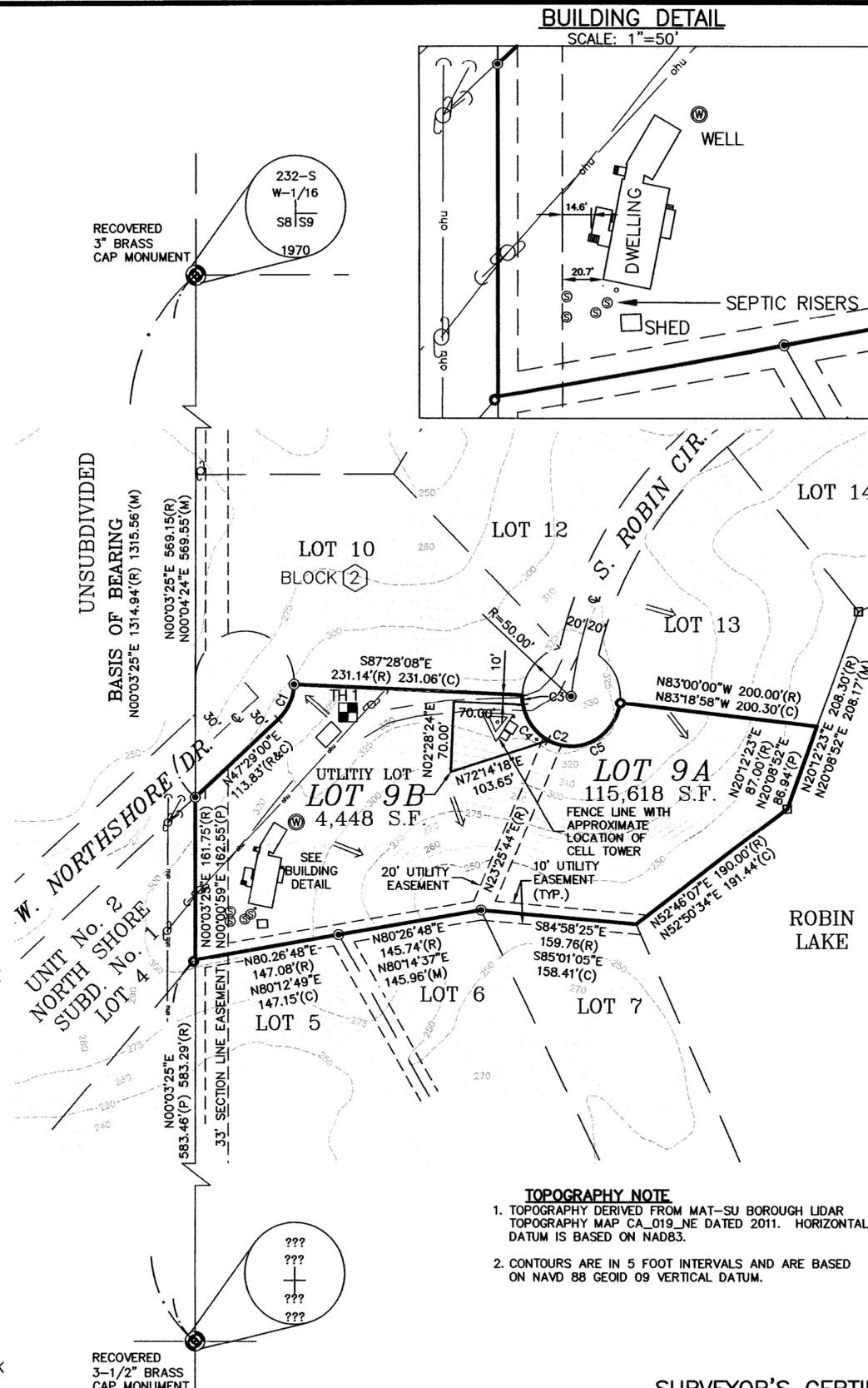
- ⊙ RECOVERED BRASS CAP MONUMENT
- ⊙ SET 2"x30" ALUMINUM PIPE MONUMENT WITH 2-1/2" ALUMINUM CAP
- RECOVERED 1/2" REBAR
- ⊙ RECOVERED 5/8" REBAR
- ⊠ RECOVERED HUB & TACK
- SET 5/8"x24" REBAR w/PLASTIC CAP MARKED AK RIM 10615-S
- (P) PROPORTIONED DATA
- (C) CALCULATED DATA
- (M) MEASURED DATA
- (R) RECORD DATA DERIVED FROM PLAT No. 70-23
- ⇒ DRAINAGE ARROW
- TH 1 TEST HOLE LOCATION

**LAKE MEANDER LINES ( PER PLAT 70-23)**

- THE MEANDER LINE SHOWN AROUND THE LAKES ON THE PLAT RECORDED AS 70-23 IS THE MEANDER LINE OF THE LAKE LEVELS PROPOSED TO BE MAINTAINED INITIALLY BY THE SUBDIVISION DEVELOPER. ACTUAL LAKE LEVELS MAY VARY.
- OWNERS OF LOTS ABUTTING ON WATER SHALL HAVE EXCLUSIVE USE OF ALL LAND BETWEEN THEIR LOT AND THE WATER'S EDGE WHETHER SAID LAND IS INCLUDED WITHIN THE LOT DESCRIPTION OR NOT.

**NOTES**

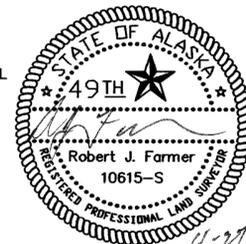
- THERE MAY BE FEDERAL, STATE AND LOCAL REQUIREMENTS GOVERNING LAND USE. THE INDIVIDUAL PARCEL OWNER SHALL OBTAIN A DETERMINATION WHETHER THESE REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN ON THE PLAT TO BE RECORDED.
- NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS THE SYSTEM IS LOCATED, CONSTRUCTED AND EQUIPPED IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS AND RECOMMENDATIONS OF THE STATE OF ALASKA, DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
- NO PART OF A SUBSURFACE SEWAGE DISPOSAL SYSTEM SHALL BE CLOSER THAN 100' FROM ANY BODY OF WATER OR WATERCOURSE.
- LOT 9B IS FOR UTILITY PURPOSES ONLY AND SHALL HAVE NO ON-LOT SEWER OR WATER.
- MEA BLANKET EASEMENT RECORDED OCTOBER 6, 1961 PER BOOK 39, AT PAGE 42.
- MTA BLANKET EASEMENT RECORDED SEPTEMBER 8, 1977 PER BOOK 148, AT PAGE 21.
- MEA BLANKET EASEMENT RECORDED DECEMBER 4, 2003 PER RECORDING No. 2003-036370-0.
- COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED AUGUST 21, 1970 IN BOOK 15 MISC. AT PAGE 38. AMENDED FEBRUARY 10, 1984 IN BOOK 344 AT PAGE 926.
- TERMS, PROVISIONS AND COVENANTS OF THE BY-LAWS OF THE ASSOCIATION RECORDED DECEMBER 14, 1983 IN BOOK 336 AT PAGE 411.
- MTA BLANKET EASEMENT RECORDED SEPTEMBER 28, 2012 PER RECEPTION No. 2012-021174-0.



| CURVE TABLE |        |            |         |         |             |              |
|-------------|--------|------------|---------|---------|-------------|--------------|
| CURVE #     | RADIUS | DELTA      | LENGTH  | TANGENT | CORD LENGTH | CORD BEARING |
| C1          | 50.00' | 45°27'11"  | 39.67'  | 20.94'  | 38.63'      | N24°22'50"E  |
| C2          | 50.00' | 173°26'20" | 151.35' | 872.31' | 99.84'      | S85°27'26"E  |
| C3          | 50.00' | 11°33'57"  | 10.09'  | 5.06'   | 10.08'      | S4°31'15"E   |
| C4          | 50.00' | 51°44'41"  | 45.16'  | 24.25'  | 43.64'      | S36°10'34"E  |
| C5          | 50.00' | 110°07'41" | 96.10'  | 71.58'  | 81.98'      | N62°53'15"E  |

**TOPOGRAPHY NOTE**

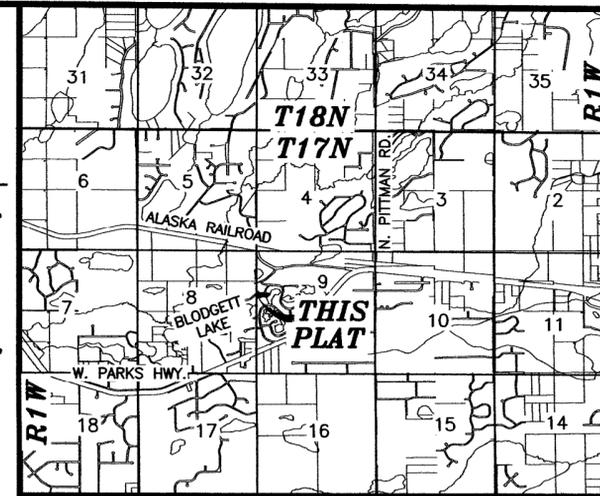
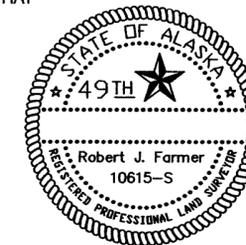
- TOPOGRAPHY DERIVED FROM MAT-SU BOROUGH LIDAR TOPOGRAPHY MAP CA\_019\_NE DATED 2011. HORIZONTAL DATUM IS BASED ON NAD83.
- CONTOURS ARE IN 5 FOOT INTERVALS AND ARE BASED ON NAVD 88 GEOID 09 VERTICAL DATUM.



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

DATE \_\_\_\_\_



VICINITY MAP SCALE: 1" = 1 MILE  
 TAX MAP: H007, H008, H009, H010

**CERTIFICATE OF OWNERSHIP**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED IN THIS PLAN AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION BY OUR FREE CONSENT.

NEAL BULLOCK \_\_\_\_\_ DATE \_\_\_\_\_  
 P.O. BOX 298367  
 WASILLA, AK. 99629-8367

BRENDA BULLOCK \_\_\_\_\_ DATE \_\_\_\_\_  
 P.O. BOX 298367  
 WASILLA, AK. 99629-8367

**NOTARY'S ACKNOWLEDGEMENT**

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ FOR \_\_\_\_\_

NOTARY FOR THE STATE OF ALASKA  
 MY COMMISSION EXPIRES \_\_\_\_\_

**CERTIFICATE OF PAYMENT OF TAXES**

I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS THROUGH \_\_\_\_\_, 20\_\_\_\_, AGAINST THE PROPERTY, INCLUDED IN THIS SUBDIVISION OR RESUBDIVISION, HEREON HAVE BEEN PAID.

TAX COLLECTION OFFICIAL, MAT-SU BOROUGH \_\_\_\_\_ DATE \_\_\_\_\_

RECEIVED  
 APR 29 2016  
 PLATTING

A PLAT OF  
**END OF THE RAINBOW SUBDIVISION**  
**BLOCK 2, LOT 9A AND 9B**  
 A REPLAT OF  
**END OF THE RAINBOW SUBDIVISION, BLOCK 2, LOTS 8 & 9**  
 PLAT No. 70-23 PALMER RECORDING DISTRICT  
 LOCATED WITHIN THE W1/2, SECTION 9, T17N, R2W, S.M., AK.  
 CONTAINING 2.76± ACRES

**ALASKA RIM ENGINEERING, INC.**  
 9131 E. FRONTAGE ROAD, SUITE 1  
 PALMER, AK 99645  
 PH: (907)745-0222 : FAX: (907)746-0222  
 EMAIL: akrim@alaskarim.com : WEB: www.alaskarim.com

**ARE**  
 Engineers : Planners : Surveyors

W.O. 1500349 DATE: APRIL 2016  
 DRAWN BY: JRG SCALE: 1" = 100'  
 FILE: 1500349PL-PRM SHEET 1 OF 1

4C



## MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

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

### MEMORANDUM

Date: June 16, 2016

To: Platting Board

From: Peggy Horton, Platting Technician

**RE: Homestead Hills Case #: 2016-059**

The petitioner and staff have agreed to continue this case for 3 months until September 15, 2017, to resolve issues concerning access and required plat information.

**Suggested motion: “I move to continue the public hearing for Homestead Hills, located within Section 25, Township 16 North, Range 3 East and Section 30, Township 16 North, Range 4 East, Seward Meridian, Alaska, until September 15, 2016.”**