

# AGENDA

**MATANUSKA-SUSITNA BOROUGH  
PLATTING BOARD  
AGENDA**

**REGULAR MEETING**

**1:00 P.M.**

**December 1, 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.

*Platting Board members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.*

## PUBLIC HEARING PROCEDURES

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

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

**MATANUSKA-SUSITNA BOROUGH  
PLATTING BOARD AGENDA**

**PLATTING BOARD**  
Jay Van Diest, Chairman  
Stan Gillespie  
LaMarr Anderson  
Jordan Rausa  
Patrick Johnson  
Vacant Seat  
Vacant Seat  
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 Swand Jones Building  
350 E. Dahlia Avenue, Palmer*

**DECEMBER 1, 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. November 17, 2016

**3. UNFINISHED BUSINESS**

**4. PUBLIC HEARINGS**

- A. SKIP EVANS (owners/petitioners):** The request is to divide Parcel 1, MSB Waiver 81-54-PWm, recorded as 81-80W into 6 lots, to be known as **EVANS**, containing 9.64 acres +/- . S. Gardener's Lane and the temporary cul-de-sac will be constructed further north to provide physical and legal access to proposed Lot 6. Currently the buildings on Lots 1 and 4 do not meet the structural setback requirements of MSB 17.55. MSB 43.10.060 allows for approval of a plat of property if the plat will solve one or more violations of borough code. Moving the temporary cul-de-sac north will resolve the setback violations on Lot 4. Located within Sec 06, T25N, R04W, S.M. AK, lying west of S. Tralkeetna Spur, north of E. Woodpecker Avenue at the intersection of W. Gardner's Lane. Community Council: Talkeetna, Assembly District: #7: Randall Kowalke
- B. MARC & JEAN DOBKOWSKI (owners/petitioners):** The request is to divide Government Lots 5 & 6 into 10 lots to be known as **DOBKOWSKI SUBDIVISION**, containing 64 acres +/- . Located within Sec 04, T16N, R04W, S.M. AK, lying east of

Diamond Lake and south of W. Susitna Parkway. Community Council: Big Lake, Assembly District: #5: Dan Mayfield

- C. ESTHER BAKER & LEONARD J. GRAU JR. (owners/petitioners):** The request is to divide Parcel 1 & 2, MSB Waiver 78-69, recorded as 78-175W, into 3 lots and 1 Tract to be known as **TD BUSINESS PARK**, containing 13.93 acres +/- . Lot 1 will be served by Wasilla municipal water and sewer. Dedication of S. Robert Street and a Public Use Easement extending to E. Palmer-Wasilla Highway is proposed and will provide public right-of-way from the existing signalized intersection to the proposed lots and to the entrance to Home Depot. Located within Sec 10, T17N, R01W, S.M. AK, lying north at the intersection of E. Palmer-Wasilla Highway and S. Roberts Street, east of Knik-Goose Bay Road. Community Council: N/A (City of Wasilla), Assembly District: #4: Steve Colligan

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

## **5. ITEMS OF BUSINESS & MISCELLANEOUS**

### **6. RECONSIDERATIONS/APPEALS**

- A. MSB PLATTING STAFF ON BEHALF OF JASON SLOTEN AND JUSTIN HATLEY (owners/petitioners):** The request is to reconsider the Platting Board's approval of Dewy's Garden Addition 5, due to a mistake by Platting Staff with regards to access limitations. Dewy's Garden Addition 5 was approved on October 6, 2016, written decision October 12, 2016, containing 48.18 acres +/- . The reconsideration will allow the "public driveway easement" to be granted by the property's owner as a public use easement. This will provide for adequate public access to the lots. Located within E ½ SW ¼ Sec 06, T17N, R03E, S.M. AK, lying northeast of E. Maud Road. Community Council: Butte, Assembly District: #1: Jim Sykes

### **7. PLATTING STAFF & OFFICER COMMENTS**

- A. Introduction for the December 15, 2016 Platting Board Hearing (*Informational Only – Subject to change*)**
- Hill Top Estates RSB L/1, 10-11 & Vacation, Case 2016-142/143/144
  - Creekside Hts 2016, Case 2016-159
  - Jim-N-I Addition MSP, Case 2016-146

## **8. BOARD COMMENTS**

## **9. ADJOURNMENT**

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.

**MINUTES**

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on November 17, 2016, at the Animal Shelter Meeting Room, 9470 W. Chanlyut Circle, 49<sup>th</sup> Street, Palmer, Alaska. The meeting was called to order at 2:00 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 (Excused Absence)
- Mr. Jordan Rausa, District #4 (Vice Chairman) (Late)
- Vacant, District #5
- Mr. Patrick Johnson, District #6
- Vacant, District #7
- Mr. Marty Van Diest, Alternate 1
- Mr. Gregory Pugh, Alternate 2 (Excused Absence)

Staff in attendance:

- Ms. Sloan Von Gunten, Administrative Specialist
- Mr. Fred Wagner, Platting Officer
- Ms. Amy Otto-Buchanan, Platting Technician
- Ms. Cheryl Scott, Platting Technician

**B. THE PLEDGE OF ALLEGIANCE**

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

**Mr. Rausa arrived at the meeting.**

**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 the changes with no objections.

**2. APPROVAL OF MINUTES**

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

GENERAL CONSENT: The minutes for November 3, 2016 were approved without objection.

**3. UNFINISHED BUSINESS**

**A. FREEMAN ANTHONY RSB B/1 L/1**

Sloan Von Gunten (Administrative Specialist)

- Stated that 72 public hearing notices were mailed out on October 27, 2016, to this date there have been 1 return, no objections, no non-objections, and no concerns.

Amy Otto-Buchanan (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.

Tendra Nicodemus (Petitioner's Representative)

- Agrees with all the recommendations.

MOTION:

- Mr. Johnson moved to approve the removal of Conditions of Approval #6 and #11, the addition of Condition of Approval #10, the amendment of condition of Approval #7, and the remaining conditions be unchanged for the preliminary plat for Freeman Anthony RSB B/1 L/1 and the partial vacation of W. Trevett Avenue, seconded by Mr. Anderson.

DISCUSSION:

- Mr. Johnson asked staff for clarification on the Right-of-Way distance.

VOTE:

- The motion passed with all in favor. There are 8 findings.

TIME: 2:14 P.M.

CD: 0:11:57

**B. ECHO LAKE WOODS MASTER PLAN**

Sloan Von Gunten (Administrative Specialist)

- Stated that 63 public hearing notices were mailed out on October 27, 2016, to this date there have been no returns, 1 objection, no non-objections, and 1 concern.

Cheryl Scott (Platting Technician)

- Gave an overview of the case.
- Would like to modify recommendations #13, #17, #18 and Add finding #9.

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) and Curt Holler (Engineer Representative)

- Agrees with all the recommendations.
- Explained the roadway clearing and upgrades that have already been done.
- Answered any questions from the platting board on the roadways.

MOTION:

- Mr. Johnson moved to approve the master plan for Echo Lake Woods, seconded by Mr. Rausa. Modify recommendations #13, #17, #18 and Add Finding #9.

DISCUSSION:

- Discussion on the different standard of road classifications.

RECOMMENDATIONS:

- Modify #13: Comply with MSB 43.15.052(B) Flood Hazard Area Identification. (already shown on preliminary plat)
- Modify #17: Upon review and final approval of Master Plan, submit four original signed copies in full compliance with Title 43. (provided)
- Modify #18: Submit Phase plats in full compliance with Title 43. (Phase 1, recorded in 2012 under Title 27)

FINDINGS:

- Add #9: There were two comments received from the public, 1 concern and 1 objection.

VOTE:

- The motion passed with all in favor. There are 9 findings.

**TIME: 2:41 P.M.**

**CD: 0:37:49**

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

##### **A. POUSTINIA NORTH MASTER PLAN & PUE**

Sloan Von Gunten (Administrative Specialist)

- Stated that 29 public hearing notices were mailed out on September 29, 2016, to this date there have been 4 returns, no objections, no non-objections, and 1 concern.

Amy Otto-Buchanan (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)

- Explained the actions being taken on the subdivision.
- Agrees with all the recommendations.

MOTION:

- Mr. Rausa moved to approve the master plan for Poustinia North and the vacation of the public use easement, seconded by Mr. Johnson.

VOTE:

- The motion passed with all in favor. There are 13 findings.

**TIME: 3:05 P.M.**

**CD: 01:02:25**

**B. CP ESTATES**

Sloan Von Gunten (Administrative Specialist)

- Stated that 53 public hearing notices were mailed out on September 29, 2016, to this date there have been 1 return, no objections, no non-objections, and no concerns.

Cheryl Scott (Platting Technician)

- The Petitioner would like to continue the case to February 16, 2017 for additional time to address utility easements and plat design.

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, kept the public hearing open.

John Shadrach (Petitioner's Representative)

- No comments at this time.

MOTION:

- Mr. Anderson moved to continue the preliminary plat for CP Estates to February 16, 2017, seconded by Mr. Marty Van Diest.

VOTE:

- The motion passed with all in favor.

**TIME: 3:08 P.M.**

**CD: 01:05:00**

**C. SILVERLEAF 2016**

Sloan Von Gunten (Administrative Specialist)

- Stated that 128 public hearing notices were mailed out on October 27, 2016, to this date there have been 2 returns, 1 objection, no non-objections, and no concerns.

Amy Otto-Buchanan (Platting Technician)

- Gave an overview of the case.
- Changes finding #5

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.

Wayne Whaley (Petitioner's Representative)

- Explained more on the changed to the lot lines.
- Agrees with all the recommendations.

MOTION:

- Mr. Johnson moved to approve the preliminary plat for Silverleaf 2016 and Variance from MSB 43.20.281(A)(1) Area, seconded by Mr. Marty Van Diest. Modify Finding #5.

DISCUSSION:

- Discussion on encroachments and setback issues on a lot line.

FINDINGS:

- Modify #5: There was 1 objection from the general public in response to the Notice of Public Hearing.

VOTE:

- The motion passed with 4 in favor (Mr. Marty Van Diest, Mr. Johnson, Mr. Andersson, Mr. Jay Van Diest) and 1 opposed (Mr. Rausa). There are 10 findings.

**TIME: 3:34 P.M.**

**CD: 01:28:40**

**BREAK**

**TIME: 3:40 P.M.**

**CD: 01:29:53**

**D. DENAINA**

Sloan Von Gunten (Administrative Specialist)

- Stated that 18 public hearing notices were mailed out on October 27, 2016, to this date there have been no returns, no objections, no non-objections, and no concerns.

Fred Wagner (Platting Officer)

- 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.

Judith Clapp Michael (Neighbor)

- Support their neighbors platting action.
- Concerned about the future planning on the surrounding land.
- Concerned about the road maintenance on S. Clapp Street to parcel D3.

Jay Van Diest (Chairman)

- Closed the public hearing.

Tony Hoffman (Petitioner's Representative)

- Agrees with all the recommendations.

MOTION:

- Mr. Johnson moved to approve the preliminary plat for Denaina, seconded by Mr. Rausa.

DISCUSSION:

- Discussion on access to parcel D8.

VOTE:

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

**TIME: 1:28 P.M.**

**CD: 01:40:01**

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

## **5. ITEMS OF BUSINESS & MISCELLANEOUS**

## **6. RECONSIDERATIONS/APPEALS**

## **7. PLATTING STAFF & OFFICER COMMENTS**

- There will be 3 cases to be heard at the next platting board meeting.
- The BOAA will be hearing Blue Grouse Hill on December 2, 2016.

## **8. BOARD COMMENTS**

- Went over the memo on Quasi-Judicial Actions.
- Mr. Marty Van Diest asked about Title 17.
- Mr. Johnson commented on the City's rulings.
- Mr. Anderson appreciated the board's comments for the meeting.
- Mr. Jay Van Diest appreciated the surveyor's comments on vacations.

**9. ADJOURNMENT**

**Adjourned: 04:06 P.M.  
CD: 01:55:52**

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Jay Van Diest, Chairman

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Sloan Von Gunten  
Administrative Specialist

DRAFT

4A

**STAFF REVIEW AND RECOMMENDATIONS  
PUBLIC HEARING  
DECEMBER 1, 2016**

PRELIMINARY PLAT:     **EVANS**  
LEGAL DESCRIPTION:    **SEC 6, T25N, R4W, SEWARD MERIDIAN, AK**  
PETITIONER:           **SKIP EVANS**  
SURVEYOR/ENGINEER:   **PILCH LAND SURVEYING/HOLLER ENGINEERING**  
ACRES:                **9.64**                        **PARCELS:    6**  
REVIEWED BY:        **PEGGY HORTON**                **CASE: 2016-150**

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**REQUEST**

The request is to divide Parcel 1, MSB Wavier 81-54-PWm, recorded as 81-80W into 6 lots, containing 9.64 acres, more or less. S. Gardener's Lane and the temporary cul-de-sac will be constructed further north to provide physical and legal access to proposed Lot 6. Currently the buildings on Lots 1 and 4 do not meet the structural setback requirements of MSB 17.55. MSB 43.10.060 allows for approval of a plat of property if the plat will solve one or more violations of borough code. Moving the temporary cul-de-sac north will resolve the setback violations on Lot 4.

**EXHIBITS:**

Vicinity Map	<b>EXHIBIT A</b>
Electric Service Map	<b>EXHIBIT B</b>
Soils	<b>EXHIBIT C</b>

**COMMENTS:**

Current Planner	<b>EXHIBIT D</b>
Emergency Svs & Fire Svs Area	<b>EXHIBIT E</b>
Land Management	<b>EXHIBIT F</b>
DPW Engineer	<b>EXHIBIT G</b>
Willow Community Council	<b>EXHIBIT H</b>

**DISCUSSION:** The lots range in size from 1.89 acres to 1.15 acres.

**As-Built:** The as-built shows structures on Lot 1 and Lot 4 that are currently in violation to structural setbacks from public rights-of-way. Moving the temporary cul-de-sac to the north will remove the structures on Lot 4 out of the 25' setback. MSB 43.10.060(E) states "The platting authority shall not approve an application where it finds that the property that is the subject of the application currently is in violation of this title, any condition of approval of a

variance, subdivision plat, or other land use entitlement granted under this title, or the terms of any other agreement with the borough, unless the conditions of approval resolve the violation, excepting that where multiple violations exist and the platting action is remedying one or more of these violations.” This area of code will allow the plat to be recorded with the structures on Lot 1 remaining with setback encroachments. This does not make the structures compliant, it only allows the plat to move forward as the conditions of approval will remedy one of the multiple violations.

**Access:** S. Gardener’s Lane is currently constructed to a temporary turnaround that ends at proposed Lot 4. The road will be extended and terminate in a 120-foot diameter temporary cul-de-sac to provide physical access to the last lot served, Lot 6. The road is required to meet residential subcollector standards because the length of the road is over 1000 feet per SCM A05.6 (**Recommendation #4**). Curt Holler said the proposed plat will require construction of approximately 275’ of new residential street with a partly offset cul-de-sac. Adequate gravel materials for road base construction are present at the site, and the surrounding roads were constructed with local materials. Staff notes that S. Gardener’s Lane up to the current turnaround, is maintained by the borough and constructed to residential standards. The only road construction necessary is from the current cul-de-sac to the new cul-de-sac. The current cul-de-sac will also need to be removed and the ditches provided.

15-foot wide utility easements are available on the west side of S. Gardener’s Lane within Garden Glen Subdivision (**Exhibit B**). Underground electric is provided on the west side of S. Gardener’s Lane.

**Area:** Curt Holler, P.E. provided a detailed engineer’s report (**Exhibit C**). The soils evaluation included review of existing testholes, discussion with the original road and septic installer, review of photographs of road and septic construction, review of the provided topography and LiDAR information, review of satellite/aerial imaging, and his earlier observations at the site. Three testhole/soils reports were prepared from discussion with the local excavation contractor and owner, and review of good quality photographs of the septic installation on proposed Lot 4 as well as original road construction excavation. The soils encountered are consistent with his prior experiences and record information in the neighborhood; soils types have not varied significantly. No groundwater or seeps were encountered in any of the referenced testholes, which were excavated from 12’ to 15’ with one provided by the homeowner to 21’. Based on the available soils and water table information, topography, MSB Title 43 Code definitions, and his observations at the site, each of the proposed lots will contain over 10,000 sq ft of contiguous useable septic area, and an additional 10,000 sq ft of useable building area.

**COMMENTS:**

Current Planner stated structures should be in compliance with setback requirements (**Exhibit D**). DES and Talkeetna FSA have no objections. Access meets the minimum required (**Exhibit E**). Land Management stated no MSB land is affected and no objection to the proposed platting action (**Exhibit F**). DPW Engineer stated the road will need to be constructed to Residential Subcollector standards with 60’ radius ROW (**Exhibit G**). She

also requested coordination with DPW on the timing of the existing cul-de-sac reclamation. This is due to the current maintenance of the road, they don't want the existing cul-de-sac to be removed until the new cul-de-sac is ready for borough maintenance.

Talkeetna Community Council had some questions concerning the subdivision, but no additional comments after staff responded (**Exhibit H**).

## **CONCLUSION**

The preliminary plat for Evans is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.016 Preliminary Plat.

A professional engineer stated the lots contain the required useable septic area and useable building area. The extension of S. Gardener's Lane will be constructed to residential sub collector standards. A drainage plan was submitted which meets the Subdivision Construction Manual standards. There were no objections from Borough Departments, outside agencies or the public.

## **RECOMMENDATIONS for PRELIMINARY PLAT**

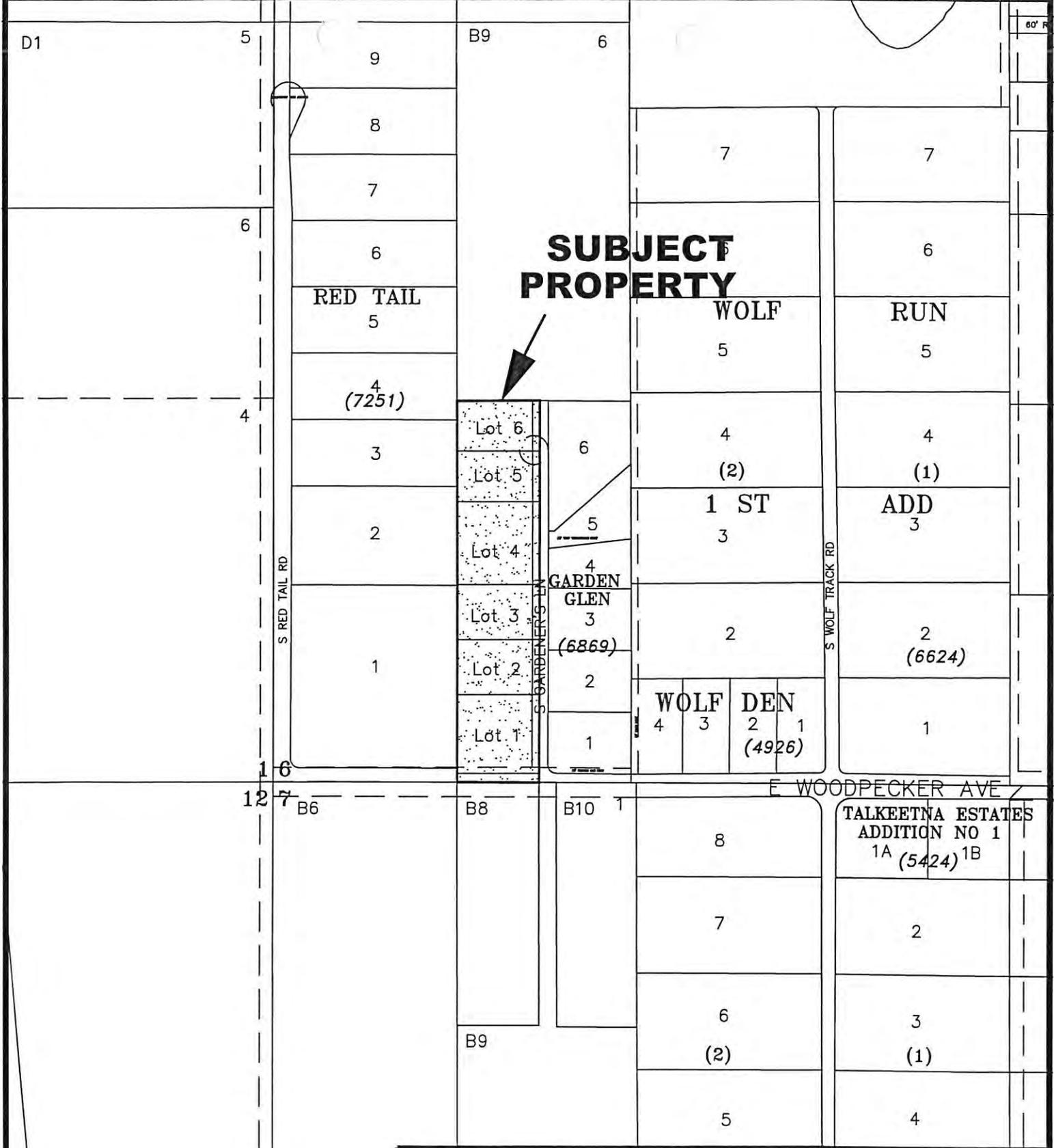
***Recommended motion:*** "I move to approve the preliminary plat of Evans Subdivision, located within Section 6, Township 25 North, Range 4 West, Seward Meridian, Alaska contingent on the following staff recommendations:"

1. Submit the mailing and advertising fee.
2. Show or list all easements of record on the final plat per MSB 43.15.051(P).
3. Submit construction cost estimate, schedule pre-construction meeting with Dept of Public Works Engineer, pay inspection fee, and obtain Notice to Proceed prior to any road or drainage construction in compliance with SCM, Section E.
4. Construct the extension of S. Gardener's Lane to residential sub collector standards. Provide engineer's final inspection report along with verification from an RLS that the constructed roadways are located within the proposed right-of-way per MSB 43.20.140 and obtain Public Works Engineer signoff.
5. Provide updated Certificate to Plat executed within 90 days, prior to recording the plat per MSB 43.15.053(E).
6. Submit an affidavit from any holders of beneficial interest, if any, to be recorded with the plat.
7. Submit recording fee, payable to the State of Alaska, DNR.

8. Taxes and special assessments must be current prior to recording the plat, per MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.
9. Submit final plat in full compliance with Title 43.

**FINDINGS for PRELIMINARY PLAT**

1. The plat of Evans Subdivision is consistent with AS 29.40.070 Platting Regulations; and MSB 43.15.016 Preliminary Plat.
2. A professional engineer stated useable area is available for wastewater disposal and building in compliance with MSB 43.20.281.
3. Legal access to adjoining property to the north is provided on the plat.
4. MSB 43.10.060(E) allows this plat to be approved as at least one of the multiple setback violations on the property will be alleviated when the temporary cul-de-sac is moved north. Setback violations still exist on proposed Lot 1.
5. There are 15' utility easements on the east side of S. Gardener's Lane. Underground utilities serve the west side of S. Gardener's Lane.
6. There were no objections received from Borough departments, outside agencies or the public.
7. The engineer's Topography, Drainage and Testhole Location Map shows positive drainage around the proposed cul-de-sac to the infiltration galleries and elsewhere along the proposed road.



**SUBJECT  
PROPERTY**



**VICINITY MAP**

FOR PROPOSED EVANS SUBDIVISION  
LOCATED WITHIN  
SECTION 6, T25N, R4W  
SEWARD MERIDIAN, ALASKA

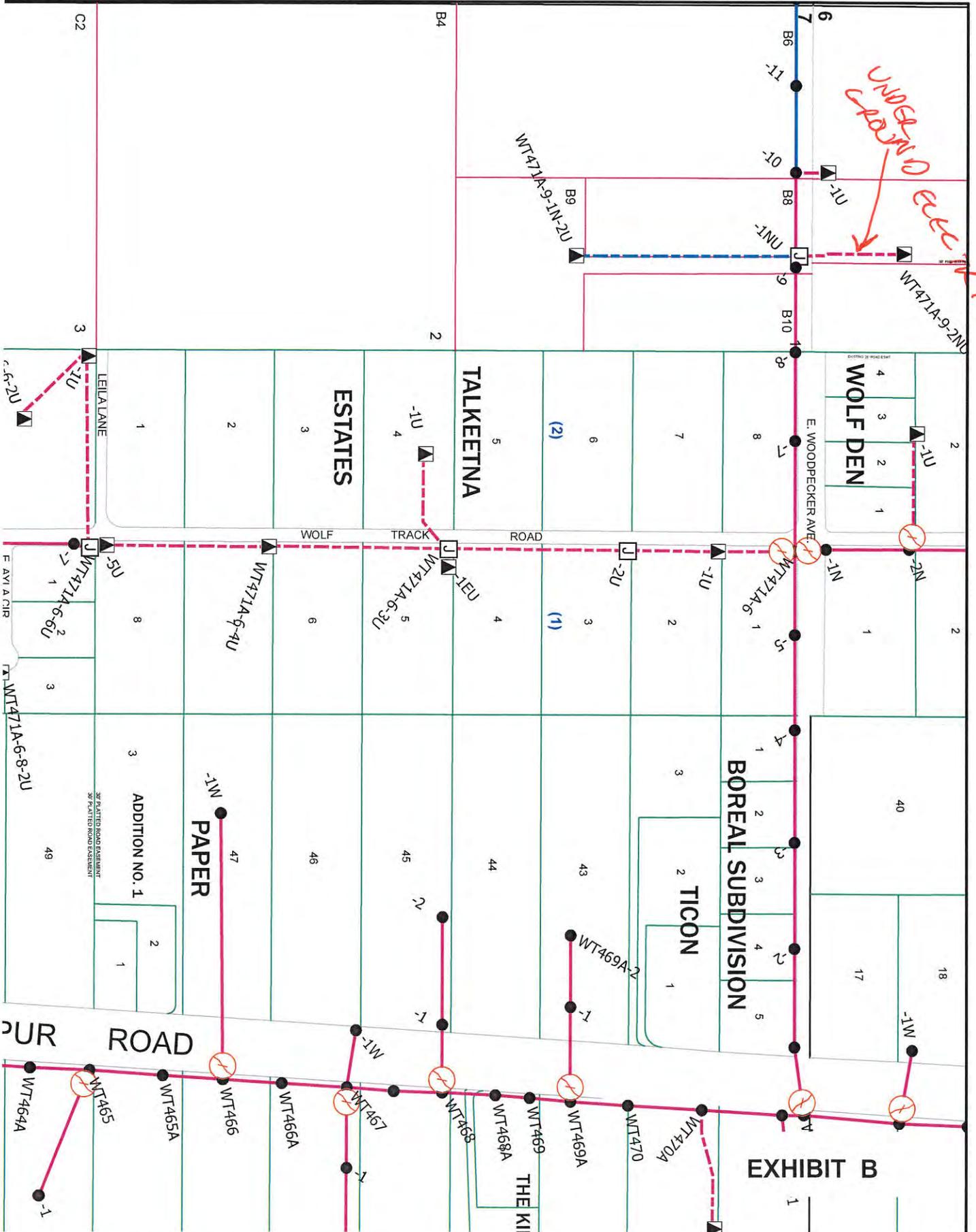
TALKEETNA 10 MAP

**EXHIBIT A**

ALASKA RAILROAD

60' SECTION LINE ESMT

60' R





# HOLLER ENGINEERING

Water, Wastewater & Soils Consulting

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

RECEIVED

OCT 03 2016

PLATTING

October 3, 2016

Fred Wagner  
MSB Platting Officer  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Re: *Evans Subdivision*; Useable Areas, Roads & Drainage Plan.  
HE #16072

Dear Mr. Wagner:

At the request of Skip Evans, we have performed a soils investigation and related preliminary design work for the referenced proposed subdivision. The project will create 6 new lots from a single existing parcel, with an area of 9.4 acres. Our soils evaluation included review of existing testholes, discussion with the original road and septic installer, review of photographs of road and septic construction, review of the provided topography and LiDAR information, review of satellite/aerial imaging, and our earlier observations at the site. See the attached testhole location, drainage and topography map for details.

Topography. The parent parcel forms a slender rectangle bordering E. Woodpecker Ave. to the south, S. Gardener's Lane to the east and Redtail subdivision to the west. Drainage in general slopes very gradually from the northeast to the southwest. The total elevation differential indicated from the provided map is approximately 6'. See the attached map for general drainage patterns.

Soils & Vegetation. Single family residences have previously been constructed on proposed Lots 1 and 4. The remainder of the parent parcel is minimally disturbed, virgin forest. Vegetation consists of mature birch and spruce, as well as various shrubs and grasses. Three testhole/soils reports were prepared from discussion with the local excavation contractor and owner, and review of good quality photographs of the septic installation on proposed Lot 4 as well as original road construction excavation. The contractor had a clear recollection of the projects, and details matched those evident in the photos. Several testholes were excavated in the surrounding adjacent subdivision projects, all with nearly identical soils conditions. The soils encountered are consistent with our prior experiences and record information in the neighborhood; soil types have not varied significantly. Copies of the relevant testholes and location/topography map are attached.

EXHIBIT C-1

Groundwater. No groundwater or seeps were encountered in any of the the referenced testholes, which were excavated from 12' to 15' with one provided by a homeowner to 21'.

Useable Areas. The proposed lots have few limitations on areas defined by MSB code as *useable septic area* or *useable building area*. Useable septic areas will be limited by lotlines and setbacks to water wells. For useable building area, lotlines, utility easements, and ROW/PUE setbacks will be limiting factors. However, each proposed lot contains adequate unencumbered area to easily meet the useable area requirements.

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.***

Road Construction. The proposed plat will require construction of approximately 275' of new *residential* street with a new partly offset cul-de-sac; the existing cul-de-sac will need to be removed and ditches provided. Grades within the proposed ROW are well below 6% and no vertical design is required. Adequate gravel materials for road base construction are present at the site, and the surrounding roads were constructed with local materials. Topping material would need to be screened and mixed at the site, or imported.

Drainage Plan. The attached map shows the approximate existing drainage patterns. Existing drainage patterns will not change significantly after road construction; the attached drainage plan shows the expected flow patterns once the road has been constructed. We note that the drainage plan is based on the available topography and survey, and some final details and improvements may need to be determined during the construction phase. See the attached map for details.

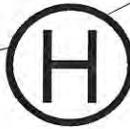
Thank you for your assistance, and please feel free to call with any questions you may have.

Sincerely,

Curtis Holler, PE

c: S. Evans, w/attachments





# HOLLER ENGINEERING

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



## SOILS LOG / PERCOLATION TEST

TEST HOLE A

Performed For: Skip Evans

Legal Description: Evans Sub/ Parcel 1 S6 T25N R4N

Depth, feet	Soil Type
1	OL, ML SOFT BROWN LOESS, Roots
2	
3	SP W/GP
4	VARIES to SP-GP
5	Rock to 5", few B
6	MEDIUM SANDS DARK
7	OLIVE COLOR
8	
9	
10	
11	
12	No GWT
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	

Slope

Site Plan

See attached testhole & topo map.

↑  
N  
↓

WAS GROUNDWATER ENCOUNTERED?  
- No

IF YES, AT WHAT DEPTH?  
- N/A

DEPTH AFTER MONITORING?  
- N/A

Slope

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

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

- TEST RUN BETWEEN    FT AND    FT DEPTH

- COMMENTS: Testhole is for sub. soils only, info from excavation contractor & photos

- \_\_\_\_\_

- PERFORMED BY: R. Borge/C. Holler

DATE: 6/03/2003

### EXHIBIT C-3





# HOLLER ENGINEERING

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



## SOILS LOG / PERCOLATION TEST

TEST HOLE C

Performed For: Skip Evans

Legal Description: Evans Sub/ Parcel 1 S6 T25N R4N

Depth, feet	Soil Type	Slope	Site Plan
1	OL, ML		See attached testhole & topo map. ↑ N ↓
2			
3	SP-GP, rock to 6"		
4	FEW + 8"		
5	OLIVE		
6			
7			
8			
9			
10			
11			
12			
13			
14			
15	No GWT		
16			
17			
18			
19			
20			
21			
22			

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

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

- PERCOLATION RATE \_\_\_\_\_ (min/inch)      PERC HOLE DIAMETER \_\_\_\_\_  
 - TEST RUN BETWEEN \_\_\_\_\_ FT AND \_\_\_\_\_ FT DEPTH  
 - COMMENTS: Testhole is for sub. soils only, info from excavation contractor & photos  
 . KOBELCO EXCAVATOR, BORROW PIT FOR ROAD

- PERFORMED BY: R. Borge/C. Holler      DATE: 5/15/2003

### EXHIBIT C-5





# HOLLER ENGINEERING

3375 N Sams Dr. Wasilla, Alaska (907) 376-0410

Seal



## SOILS LOG / PERCOLATION TEST

TEST HOLE # 2

Performed For: Vern & Andrea Gunter

Legal Description: L6 B4 TP 86 T25N R4W

Depth, feet	Soil Type
0 - 1	OL, ROOTS
1 - 2	ML, ORANGE-BROWN TO OLIVE
2 - 3	SM W/ GRAVEL TO SP W/ GRAVEL + SILT.
3 - 4	SP W/ GRAVEL TO SP-GP, ROCKS TO 6", OLIVE, MEDIUM SANDS.
4 - 5	
5 - 6	
6 - 7	
7 - 8	
8 - 9	
9 - 10	
10 - 11	
11 - 12	
12 - 13	
13 - 14	NO GROUNDWATER NO SEEPS
14 - 15	
15 - 16	
16 - 17	
17 - 18	
18 - 19	
19 - 20	
20 - 21	
21 - 22	

Slope

Site Plan

SEE ATTACHED DRAWING

↑ 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

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

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

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

- PERFORMED BY: C. HOLLER DATE: 06/14/12

EXHIBIT C-7



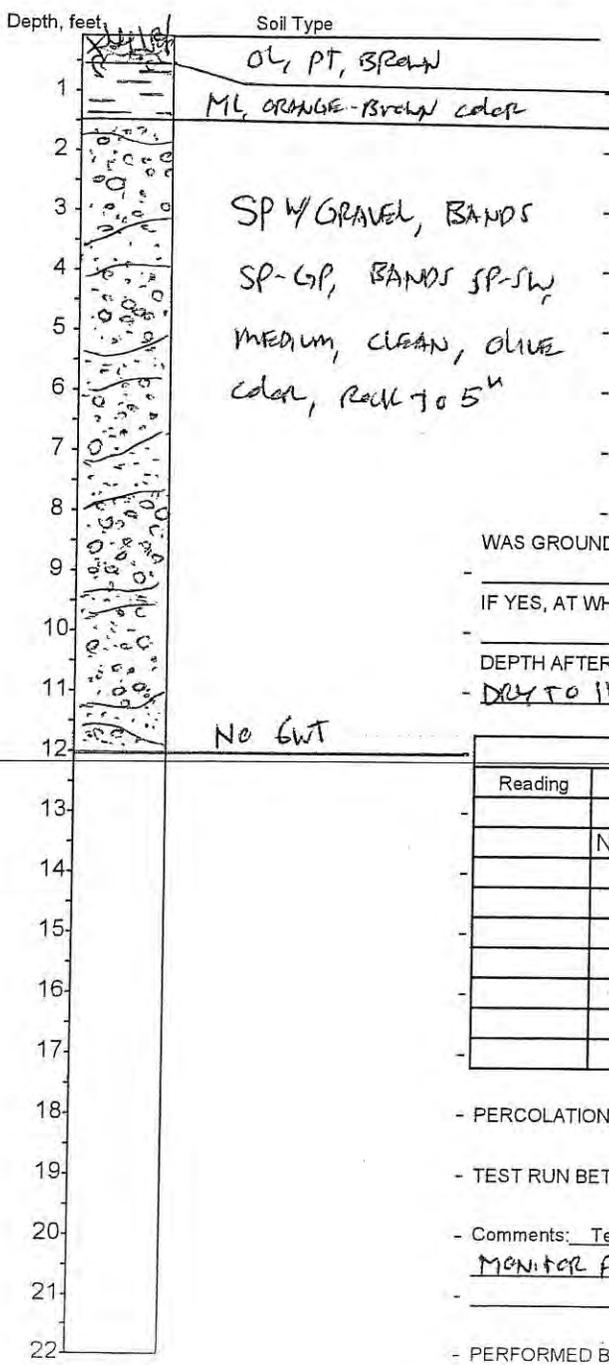
# HOLLER ENGINEERING

3375 N Sams Dr. Wasilla, Alaska (907) 376-0410



## SOILS LOG / PERCOLATION TEST

TEST HOLE # 5 of 5  
Performed For: G, Inc.  
Legal Description: Red Tail Subdivision / TP B4 S6 T25N R4W



Slope

Site Plan

See testhole location & topo map

↑ N ↓

WAS GROUNDWATER ENCOUNTERED?  
- NO

IF YES, AT WHAT DEPTH?  
-

DEPTH AFTER MONITORING?  
- DUY TO 11' + 2 DAYS

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 is for subdivision purpose only; contact Holler Engineering for any other use  
MONITOR PIPE TO 11'

- PERFORMED BY: C. Holler DATE: 8-16-11 **EXHIBIT C-8**

### Part III - Required Diagram of System(s)

1. In a plan view, locate and identify each of the following:
  - a) Well                      b) All Structures                      c) Septic Tank                      d) Soil Absorption system (include dimensions)
  - e) Surface Water                      f) Sources of contamination                      g) Property Line                      h) Closest well on adjacent property
  - i) Closest septic tank on an adjacent property                      j) Closest edge of an absorption field on adjacent property
  - k) All Cleanouts and monitor tubes                      l) Testhole location
2. Show distances between the well and each of the sources of contamination listed in 1.
3. Show distances between water bodies and each part of the onsite system listed in 1.
4. In a cross section view of the soil absorption area, identify each component and show the depth (thickness) of the following:
  - a) Soil cover                      b) Absorption Material                      c) Water Table                      d) Bedrock                      e) Discharge pipes                      f) Insulation

Testhole total depth: 21 FEET      Groundwater/Seeps encountered? Y/N at N/A ft  
 Impermeable soil (Silt/Clay/Bedrock) encountered? Y/N at N/A ft

#### Testhole Log

Plan View	Date	
PLEASE SEE ATTACHED	7-17-2011	
	Inspected By Rodney Hughes, P Homebased	
	1 ft	[Hatched] Muddy ORANGE
	2 ft	[Hatched] Muddy ORANGE
	3 ft	[Small circles] GW
	4 ft	[Small circles] 1'-6" ROCKS
	5 ft	[Small circles] SOME SAND (COARSE)
	6 ft	[Small circles] SOME SAND (COARSE)
	7 ft	[Small circles] SOME SAND (COARSE)
	8 ft	[Small circles] SOME SAND (COARSE)
Cross Section	Date	
PLEASE SEE ATTACHED	11 ft	[Small circles] SW
	12 ft	[Small circles] MEDIUM SANDS
	13 ft	[Small circles] CENTRAL PEBBLES
	14 ft	[Small circles] AND 1'-3"
	15 ft	[Small circles] ROCKS
	16 ft	[Small circles] IN SMALL QUANTITIES
	17 ft	[Small circles] NO BORINGS
	18 ft	[Small circles] NO BORINGS
	19 ft	[Small circles] NO BORINGS
	20 ft	[Small circles] NO BORINGS
	21 ft	[Small circles] NO BORINGS
	21 ft	NO GW NO BR

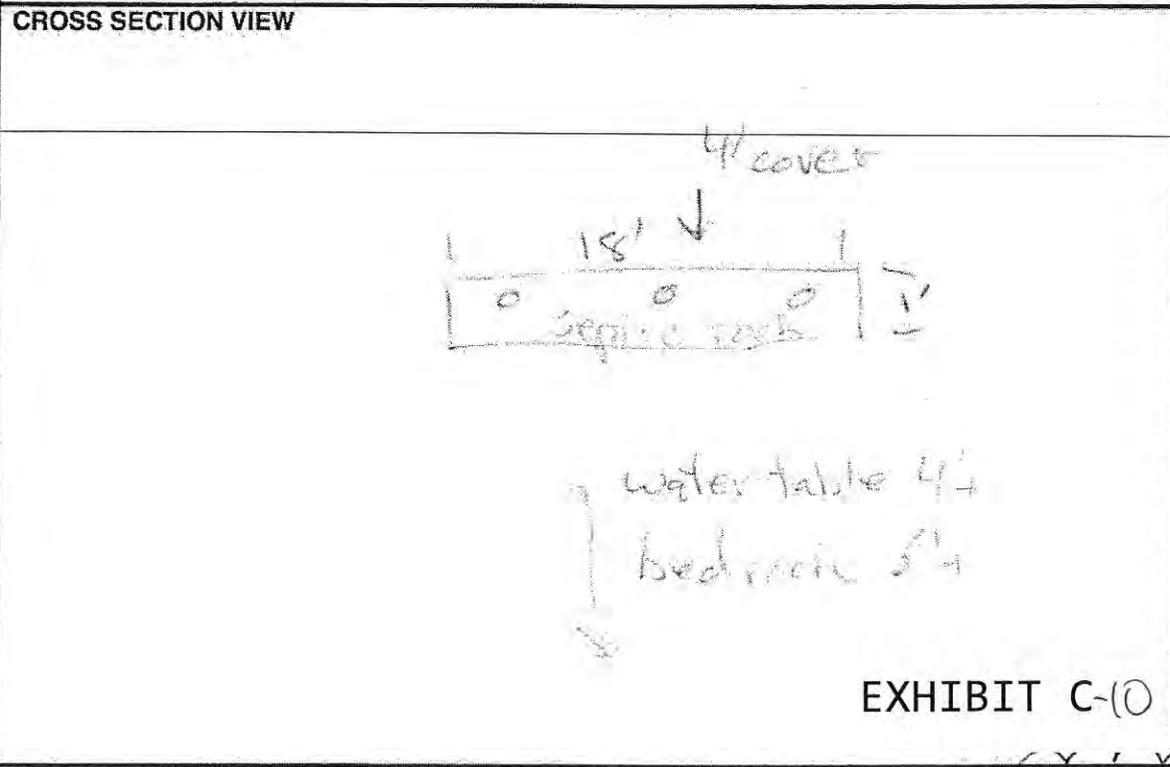
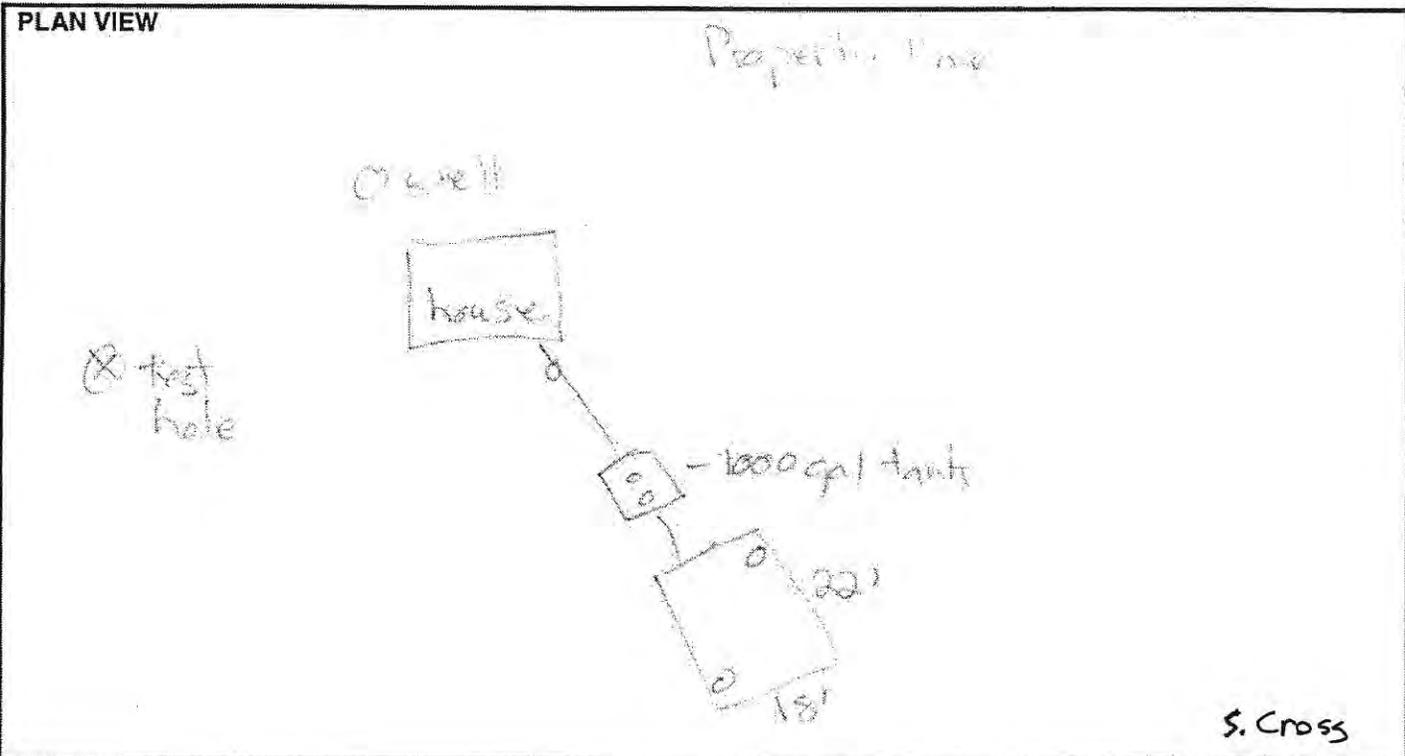
**Part III – Required Diagrams of System(s)**

Legal Description: 25867 Gardeners Lane

- In a plan view drawing, locate and identify each of the following:
  - a) Well
  - b) All structures
  - c) Septic tank
  - d) Soil absorption system (include dimensions)
  - e) Surface water none
  - f) Sources of contamination none
  - g) Property line
  - h) Closest well on adjacent property 1004
- Show distances between the well and each source of contamination listed in 1.
- Show distances between water bodies and each part of the onsite system listed in 1.
- In a cross section view of the soil absorption area, identify each component and show the depth (thickness) of the following:
  - a) soil cover
  - b) absorption material
  - c) water table
  - d) bedrock
  - e) discharge pipes
  - f) insulation

- i) Closest septic tank on an adjacent property 1004
- j) Closest edge of an absorption field on adjacent property 1004
- k) All cleanouts and monitor tubes
- l) Testhole location

Total testhole depth: 14'  
 Groundwater/Seeps encountered?  YES at \_\_\_\_\_ FT  NO  
 Impermeable soils encountered? (Silt, Clay, Bedrock)  YES at \_\_\_\_\_ FT  NO



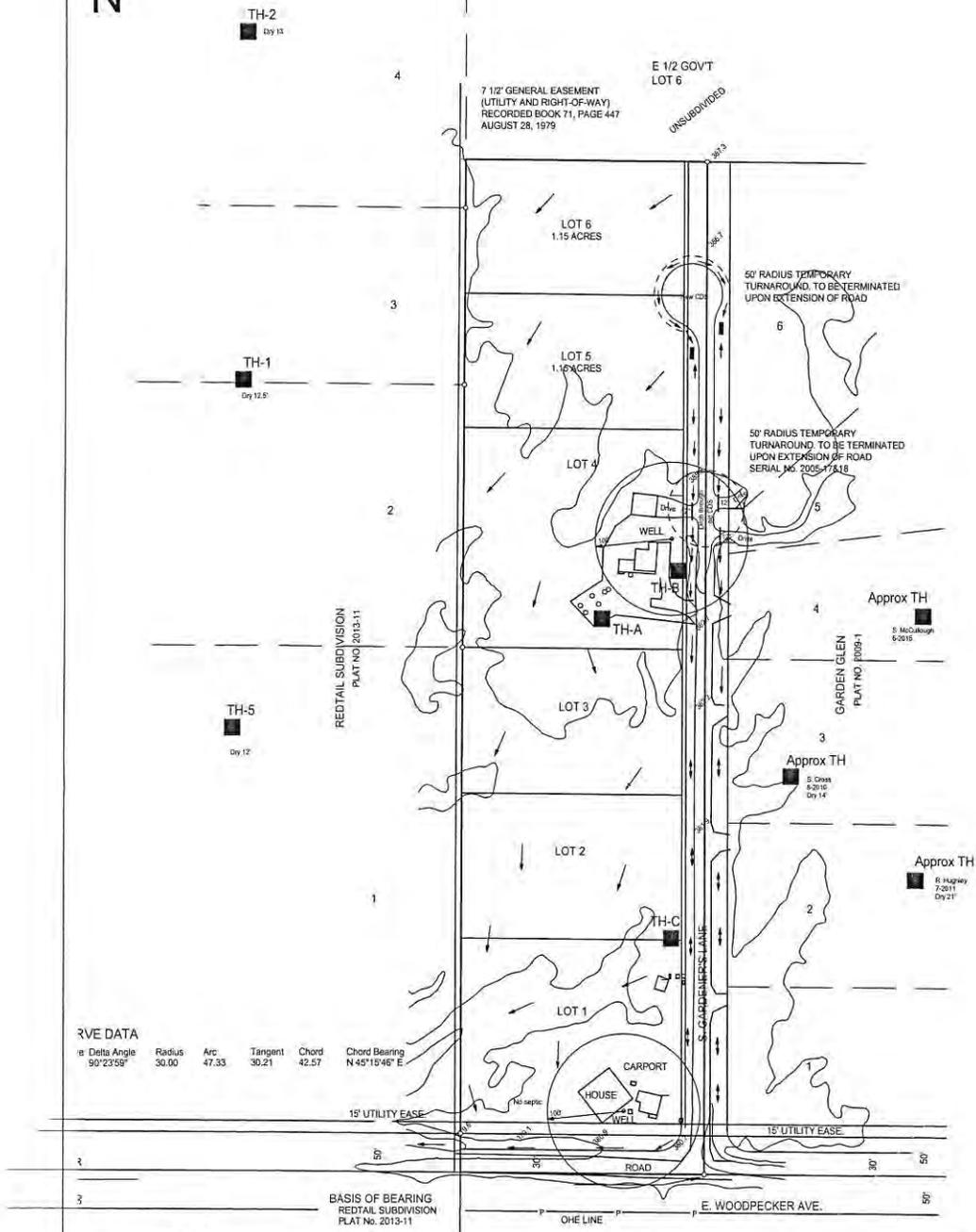
**TESTHOLE LOG**

0-1 ft	Soil
1-2	
2-3	SW
3-4	
4-5	
5-6	
6-7	
7-8	
8-9	
9-10	
10-11	
11-12	
12-13	
13-14	
14-15	bottom test hole
15-16	
16-17	
17-18	
18-19	
19-20	

EXHIBIT C-10

LOT 3 GARDENERS GLEN

N



RVE DATA

Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
90°23'59"	30.00	47.33	30.21	42.57	N 45°19'48" E

MSB WAIVER 98-68-P/Wm RECORDED AT BOOK 189 PAGE 415

MSB WAIVER 2001-164-P/Wm RECORDED AT 2001-001590-0

PARCEL "A"

PARCEL "1"

R. Hughey 7-2011 Dry 21'

- Notes:
- Arrows denote apparent drainage patterns.
  - Testhole locations are approximate.
  - Base drawing provided by others.
  - 2' contours hand sketched from MSB LiDAR data.
  - = 5'x5'x15' rock filled infiltration point.



EXHIBIT C-11

Evans Subdivision  
Topography, Drainage and Testhole Location Map

**HOLLER ENGINEERING**  
3375 N Sams Dr. Wasilla, Alaska 99654

10/03/16 | Job # 16072 | Scale: 1" = 150'

## Peggy Horton

---

**From:** Susan Lee  
**Sent:** Tuesday, October 11, 2016 7:28 AM  
**To:** Platting  
**Subject:** RE: Request for Comments for Evans Subdivision Case #2015-150 Tech: PH

Structures should be in compliance with setback requirements.

Susan

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

---

**From:** Peggy Horton **On Behalf Of** Platting  
**Sent:** Monday, October 10, 2016 1:38 PM  
**To:** Holly Zafian - ADF&G ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); Mark Fink ([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); [tccsecretary@yahoo.com](mailto:tccsecretary@yahoo.com); John ([jsandr@matnet.com](mailto:jsandr@matnet.com)); John Aschenbrenner; Richard Boothby; Elizabeth Derbonne; Eric Phillips; 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; Randall Kowalke ([randallk\\_2@msn.com](mailto:randallk_2@msn.com))  
**Subject:** Request for Comments for Evans Subdivision Case #2015-150 Tech: PH

Good Afternoon,

Attached is a request for comments for a 6-lot plat in the Talkeetna area. Please review and provide your comments by 11/24/2016.

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)

## Peggy Horton

---

**From:** Richard Boothby  
**Sent:** Wednesday, October 12, 2016 9:47 AM  
**To:** Platting  
**Cc:** James Steele; Ken Barkley; Bill Gamble  
**Subject:** RE: Request for Comments for Evans Subdivision Case #2015-150 Tech: PH

DES and Talkeetna FSA has no objections. Access meets the minimum required.

---

**From:** Peggy Horton **On Behalf Of** Platting  
**Sent:** Monday, October 10, 2016 1:38 PM  
**To:** Holly Zafian - ADF&G ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); Mark Fink ([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); [tccsecretary@yahoo.com](mailto:tccsecretary@yahoo.com); John ([jsandr@matnet.com](mailto:jsandr@matnet.com)); John Aschenbrenner; Richard Boothby; Elizabeth Derbonne; Eric Phillips; 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; Randall Kowalke ([randallk\\_2@msn.com](mailto:randallk_2@msn.com))  
**Subject:** Request for Comments for Evans Subdivision Case #2015-150 Tech: PH

Good Afternoon,

Attached is a request for comments for a 6-lot plat in the Talkeetna area. Please review and provide your comments by 11/24/2016.

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

Community Development

Land & Resource Management

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9869 • Fax (907) 745-9635

RECEIVED

OCT 10 2016

PLATTING

### MEMORANDUM

DATE: October 10, 2016  
TO: Fred Wagner, Platting Officer  
FROM: Land & Resource Management *MSL*  
SUBJECT: Preliminary Plat Comments / Case #2016-150

---

Platting Tech: Peggy Horton  
Public Hearing: December 1, 2016  
Applicant / Petitioner: Evans  
TRS: 25N04W06  
Tax ID: 25N04W06B007  
Subd: Evans  
Tax Map: TA 10

#### Comments:

- No MSB land affected.
- No objection to proposed platting action

EXHIBIT F

## Amy Otto-Buchanan

---

**From:** Jamie Taylor  
**Sent:** Wednesday, November 09, 2016 12:09 PM  
**To:** Platting  
**Cc:** Peggy Horton  
**Subject:** RE: Request for Comments for Evans Subdivision Case #2015-150 Tech: PH

- Road will be greater than 1000' long – new CDS needs to be to sub-collector standards with 60' radius ROW
- Coordinate timing of temporary CDS reclamation with DPW

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:** Monday, October 10, 2016 1:38 PM  
**To:** Holly Zafian - ADF&G ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); Mark Fink ([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); [tccsecretary@yahoo.com](mailto:tccsecretary@yahoo.com); John ([jsandrw@matnet.com](mailto:jsandrw@matnet.com)); John Aschenbrenner; Richard Boothby; Elizabeth Derbonne; Eric Phillips; 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; Randall Kowalke ([randallk\\_2@msn.com](mailto:randallk_2@msn.com))  
**Subject:** Request for Comments for Evans Subdivision Case #2015-150 Tech: PH

Good Afternoon,

Attached is a request for comments for a 6-lot plat in the Talkeetna area. Please review and provide your comments by **11/24/2016**.

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

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**From:** Whitney Wolff <wolffwhit@gmail.com>  
**Sent:** Wednesday, October 26, 2016 9:11 AM  
**To:** Platting  
**Subject:** Re: Request for Comments for Evans Subdivision Case #2015-150 Tech: PH

Excellent - very thorough information.

Thank you for the extra time and effort. This will assist TCCI in answering the questions of the public should they arise.

Whitney Wolff  
Chair/TCCI

On Oct 25, 2016, at 3:06 PM, Platting <[Platting@matsugov.us](mailto:Platting@matsugov.us)> wrote:

Hi,

Lot 4 has one structure that is currently in violation of a structural setback violation because it is too close to the temporary cul-de-sac. This will be resolved when the temporary cul-de-sac in that location is removed. The cul-de-sac will be moved north to serve the last lot, Lot 6. A temporary cul-de-sac is just that, temporary until the road is extended. So in this case, the petitioner will be extending the road to ensure Lot 6 has physical and legal access and there will be another temporary cul-de-sac that may be terminated in the future when or if the road is ever extended.

The structures on Lot 1 which are in violation of 17.55, Setbacks, will still be in violation of the structural setback requirements after this plat is recorded. Our subdivision code allows for a plat to be approved if code violations remain as long as the plat conditions of approval will remove one or more code violations on the property. This plat will not resolve the code violations on Lot 1 but will resolve the code violations on Lot 4.

Hope this clears it up.

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)

---

**From:** Whitney Wolff [<mailto:wolffwhit@gmail.com>]  
**Sent:** Tuesday, October 25, 2016 11:34 AM  
**To:** Platting  
**Subject:** Re: Request for Comments for Evans Subdivision Case #2015-150 Tech: PH

Thanks - the additional map is really helpful. The references to structures/ setback issues on the proposed lots was confusing with the identical numbers on the adjoining eastern lots.

**TWO remaining questions :**

**1) Does the temporary, off set cup-de-sac resolve the setback issue on Lot 1? ( you reference the new plat resolves Lot 4 setback issue and the Pilch note references the garage on Lot 4 meting setback regs with**

the addition of the off set cup-de-sac - but there is no reference to resolution for Lot 1 structure set back issue.)

2.) What is a “temporary cup-de-sac” - does this imply it will later be removed? Or re-platted?

Appreciate the assistance.  
Whitney Wolff  
Chair / TCCI

On Oct 25, 2016, at 8:17 AM, Platting <[Platting@matsugov.us](mailto:Platting@matsugov.us)> wrote:

<RFC and Map.pdf>

EXHIBIT H-2

## Peggy Horton

---

**From:** Whitney Wolff <wolffwhit@gmail.com>  
**Sent:** Saturday, October 22, 2016 1:55 PM  
**To:** Platting  
**Subject:** Re: Request for Comments for Evans Subdivision Case #2015-150 Tech: PH

Thank you for sending this request of comment to the Talkeetna Community Council, Inc. ( TCCI ) Your email states the deadline for comment is Nov. 24 but the document attached notes Nov. 14. We are assuming the correct deadline is that on the document 11/14. Please confirm.

Also, the narrative description is confusing. Please send a map of the property plat as it exists today - references to lots 1 and 4 having setback issues are confusing with multiple lots 1 and 4 on the map sent.

Thank you ,  
Whitney Wolff  
Chair / TCCI

On Oct 10, 2016, at 1:37 PM, Platting <[Platting@matsugov.us](mailto:Platting@matsugov.us)> wrote:

> <RFC and Map.pdf>

**SURVEYOR'S CERTIFICATE**

I, PAUL PILCH RLS 7576, 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, 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.

PAUL P. PILCH RLS 7576S DATE 11/6/15



**CERTIFICATE OF PAYMENT OF TAXES**

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

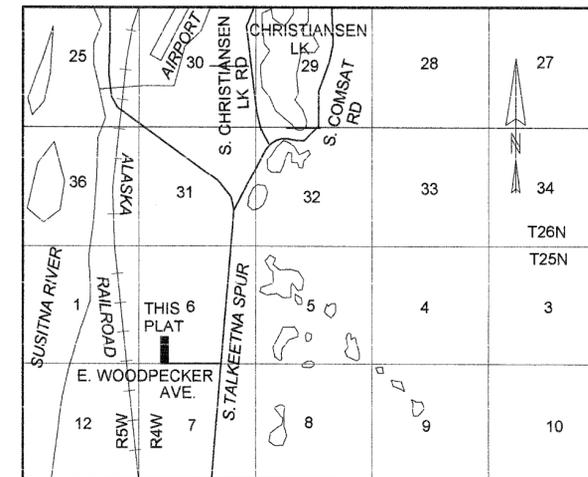
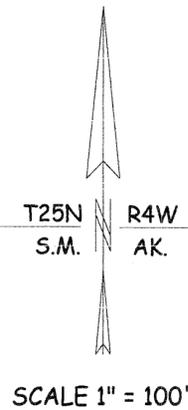
BOROUGH TAX OFFICIAL DATE

**NOTES**

1. THERE MAY BE FEDERAL, STATE AND LOCAL REQUIREMENTS GOVERNING LAND USE. IT IS THE RESPONSIBILITY OF THE INDIVIDUAL PARCEL OWNER TO OBTAIN A DETERMINATION WHETHER SUCH REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN HEREON.
2. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS 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.

**LEGEND**

- FOUND REBAR
- ⊥ SET 5/8"x30" REBAR W/2"ALUM. CAP



**VICINITY MAP**

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

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

SKIP ALLEN EVANS 1830 E. PARKS HWY. A113, PMB 257 WASILLA, ALASKA 99654 DATE

**NOTARY'S ACKNOWLEDGEMENT**

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF 20 FOR

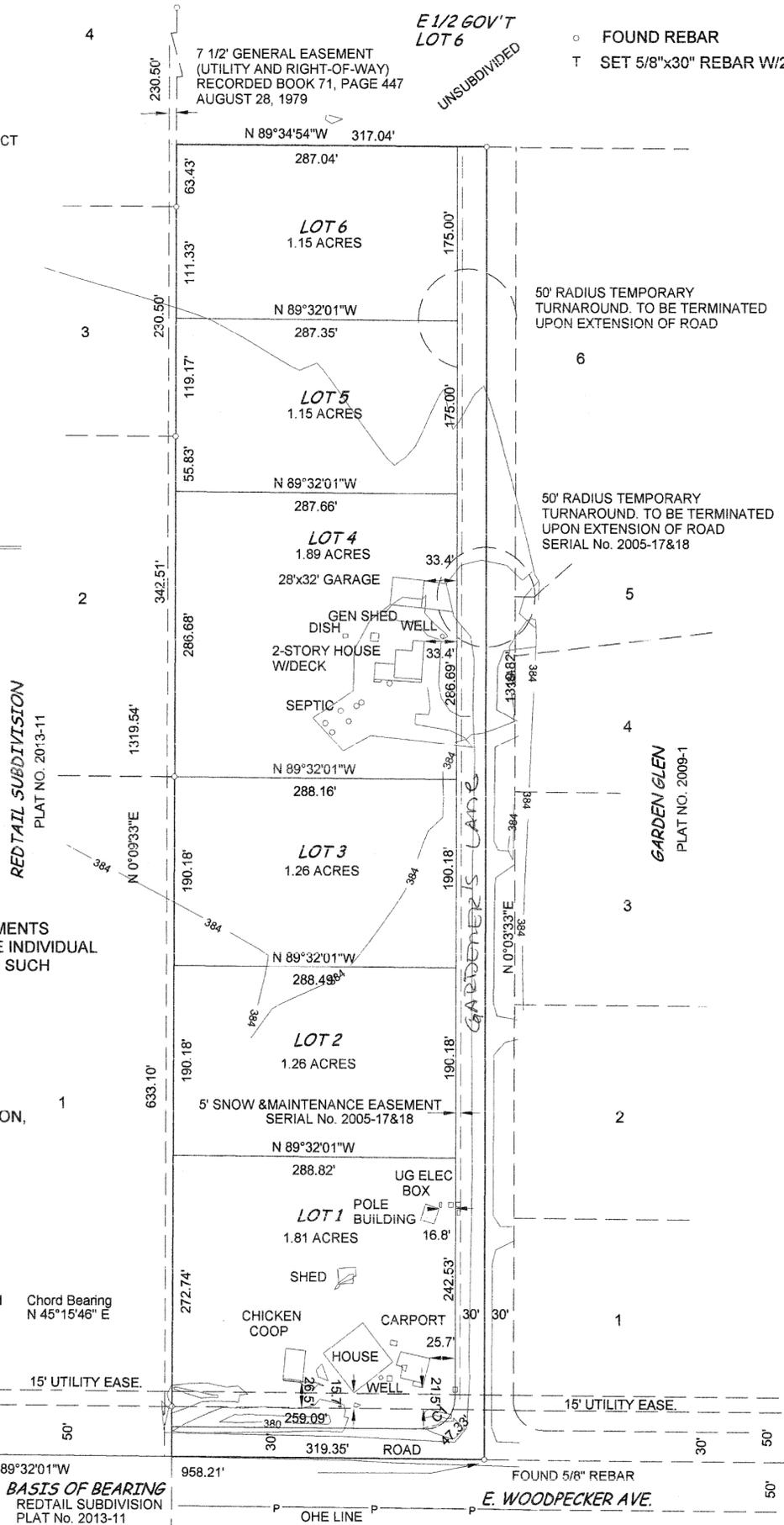
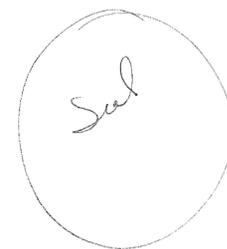
NOTARY FOR THE STATE OF ALASKA MY COMMISSION EXPIRES

**PLANNING AND LAND USE DIRECTOR'S CERTIFICATE**

I CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION NO. DATED 201 AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE TALKEETNA RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

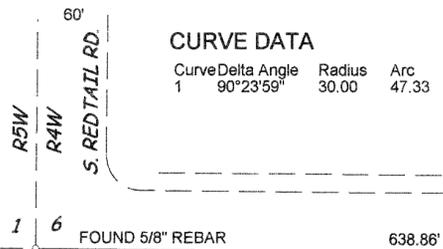
PLANNING AND LAND USE DIRECTOR DATE

ATTEST PLATTING CLERK



**CURVE DATA**

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	90°23'59"	30.00	47.33	30.21	42.57	N 45°15'46" E



PARCEL "A" MSB WAIVER 98-66-PWm RECORDED AT BOOK 169 PAGE 415

PARCEL "1" MSB WAIVER 2001-164-PWm RECORDED AT 2001-001590-0

A PLAT OF  
**EVANS SUBDIVISION**  
A SUBDIVISION OF  
**WAIVER PARCEL 1**  
MSB RESOLUTION No. 81-54-PWm  
RECORD AS 81-80W  
T.25 N., R.4 W., SEWARD MERIDIAN, ALASKA  
TALKEETNA RECORDING DISTRICT  
CONTAINING 9.64 ACRES MORE OR LESS

NEED PHYSICAL ADDRESS  
**PILCH LAND SURVEYING**  
P.O. BOX 641 WILLOW, ALASKA 99688  
907-495-6611

DATE	DRAWN	FIELD BOOK	SCALE	SHEET	OF
8/18/15	PP	2014-1	1" = 100'	1	1

**4B**

**STAFF REVIEW AND RECOMMENDATIONS  
PUBLIC HEARING  
DECEMBER 1, 2016**

PRELIMINARY PLAT:     **DOBKOWSKI**  
LEGAL DESCRIPTION:    **SEC 4, T16N, R4W, SEWARD MERIDIAN, AK**  
PETITIONER:           **MARC & JEAN DOBKOWSKI**  
SURVEYOR/ENGINEER:   **ALL POINTS NORTH**  
ACRES:        **64±**                            **PARCELS:   10**  
REVIEWED BY:         **PEGGY HORTON**                    **CASE: 2016-151**

---

**REQUEST**

The request is to divide Government Lots 5 & 6 in Section 4, Township 16 North, Range 4 West, Seward Meridian, Alaska into 10 lots to be known as Dobkowski Subdivision, containing 64 acres more or less.

**EXHIBITS:**

Vicinity Maps	<b>EXHIBIT A</b>
Unusable Area Map	<b>EXHIBIT B</b>
Engineer's Report	<b>EXHIBIT C</b>
Soil & Drainage Map	<b>EXHIBIT D</b>
Road Plan & Profile	<b>EXHIBIT E</b>

**COMMENTS:**

Public Works	<b>EXHIBIT F</b>
US Army Corps of Engineers	<b>EXHIBIT G</b>
Current Planner	<b>EXHIBIT H</b>
Land Management	<b>EXHIBIT I</b>
Environmental Planner	<b>EXHIBIT J</b>
SOA Easement Mgmt Unit	<b>EXHIBIT K</b>
SOA Survey Section	<b>EXHIBIT L</b>
Enstar	<b>EXHIBIT M</b>
GCI	<b>EXHIBIT N</b>
MEA	<b>EXHIBIT O</b>
ADF&G	<b>EXHIBIT P</b>

## **DISCUSSION:**

**Location:** This subdivision is located on the east side of Diamond Lake, south of W. Susitna Parkway. The subdivision to the southwest of this parcel called Argyle Acres was platted in 1984 with water access only.

**Lot Areas:** The 10 lots range in size from 2.44 acres to 23.06 acres. Lot 7 exceeds the 3:1 width to length ratio as prescribed in MSB 43.20.300(B)(1) however it is allowed to exceed the 3:1 ratio due to unusable area within the south portion of the lot and the lot has an average width of at least 125 feet (**Exhibit B**).

**Useable Area:** The engineer's report states that 6 testholes and 1 cutbank were investigated (**Exhibit C**). The testholes were dug to 12' minimum and groundwater was found in test holes 3 and 7 at 10 feet, which is the level of the lake elevation. Majority of the soil was comprised of loose sand and gravel, with little silt and clay. He states each of the proposed lots will contain a minimum 10,000 sq ft of contiguous useable septic area and 10,000 sq ft of useable building area. Testhole locations are shown in **Exhibit D**.

**Drainage:** The drainage plan shows the drainage along the proposed roads and general drainage patterns in the area (**Exhibit D**). A drainage plan was not provided for the road construction leading up to the subdivision from W. Susitna Parkway and will be required (**Recommendation 2**). There are no proposed culverts shown and staff expects there to be minor changes to the drainage plan during construction.

**Access:** The access to the subdivision is via public use easements reserved in deeds which provide 60' wide legal access to the subdivision and to properties to the south. This road is not constructed to any type of known standard and is not maintained. The access roads from W. Susitna Parkway to and within the subdivision will need to be constructed. Proposed road grades will exceed 6% and plan and profiles were provided for those sections within this parcel, but not within the section leading up to the subdivision. The road plan and profile exhibits indicate residential road standard is planned (**Exhibit E**) (**Recommendations 5 & 6**). If the access road leading up to the subdivision will have grades exceeding 6% and/or cut/fills exceed 5 feet at the ditchline, then centerline profiles will be required per SCM E01.1 (**Recommendation 3**).

Water frontage exists to each lot fronting on Diamond Lake consistent with MSB 43.20.340, *Lot Dimensions*, which requires a minimum 125' at the waterline.

## **COMMENTS:**

Department of Public Works Engineer stated they will need a Stormwater Pollution and Prevention Plan for road construction (**Exhibit F**). They requested information on the right-of-way which staff notes extends to the southern boundary of this parcel and beyond. The engineer asked about the access road, which staff has already determined is not constructed to any type of known standard. The engineer also asked about Corps of Engineer permits

needed. Staff notes the US Army Corps of Engineers commented that there appears to be wetlands within the subject property and a permit may be required if the project would proposed to discharge fill into a water of the U.S. **(Exhibit G) (Recommendation 4)**.

The MSB Current Planner stated structures should be in compliance with setback requirements **(Exhibit H)**. Land & Resource Management said MSB land is adjacent to the east side of the parcel **(Exhibit I)**. Pursuant to Title 23 and Land Management Policy and Procedures requirements, a public use easement was dedicated and recorded within the west boundary of Tax Parcel D9. The easement was created to match existing public easement within private property, and to create legal access within the borough parcel from Susitna Parkway to the borough's southern boundary. They have no objection to the subdivision or utilization of the recorded public use easement within borough property.

The MSB Environmental Planner stated Lot 6 as designed contains considerable wetlands and lake shores that are sensitive areas. Any development in this area may be subject to permitting through US Army Corps and Fish and Game **(Exhibit J)**.

The Department of Natural Resources Easement Management Unit stated that the parcel may be subject to a section line easement and recommends that the final plat show any section line easements **(Exhibit K)**. Department of Natural Resources Survey Section reiterated this comment **(Exhibit L)**. **(Recommendation 7)**.

Enstar has no comments, recommendations, or objections **(Exhibit M)**. GCI has no objections **(Exhibit N)**. MEA requests a 15' utility easement along the common lot line of Lots 8 & 10, which would provide utility access to Lots 1 & 2 of Argyle Acres **(Exhibit O) (Recommendation 8)**

ADF&G commented that there is a 50' wide public access easement located along and upland of the ordinary high water mark of Diamond Lake and a 30' wide public use easement located along the east boundary of the subject property **(Exhibit P)**. Staff again recommends that all easements of record be shown on the final plat **(Recommendation 7)**.

Platting staff noted that street names will be necessary from W. Susitna Parkway to and within the subdivision **(Recommendation 9)**.

## **CONCLUSION:**

The preliminary plat for Dobkowski is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.016 Preliminary Plat. This plat will create 10 lots out of a 64-acre parcel.

60' wide legal access exists to the parcel from W. Susitna Parkway and to the southern boundary along the western side. Residential standard roads will be constructed. A professional engineer stated the lots contain a minimum of 10,000 square feet of useable septic area and 10,000 buildable area. A drainage plan was submitted for the road within the subdivision, but not for the access road from W. Susitna Parkway. There may be a Corps of

Engineers permit necessary for the road construction. There were no objections from borough departments, outside agencies or the public.

**RECOMMENDATIONS for PRELIMINARY PLAT:**

***Recommended motion:*** “I move to approve the preliminary plat of Dobkowski, located within Section 4, Township 16 North, Range 4 West, Seward Meridian, Alaska contingent on the following staff recommendations:”

1. Submit the mailing and advertising fee.
2. Submit a drainage plan for the access road leading up to the subdivision from W. Susitna Parkway in accordance with SCM D01 to ensure positive drainage and show any drainage changes that may affect adjacent property.
3. Provide road plans for access road from W. Susitna Parkway to the subdivision boundary if the road grades will exceed 6% or the cut/fills exceed 5 feet at the ditch line as required by SCM E01.1. If not necessary, provide engineer’s statement to that effect.
4. Obtain a US Army Corps of Engineers jurisdictional determination where road construction is required, and if necessary, obtain a USACE permit to work within those wetlands.
5. Submit construction cost estimate, schedule pre-construction meeting with Public Works’s Engineer, pay inspection fee, and obtain Notice to Proceed prior to any road or drainage construction in compliance with SCM, Section E.
6. Construct the roads from W. Susitna Parkway to and within the subdivision to minimum residential standards. Provide engineer’s final inspection report along with verification from an RLS that the constructed roadways are located within the proposed right-of-way per MSB 43.20.140 and obtain Public Work’s Engineer signoff.
7. Show all easements of record on final plat per MSB 43.15.051(P).
8. Grant a 15’ wide utility easement along the common lot line between Lot 8 & 10 requested by MEA.
9. Provide road names for the roads from W. Susitna Parkway to and within the subdivision.
10. Provide updated Certificate to Plat executed within 90 days, prior to recording the plat per MSB 43.15.053(E).
11. Submit an affidavit from any holders of beneficial interest, if any, to be recorded with the plat.

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

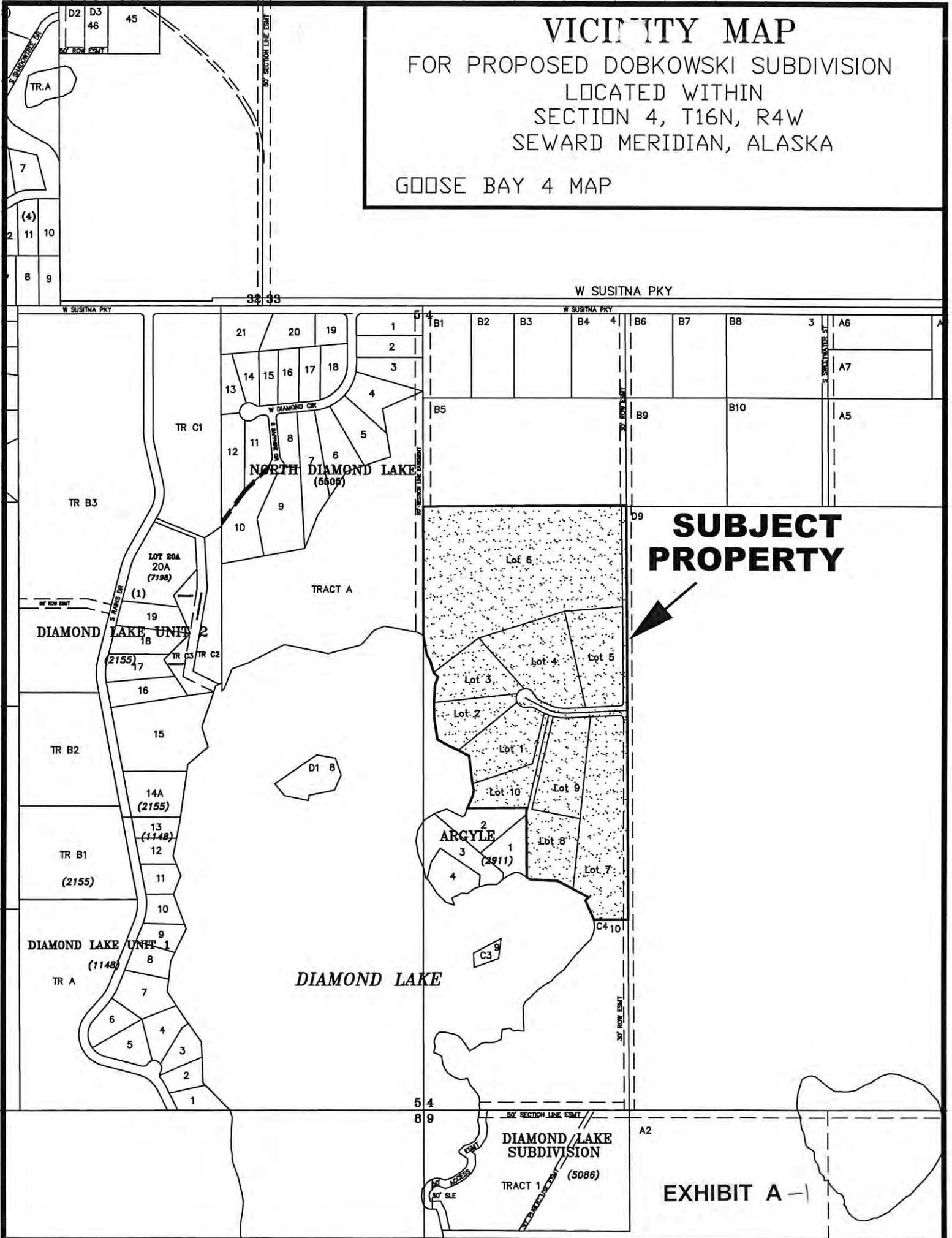
**FINDINGS for PRELIMINARY PLAT:**

1. The plat of Dobkowski is consistent with AS 29.40.070 Platting Regulations; and MSB 43.15.016 Preliminary Plat.
2. A professional engineer stated useable area is available for wastewater disposal and building in compliance with MSB 43.20.281.
3. The drainage plan provided meets the standard required in SCM Section D. Minor changes to the drainage plan can be expected during construction.
4. The adjacent subdivision, Argyle Acres, was platted in 1984 with water access only.
5. 60' wide right-of-way exists from W. Susitna Parkway to the south boundary of the subject parcel, reserved in deeds.
6. Lot sizes and block lengths are consistent MSB 43.20.300(A), *Lot and Block Design*. Water frontage exists as required in MSB 43.20.340, *Lot Dimensions*.
7. Lot 7 exceeds the 3:1 width to length ratio as prescribed in MSB 43.20.300(B)(1), however it is allowed to exceed the 3:1 ratio due to unusable area and the lot has an average width of at least 125 feet consistent with MSB 43.20.300(B)(1).
8. There are 15' utility easements shown on the plat along both sides of the right-of-ways consistent with the SCM standards for utilities. The petitioner is also granting a 15' utility easement along the common lot line between Lot 8 & 10 as requested by MEA.
9. Proposed road grades exceed 6% and road plan and profiles were provided for roads within the subject parcel, as required by SCM E01.1. If proposed road grades within the access road from W. Susitna Parkway to the subdivision exceed the E01.1 standards, centerline profiles are required.
10. Street names are required for the access road from W. Susitna Parkway and the cul-de-sac within the subdivision. MSB 11.20.110 prohibits the duplication of street names.
11. There were no objections from borough departments, outside agencies or the public.

# VICINITY MAP

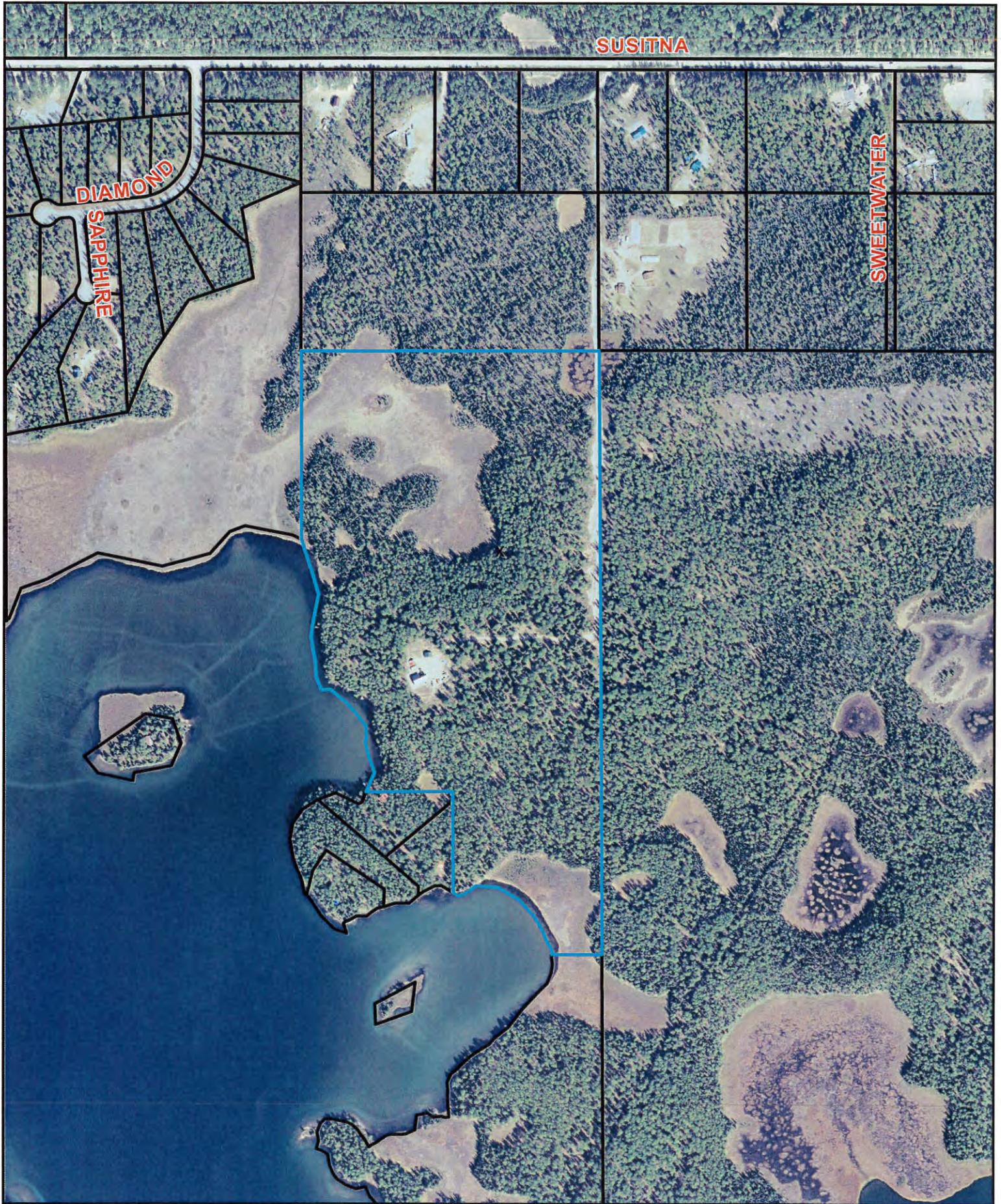
FOR PROPOSED DOBKOWSKI SUBDIVISION  
LOCATED WITHIN  
SECTION 4, T16N, R4W  
SEWARD MERIDIAN, ALASKA

GOOSE BAY 4 MAP



**SUBJECT  
PROPERTY**

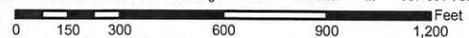
EXHIBIT A - 1



Matanuska Susitna Borough  
 Platting Division  
 Date: 11/22/2016

EXHIBIT A - 2

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



To: **Matanuska Susitna Borough  
Platting Division, Attn: Peggy Horton  
350 E. Dahlia Avenue  
Palmer, Alaska, 99645**

Date: **11/22/2016**

Job: **16-13**

Subject: **M.S.B. Title 43, DOBKOWSKI SUBDIVISION, Justification for Lot 7**



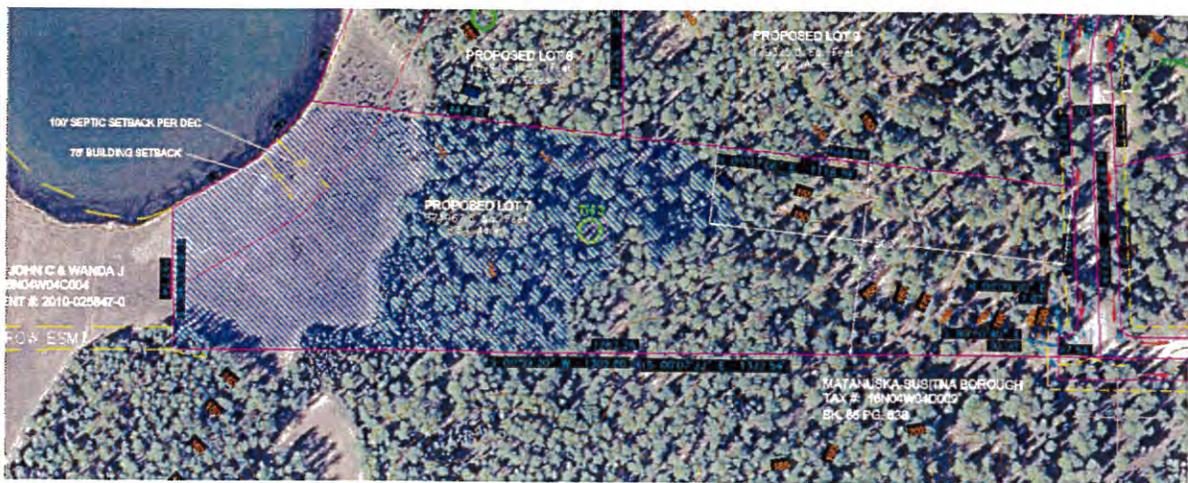
**MEMORANDUM**

Dear Ms. Horton,

You have requested I further clarify the excessive length versus width of the design of Lot 7, proposed Dobkowski Subdivision, Tax Id 16N04W04D007.

Lot 7 is a lakefront parcel, at least half of its area is well under 10 feet vertically of the lake level. Shown crosshatched in blue below and attached is land with high groundwater table, which causes difficulty for the installation of conventional onsite septic systems. Rather than create two lots over the area, thereby causing potential development problems with the lakefront owner, it was chosen to have one somewhat long and narrow lot. When accounting for parcel usable area, the actual length and width of the parcel is a compliant rectangular shape of approximately 270'x500'.

The chosen Lot 7 design will allow a future owner easily be able to construct a conventional septic system and housesite away from the lake, and still perhaps allow the owners to enjoy the benefits of footpath and winter access to the lake.



Please contact me should you have any questions about this matter,

*Max Schillinger*

Max Schillinger, P.E.



To: **Matanuska Susitna Borough  
Platting Division  
350 E. Dahlia Avenue  
Palmer, Alaska, 99645**

Date: **08/17/2016**

Job: **16-13 Marc Dobkowski**

Subject: **M.S.B. Title 43 Geotechnical Investigation, DOBKOWSKI SUBDIVISION**

## INTRODUCTION

### **Project Location**

As required of Matanuska-Susitna Borough title 43, we have performed a soils and usable area investigation for the proposed Dobkowski Subdivision. The subject parcel is located at 22280 W. Susitna Parkway. The M.S.B. Tax Identification Number is 16N04W04D007. The geographic location is approximately latitude N61°30'28", longitude W150°00'41".

### **Project Description and Overview Map**

Dobkowski Subdivision is a division of one approximately 64 acre parcel into ten lots. The site has currently one existing residence with well and septic as seen near the text "SITE" in the map below. There is also one small recreational cabin and outhouse, situated just west of the existing residence



### Scope of Investigation

M.S.B. Title 43 includes definitions and regulations regarding septic and building usable areas. Title 43 requires that all lots have a minimum of 40,000 square feet, of which a minimum 10,000 feet shall be building area and a minimum 10,000 feet shall be contiguous septic field area. Title 43 requires soil borings or test holes be dug under the direction of an Alaska registered civil engineer, and that a report of the findings be written. This investigation chose seven test holes to investigate the usable area of the site, see map attachment.

### RESULTS:

#### Vegetation, Topography, and Bedrock

The project site is generally forested with birch and spruce and is gently sloped towards Diamond Lake. No bedrock was noted.



#### Soil Investigation

Six test holes were dug to a minimum of 12 foot depths. One cut bank was also investigated. Test holes 3 and 7 encountered water. This water was at depths of 10 feet, which is level of lake elevation. No groundwater was encountered in the other test holes. Holes yielded similar soil grain size distributions, as noted on the test logs below. The majority of the soil was comprised of loose sand and gravel, with little silt and clay.

Gravel is defined as particles greater than no.4 sieve, or size greater than 4.75mm. Sand is defined as particles smaller than no.4 sieve but larger than no. 200 sieve, or 0.075mm-4.75mm. Silt and clay are particles finer than no. 200 sieve, or smaller than 0.075mm:

**HOLE #1**

<u>Depth</u>	<u>Description (Unified Soil Classification)</u>
0'-1'	Topsoil/Organics
1'-2'	Sandy Silt (ML/SP)
2'-12'	Well Graded Sandy Gravel (GW)

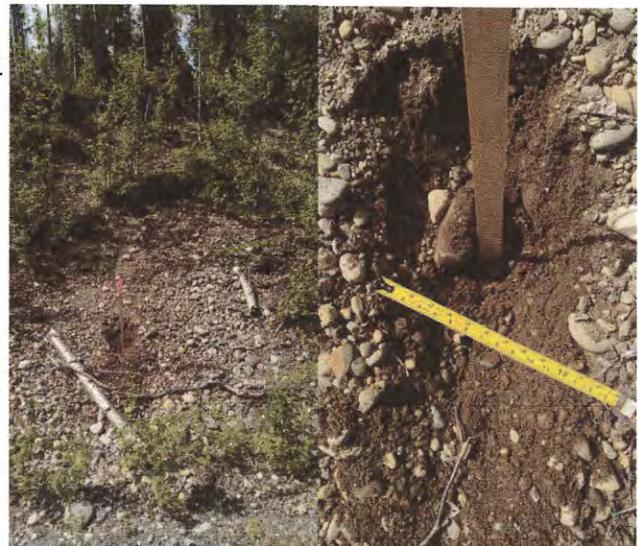
(Note: No groundwater encountered)



**CUT BANK #2**

<u>Depth</u>	<u>Description (Unified Soil Classification)</u>
0'-1'	Topsoil/Organics
1'-2'	Sandy Silt (ML/SP)
2'-20'	Well Graded Sandy Gravel (GW)

(Note: No groundwater encountered)



HOLE #3

<u>Depth</u>	<u>Description (Unified Soil Classification)</u>
0'-1'	Topsoil/Organics
1'-12'	Well Graded Sandy Gravel, Moist (GW)

(Note: Groundwater encountered at 10', note this elevation is lake level)



HOLE #4

<u>Depth</u>	<u>Description (Unified Soil Classification)</u>
0'-1'	Topsoil/Organics
1'-12'	Well Graded Sandy Gravel (GW)

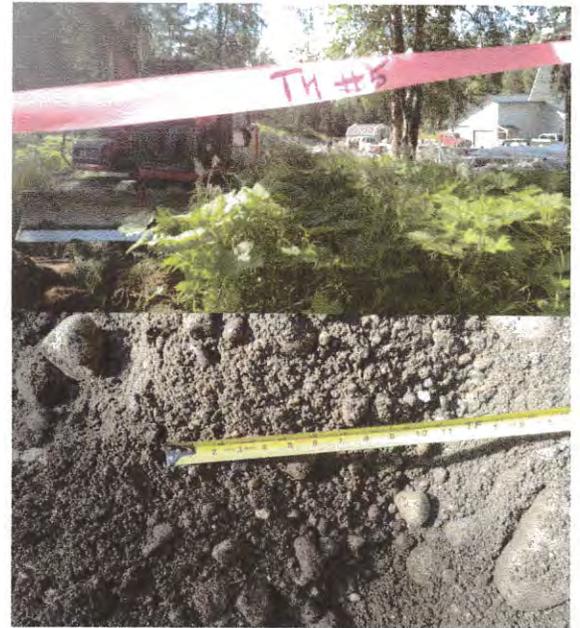
(Note: No groundwater encountered)



**HOLE #5**

<u>Depth</u>	<u>Description (Unified Soil Classification)</u>
0'-1'	Topsoil/Organics
1'-12'	Well Graded Sandy Gravel (GW) or Poorly Graded Gravelly Sand (SP) 50% Gravel, 50% Sand

(Note: No groundwater encountered)



**HOLE #6**

<u>Depth</u>	<u>Description (Unified Soil Classification)</u>
0'-1'	Topsoil/Organics
1'-12'	Well Graded Sandy Gravel (GW)

(Note: No groundwater encountered)



EXHIBIT C-5

HOLE #7

<u>Depth</u>	<u>Description (Unified Soil Classification)</u>
0'-1'	Topsoil/Organics
1'-12'	Well Graded Sandy Gravel (GW)

(Note: Groundwater encountered at 10', note this elevation is lake level)



**CONCLUSIONS**

The proposed Dobkowski Subdivision has adequate soils and topography such that ***each of the proposed lots will have a minimum 10,000 square feet contiguous septic area and 10,000 square feet building area.***

The investigation identified the soil types to be is suitable for conventional septic fields such as deep trench or bed systems. The soil types encountered at the site typically have adequate percolation, however note that percolation rates faster than 10 minutes an inch typically require a sand liner and bed system to comply with regulations from the Alaska Department of Environmental Conservation (DEC). Additionally, all usable areas must be situated 10' above lake level elevation to comply with regulations from the DEC.

Please contact me should you have any questions about this usable area certification.

*Max Schillinger*

Max Schillinger, P.E.

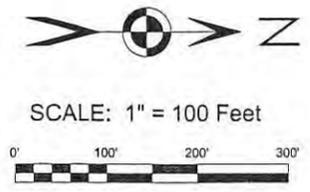
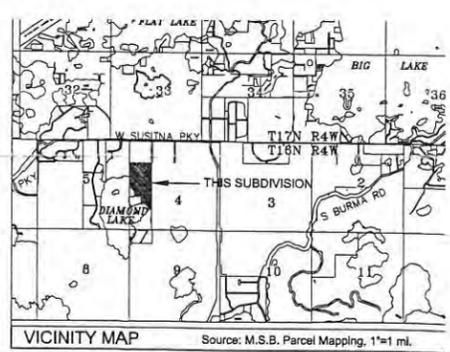


August 17, 2016

- (B) Found 2.5" Aluminum post protruding 4" above ground level. Firmly set. See monument cap stampings.
- (C) Found 1.5" Aluminum cap on 5/8" rebar. Firmly set. See monument cap stampings.
- (D) Found 5/8" Rebar, no cap, protruding 4" above ground level. Firmly set.
- (E) Found 1.5" Aluminum cap on 5/8" rebar, protruding 6" above ground level. Firmly set. See monument cap stampings.
- (G) Found 5/8" Rebar, no cap. Firmly set.
- (H) Found 1.5" Aluminum cap on 5/8" rebar. Firmly set. See monument cap stampings.
- (I) Found 3.25" Brass cap, protruding 12" above ground level. Loosely set, firmed up. See monument cap stampings.
- (J) Found 2.5" Aluminum post protruding 2" above ground level. Firmly set. See monument cap stampings.

DIAMOND LAKE EL. 135

NORTH DIAMOND LAKE SUBD.  
TRACT A  
PLAT #2004-33



- LEGEND**
- ( ) Record Data per plat #98-80.
  - Measured Property Lines
  - - - Unsurveyed
  - ⊕ Found B.L.M. monument, described in corner notes.
  - Found monument, described in corner notes.
  - (A) Corner note designation, see corner notes.
  - 5' contours per MSB Lidar.
  - Usable area soil test hole
  - 100' lake setback for DEC septic setback.
  - 10' vertical above lake for useable area, see soil information note, contour el. 145.
  - Proposed drainage directions

JORDAN JOHN C & WANDA J  
TAX #: 16N04W04C004  
DOCUMENT #: 2010-025847-0

**SURVEYOR/ENGINEER**  
Max A. Schillinger  
All Points North  
P.O. Box 4207,  
Palmer, AK, 99645  
907-355-4185

**OWNERS**  
Marc & Jean Dobkowski  
P.O. Box 520397  
Big Lake, Ak, 99652  
907-240-8129

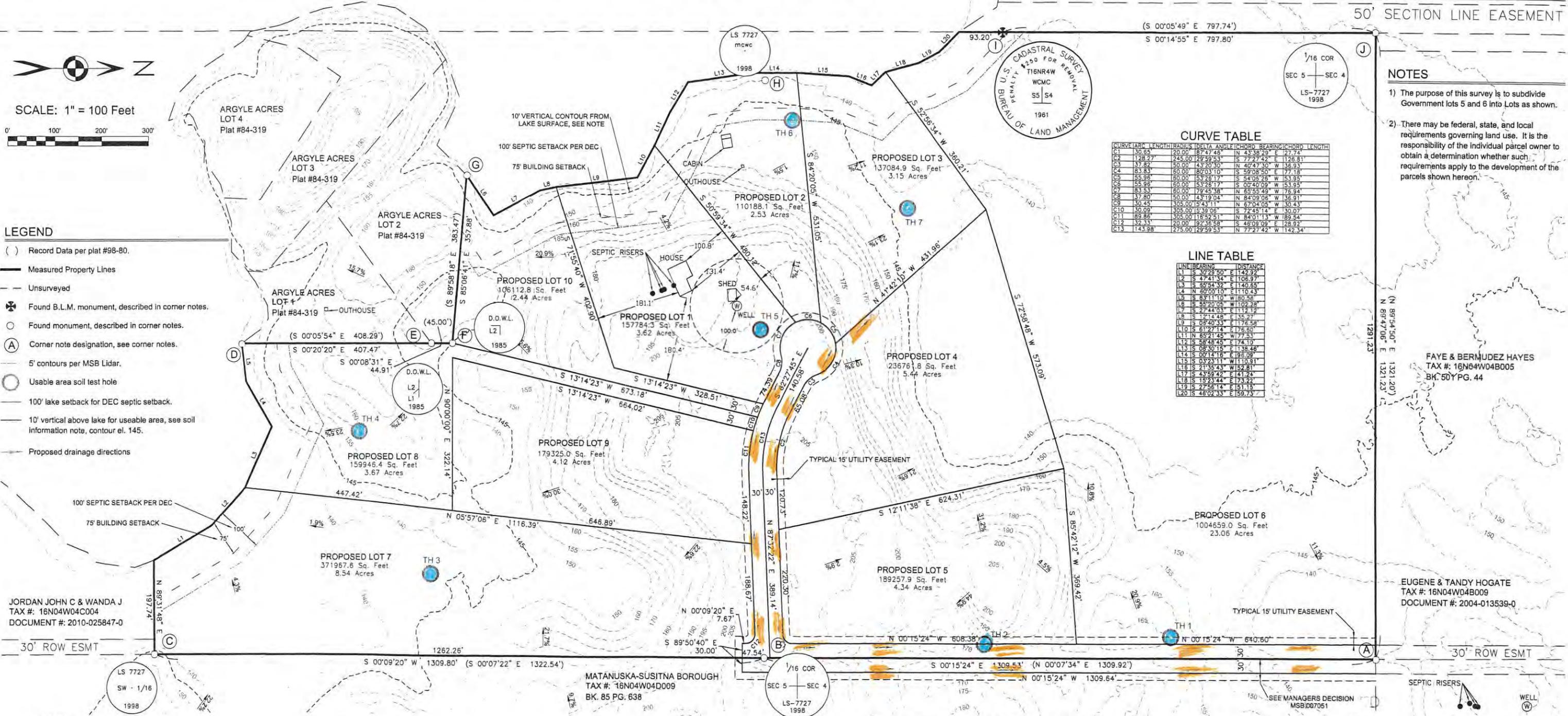
**CURVE TABLE**

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	30.65	20.00	87.47.46	N 43.38.29 E 27.74	
C2	128.27	245.00	29.59.53	S 77.27.42 E 126.81	
C3	137.87	50.00	143.20.30	N 40.27.30 W 36.93	
C4	83.83	80.00	80.03.10	S 59.08.50 E 77.18	
C5	55.98	80.00	53.26.17	S 54.05.26 W 53.95	
C6	55.98	80.00	53.26.17	S 00.40.09 W 53.95	
C7	83.83	80.00	79.45.38	N 85.55.49 W 76.94	
C8	137.80	50.00	143.19.04	N 84.09.08 W 36.91	
C9	30.45	305.00	5.43.11	N 67.04.05 W 30.43	
C10	30.09	305.00	5.39.08	S 72.45.14 E 30.07	
C11	89.86	305.00	16.52.51	N 84.01.13 W 89.54	
C12	38.33	20.00	82.36.58	S 45.09.09 E 28.92	
C13	143.98	275.00	29.59.53	N 77.27.42 W 142.34	

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 30.28.50 E	142.97
L2	S 47.41.34 E	106.97
L3	S 55.54.32 E	140.55
L4	N 60.09.10 E	110.43
L5	S 81.11.10 W	80.58
L6	S 55.29.05 W	102.28
L7	S 27.44.03 E	112.12
L8	S 12.14.48 E	35.27
L9	S 09.40.33 E	176.58
L10	S 61.27.14 E	176.50
L11	S 85.21.45 W	77.53
L12	S 58.48.45 E	74.10
L13	S 08.30.15 E	138.46
L14	S 07.14.16 E	186.99
L15	S 03.23.11 W	110.91
L16	S 21.35.43 W	152.81
L17	S 43.59.42 E	41.24
L18	S 15.23.44 E	73.22
L19	S 27.56.14 E	111.13
L20	S 46.02.33 E	59.73

- NOTES**
- The purpose of this survey is to subdivide Government lots 5 and 6 into Lots as shown.
  - There may be federal, state, and local requirements governing land use. It is the responsibility of the individual parcel owner to obtain a determination whether such requirements apply to the development of the parcels shown hereon.



**SOIL AND SEPTIC INFORMATION NOTE**

Soil Investigation Report dated 8/17/2016 found soil to be primarily comprised of well graded sandy gravel (GW). Most test holes were dry. Water was encountered in Test Holes #3 and #7, at the Lake's elevation (appx. el. 135, Navd88). Alaska DEC requires a 100' setback between lakes septic fields. Alaska DEC also requires a 4 foot separation between the bottom of septic field and top of water. Therefore, areas minimum 100' away and minimum 10' Vertical above the lake level should allow a field to be installed and be compliant with a bottom of trench at 6 feet below ground. Each lots site-specific septic design shall be made by a licensed Engineer or Certified Septic Installer; this information is area visualization purposes.

**EXHIBIT D**

**DOBKOWSKI SUBDIVISION**

A SUBDIVISION OF LAND DESCRIBED AS GOVERNMENT LOTS FIVE AND SECTION 4, T 16 N, R 4 W, SEWARD MERIDIAN

CONTAINING 64+ Acres  
WITHIN W/2 OF SECT. 4, T 16 N, R 4 W, SEWARD MERIDIAN  
PALMER RECORDING DISTRICT, ALASKA

Date: 9/30/2016 Scale: 1"=100' Sheet: 1 of 1

**SOIL AND DRAINAGE MAP**



PROPOSED LOT 6  
23.06 Acres

PROPOSED LOT 5  
4.34 Acres

TYPICAL 15' UTILITY EASEMENT

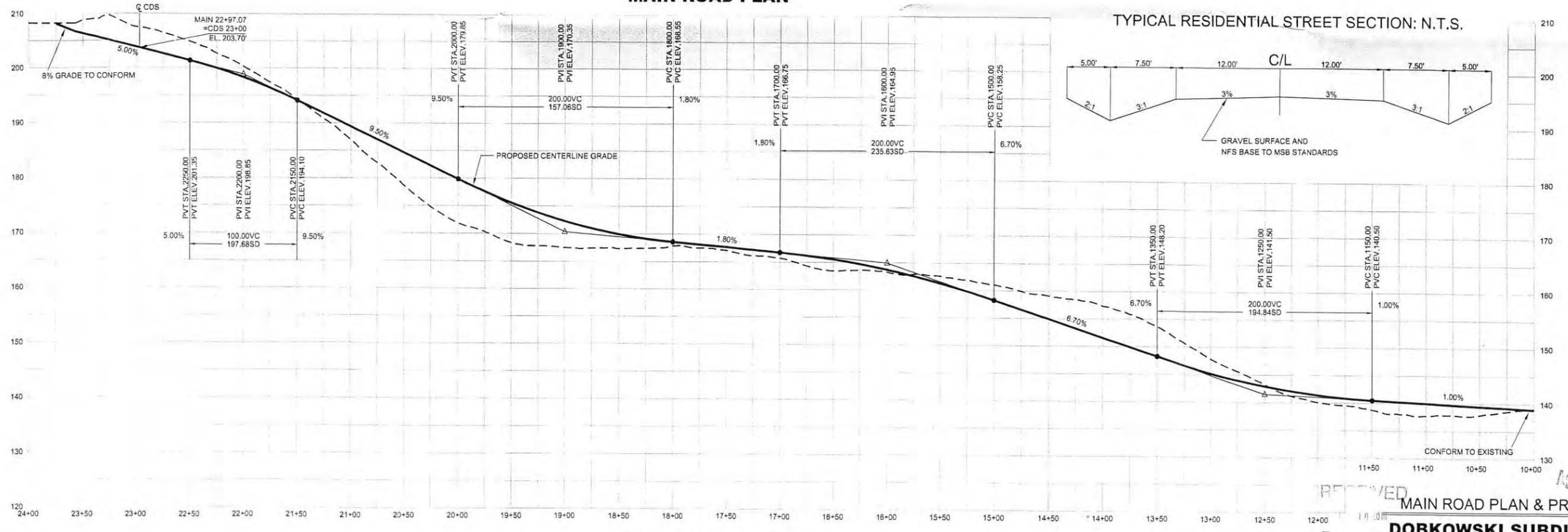
SEE MANAGERS DECISION  
MSB 007051

MATANUSKA-SUSITNA BOROUGH  
TAX #: 16N04W04D009

"MAIN" 22+97.07  
="CDS" 30+00

MAIN ROAD PLAN

TYPICAL RESIDENTIAL STREET SECTION: N.T.S.



MAIN ROAD PROFILE

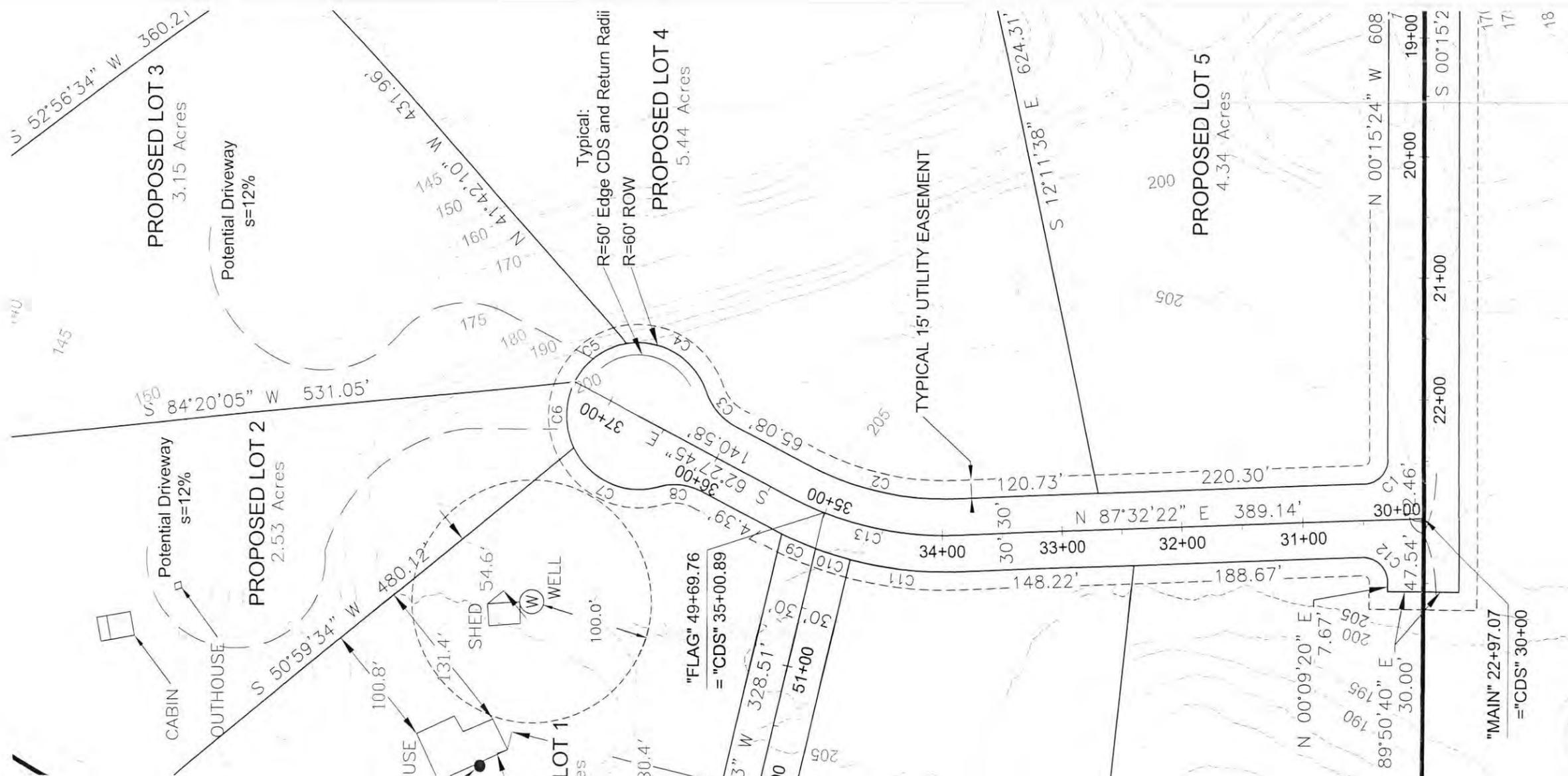
RECEIVED  
PLANNING  
Agenda Cc  
**MAIN ROAD PLAN & PROFILES**  
**DOBKOWSKI SUBDIVISION**  
SUBDIVISION OF LAND DESCRIBED AS GOVERNMENT LOTS FIVE AND  
SECTION 4, T 16 N, R 4 W, SEWARD MERIDIAN

EXHIBIT E-1

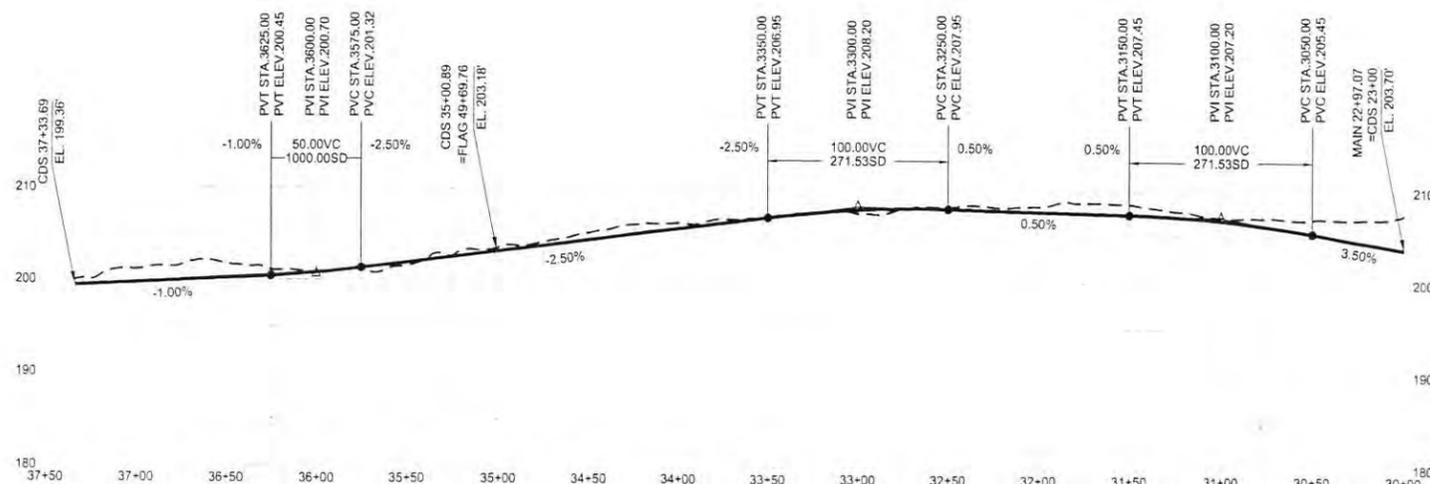
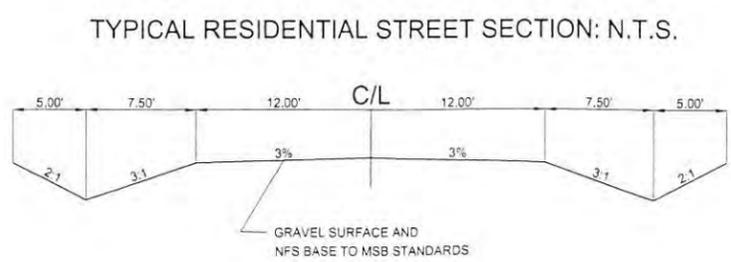
CONTAINING 64 +/- Acres  
WITHIN W/2 OF SECT. 4, T 16 N, R 4 W, SEWARD MERIDIAN  
PALMER RECORDING DISTRICT, ALASKA

Date: 9/30/2016 Scale: 1"=50' Sheet: 1 of

PRELIMINARY PLAN AND PROFILE



"CDS" PLAN



"CDS" PROFILE

RECEIVED  
OCT 10 2016  
PLATTIN

"CDS" PLAN & PROFILES  
**DOBKOWSKI SUBDIVISION**

A SUBDIVISION OF LAND DESCRIBED AS GOVERNMENT LOTS FIVE AND SIX SECTION 4, T 16 N, R 4 W, SEWARD MERIDIAN

CONTAINING 64 +- Acres  
WITHIN W/2 OF SECT. 4, T 16 N, R 4 W, SEWARD MERIDIAN  
PALMER RECORDING DISTRICT, ALASKA

**EXHIBIT E-2**

Date: 9/30/2016 Scale: 1"=50' Sheet: 2 of 2

**PRELIMINARY PLAN AND PROFILES**

## Amy Otto-Buchanan

---

**From:** Jamie Taylor  
**Sent:** Tuesday, November 15, 2016 4:03 PM  
**To:** Platting  
**Cc:** Peggy Horton  
**Subject:** RE: Request for Comments for Dobkowski Case #2016-151 Tech: PH

- Does the ROW extend to the southern boundary?
- Is the existing road/driveway built to any standard from Susitna Parkway to the match point?
- Corps permit for road construction in wetlands?
- Will need a SWPPP for road construction.

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, October 12, 2016 10:08 AM  
**To:** Eric A Moore (DNR) ([eric.moore@alaska.gov](mailto:eric.moore@alaska.gov)); George C Horton (DNR) ([george.horton@alaska.gov](mailto:george.horton@alaska.gov)); [james.walker2@alaska.gov](mailto:james.walker2@alaska.gov); Wilber, Sarah E E (DFG); Holly Zafian - ADF&G ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); Mark Fink ([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); [caseysteinau@gmail.com](mailto:caseysteinau@gmail.com); [jennifer@tewsinc.com](mailto:jennifer@tewsinc.com); John Aschenbrenner; Richard Boothby; Elizabeth Derbonne; Eric Phillips; 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; [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); Dan Mayfield  
**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 Rausa ([jordan@alaskaplans.com](mailto:jordan@alaskaplans.com)); Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.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 Dobkowski Case #2016-151 Tech: PH

Good Morning,

Attached is a request for comments for a 10-lot subdivision in the Diamond Lake area. Please review and provide your comments by **November 24, 2016**. I have not heard whether they intend to build the road to pioneer or residential standards, but road construction will be a requirement.

Thank you,

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

**EXHIBIT F**

## Peggy Horton

---

**From:** Whittier, Amanda L POA <Amanda.L.Whittier@usace.army.mil>  
**Sent:** Tuesday, October 18, 2016 10:13 AM  
**To:** Peggy Horton  
**Subject:** Request for Comments for Dobkowski  
**Attachments:** Dobkowski.pdf

There appears to be wetlands within the subject property (see attachment). Please advise the requestor a Department of Army permit maybe required if a future project would propose to discharge fill into a water of the U.S. (lakes, streams, wetlands, etc.). Below is a link to our website for further information on the Regulatory Program.

<http://www.poa.usace.army.mil/Missions/Regulatory.aspx>

You can mail, fax or email your application by the following:

Alaska District Office  
P.O. Box 6898  
JBER, Alaska 99506-0898

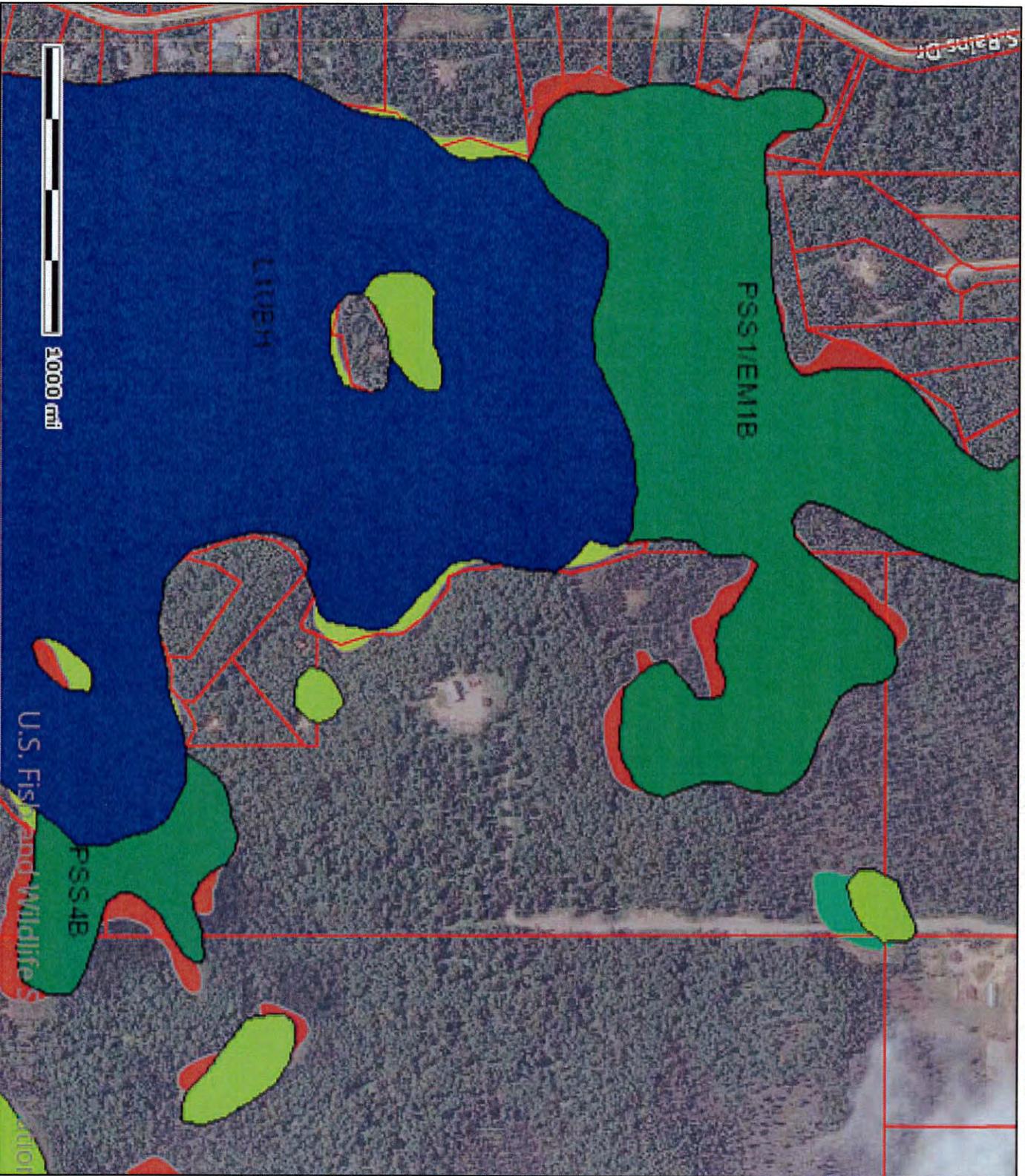
Fax: 907-753-5567

Email: [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil)

Thank you!  
~Amanda

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

EXHIBIT G-1



**LEGEND**

- National Wetland Inventory\_FWS
- Wetlands**
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wet
- Freshwater Pond
- Lake
- Other
- Riverine
- Matanuska Susitna Borough
- Cook Inlet Wetlands
- DISTURB
- Depression
- Discharge Slope
- Drainageway
- Drainageway / Tidal
- Floating Island
- Headwater Fen
- Kettle

EXHIBIT G-2

[@ Open...](#)

US Army Corps of Engineers  
This map was produced using the  
SimSuite web application on:  
18 Oct 2016 @ 1011

## Peggy Horton

---

**From:** Susan Lee  
**Sent:** Wednesday, October 12, 2016 2:48 PM  
**To:** Platting  
**Subject:** RE: Request for Comments for Dobkowski Case #2016-151 Tech: PH

Structures should be in compliance with setback requirements.

Susan

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

---

**From:** Peggy Horton **On Behalf Of** Platting  
**Sent:** Wednesday, October 12, 2016 10:08 AM  
**To:** Eric A Moore (DNR) ([eric.moore@alaska.gov](mailto:eric.moore@alaska.gov)); George C Horton (DNR) ([george.horton@alaska.gov](mailto:george.horton@alaska.gov)); [james.walker2@alaska.gov](mailto:james.walker2@alaska.gov); Wilber, Sarah E E (DFG); Holly Zafian - ADF&G ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); Mark Fink ([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); [caseysteinau@gmail.com](mailto:caseysteinau@gmail.com); [jennifer@tewsinc.com](mailto:jennifer@tewsinc.com); John Aschenbrenner; Richard Boothby; Elizabeth Derbonne; Eric Phillips; 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; [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); Dan Mayfield  
**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 Rausa ([jordan@alaskaplans.com](mailto:jordan@alaskaplans.com)); Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.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 Dobkowski Case #2016-151 Tech: PH

Good Morning,

Attached is a request for comments for a 10-lot subdivision in the Diamond Lake area. Please review and provide your comments by November 24, 2016. I have not heard whether they intend to build the road to pioneer or residential standards, but road construction will be a requirement.

Thank you,

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

Community Development

Land & Resource Management

350 East Dahlia Avenue • Palmer, AK 99645

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

RECEIVED  
OCT 14 2016  
PLATTING

## MEMORANDUM

DATE: October 14, 2016  
TO: Fred Wagner, Platting Officer  
FROM: Land & Resource Management *NSC*  
SUBJECT: Preliminary Plat Comments / Case #2016-151

---

Platting Tech: Peggy Horton  
Public Hearing: December 1, 2016  
Applicant / Petitioner: Dobkowski  
TRS: 16N04W04  
Tax ID: 16N04W04D007  
Subd: Dobkowski  
Tax Map: GC 04

### Comments:

- Borough land lies adjacent to the east side of the subject parcel. Pursuant to MSB Title 23 and Land Management Policy and Procedure requirements, a public use easement was dedicated and recorded at Serial No. 2016-014341-0, Palmer Recording District, within the west boundary of borough-owned tax parcel D9. The easement was created to match existing public easements within private property, and to create legal access within the borough parcel from Susitna Parkway to the borough's southern boundary.
- No objections to proposed subdivision or utilization of the recorded public use easement within borough property.

EXHIBIT I-1



## Peggy Horton

---

**From:** Frankie Barker  
**Sent:** Wednesday, October 12, 2016 11:40 AM  
**To:** Platting  
**Subject:** RE: Request for Comments for Dobkowski Case #2016-151 Tech: PH

Lot 6 as designed contains considerable wetlands and lake shores that are sensitive areas. Any development in this area may be subject to permitting through US Army Corps and Fish and Game.

---

*Frankie Barker*

**Environmental Planner**

Matanuska-Susitna Borough  
350 E. Dahlia Avenue  
Palmer, AK 99645  
907- 861-8439  
[frankie.barker@matsugov.us](mailto:frankie.barker@matsugov.us)

---

**From:** Peggy Horton **On Behalf Of** Platting  
**Sent:** Wednesday, October 12, 2016 10:08 AM  
**To:** Eric A Moore (DNR) ([eric.moore@alaska.gov](mailto:eric.moore@alaska.gov)); George C Horton (DNR) ([george.horton@alaska.gov](mailto:george.horton@alaska.gov)); [james.walker2@alaska.gov](mailto:james.walker2@alaska.gov); Wilber, Sarah E E (DFG); Holly Zafian - ADF&G ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); Mark Fink ([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); [caseysteinau@gmail.com](mailto:caseysteinau@gmail.com); [jennifer@tewsinc.com](mailto:jennifer@tewsinc.com); John Aschenbrenner; Richard Boothby; Elizabeth Derbonne; Eric Phillips; 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; [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); Dan Mayfield  
**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 Rausa ([jordan@alaskaplans.com](mailto:jordan@alaskaplans.com)); Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.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 Dobkowski Case #2016-151 Tech: PH

Good Morning,

Attached is a request for comments for a 10-lot subdivision in the Diamond Lake area. Please review and provide your comments by November 24, 2016. I have not heard whether they intend to build the road to pioneer or residential standards, but road construction will be a requirement.

Thank you,

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 J**

## **Peggy Horton**

---

**From:** Kindred, Cori M (DNR) <cori.kindred@alaska.gov>  
**Sent:** Monday, October 24, 2016 4:49 PM  
**To:** Platting  
**Cc:** Peggy Horton; Sowerwine, James E (DNR); Moore, Eric A (DNR)  
**Subject:** Comments for Dobkowski Case #2016-151 (PH)

To whom it may concern on the Matanuska-Susitna Borough Platting Division,

Review by the DNR DMLW Southcentral Regional Land Office (SCRO) notes that the subject parcel(s) (MSB Platting Board Dobkowski Case #2016-151, Division of Government Lots 5 & 6 in S016N004W4) share a border with and/or contain a section line and therefore may be subject to a section line easement (SLE). SCRO recommends that any SLE affecting the parcel(s) be depicted on the plat presently considered, including any 33 or 50 foot wide state, federal or territorial SLEs that may be present.

Thank you for the opportunity to comment on this notice.

-Cori Kindred

### **Cori Kindred**

Natural Resource Specialist II  
Department of Natural Resources  
Division of Mining, Land & Water  
Southcentral Region, Easement Management Unit  
550 W 7<sup>th</sup> Ave, Suite 900c  
Anchorage, AK 99501  
(907) 334-2676

## Peggy Horton

---

**From:** Horton, George C (DNR) <george.horton@alaska.gov>  
**Sent:** Wednesday, October 12, 2016 2:23 PM  
**To:** Platting  
**Subject:** RE: Request for Comments for Dobkowski Case #2016-151 Tech: PH

Hi Peggy,

If a section-line easement exists within and along the west boundary of proposed Lot 6 as depicted on the preliminary plat of Dobkowski Subdivision dated 9/30/2016, the DNR, DML&W, Survey Section requests that it be depicted, labeled and dimensioned on the final plat.

Thank you for the opportunity to comment.

Best regards,

*George*

George Horton, PLS, CFedS  
Land Surveyor I  
(907) 269-8610  
[george.horton@alaska.gov](mailto:george.horton@alaska.gov)  
<http://dnr.alaska.gov/mlw/survey/index.htm>

*"Do not go where the path may lead; go instead where there is no path and leave a trail." (Ralph Waldo Emerson)*

---

**From:** Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting  
**Sent:** Wednesday, October 12, 2016 10:08 AM  
**To:** Moore, Eric A (DNR) <[eric.moore@alaska.gov](mailto:eric.moore@alaska.gov)>; Horton, George C (DNR) <[george.horton@alaska.gov](mailto:george.horton@alaska.gov)>; Walker, James H (DNR) <[james.walker2@alaska.gov](mailto:james.walker2@alaska.gov)>; Wilber, Sarah E E (DFG) <[sarah.wilber@alaska.gov](mailto:sarah.wilber@alaska.gov)>; Zafian, Holly K (DFG) <[holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)>; Fink, Mark J (DFG) <[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); [caseysteinau@gmail.com](mailto:caseysteinau@gmail.com); [jennifer@tewsinc.com](mailto:jennifer@tewsinc.com); John Aschenbrenner <[John.Aschenbrenner@matsugov.us](mailto:John.Aschenbrenner@matsugov.us)>; Richard Boothby <[Richard.Boothby@matsugov.us](mailto:Richard.Boothby@matsugov.us)>; Elizabeth Derbonne <[elizabeth.derbonne@matsugov.us](mailto:elizabeth.derbonne@matsugov.us)>; Eric Phillips <[Eric.Phillips@matsugov.us](mailto:Eric.Phillips@matsugov.us)>; Michael Weller <[Michael.Weller@matsugov.us](mailto:Michael.Weller@matsugov.us)>; O'Donnell-Armstrong, Sheila (DNR sponsored) <[sheila.armstrong@matsugov.us](mailto:sheila.armstrong@matsugov.us)>; McDaniel, Tracy (DNR sponsored) <[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)>; Wilkins, Nicole (DNR sponsored) <[nicole.wilkins@matsugov.us](mailto:nicole.wilkins@matsugov.us)>; Theresa Taranto <[Theresa.Taranto@matsugov.us](mailto:Theresa.Taranto@matsugov.us)>; [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)>; [mearow@matanuska.com](mailto:mearow@matanuska.com); Becky Glenn ([rglenn@mta-telco.com](mailto:rglenn@mta-telco.com)) <[rglenn@mta-telco.com](mailto:rglenn@mta-telco.com)>; J Thompson ([jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)) <[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)) <[ospdesign@gci.com](mailto:ospdesign@gci.com)>; [dblehm@gci.com](mailto:dblehm@gci.com); Dan Mayfield <[Dan.Mayfield@matsugov.us](mailto:Dan.Mayfield@matsugov.us)>  
**Cc:** Jay Van Diest ([jay@valleymarket.com](mailto:jay@valleymarket.com)) <[jay@valleymarket.com](mailto:jay@valleymarket.com)>; LaMarr Anderson ([lamarra05@gmail.com](mailto:lamarra05@gmail.com)) <[lamarra05@gmail.com](mailto:lamarra05@gmail.com)>; Stan Gillespie ([stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)) <[stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)>; Jordan Rausa ([jordan@alaskaplans.com](mailto:jordan@alaskaplans.com)) <[jordan@alaskaplans.com](mailto:jordan@alaskaplans.com)>; Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com)) <[patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com)>; Marty Van Diest - Valley Market Real Estate ([marty@valleymarket.com](mailto:marty@valleymarket.com)) <[marty@valleymarket.com](mailto:marty@valleymarket.com)>; Gregory Pugh ([winforhim@aol.com](mailto:winforhim@aol.com)) <[winforhim@aol.com](mailto:winforhim@aol.com)>  
**Subject:** Request for Comments for Dobkowski Case #2016-151 Tech: PH



**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

October 14, 2016

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

Subject: Preliminary Request for Comments – **Dobkowski**  
(Case No. 2016-151)

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, please feel free to contact me at 907-334-7944 or by email at [cassie.wohlgemuth@enstarnaturalgas.com](mailto:cassie.wohlgemuth@enstarnaturalgas.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Cassie Wohlgemuth", with a long horizontal flourish extending to the right.

Cassie Wohlgemuth  
Right-of-Way and Compliance Technician

**EXHIBIT M**

*Sent via e-mail to MSB platting division*

## Peggy Horton

---

**From:** OSP Design Group <ospdesign@gci.com>  
**Sent:** Monday, October 17, 2016 8:22 AM  
**To:** Platting  
**Subject:** RE: Request for Comments for Dobkowski Case #2016-151 Tech: PH

Hi Peggy, no objections from us.

Thanks,  
Joshua Swanson | Technician I, GIS Mapping | **GCI**

---

**From:** Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting  
**Sent:** Wednesday, October 12, 2016 10:08 AM  
**To:** Eric A Moore (DNR) ([eric.moore@alaska.gov](mailto:eric.moore@alaska.gov)) <[eric.moore@alaska.gov](mailto:eric.moore@alaska.gov)>; George C Horton (DNR) ([george.horton@alaska.gov](mailto:george.horton@alaska.gov)) <[george.horton@alaska.gov](mailto:george.horton@alaska.gov)>; james.walker2@alaska.gov; Wilber, Sarah E E (DFG) <[sarah.wilber@alaska.gov](mailto:sarah.wilber@alaska.gov)>; Holly Zafian - ADF&G ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)) <[holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)>; Mark Fink ([mark.fink@alaska.gov](mailto:mark.fink@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); [caseysteinau@gmail.com](mailto:caseysteinau@gmail.com); [jennifer@tewsinc.com](mailto:jennifer@tewsinc.com); John Aschenbrenner <[John.Aschenbrenner@matsugov.us](mailto:John.Aschenbrenner@matsugov.us)>; Richard Boothby <[Richard.Boothby@matsugov.us](mailto:Richard.Boothby@matsugov.us)>; Elizabeth Derbonne <[elizabeth.derbonne@matsugov.us](mailto:elizabeth.derbonne@matsugov.us)>; Eric Phillips <[Eric.Phillips@matsugov.us](mailto:Eric.Phillips@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)>; [mearow@matanuska.com](mailto:mearow@matanuska.com); Becky Glenn ([rglenn@mta-telco.com](mailto:rglenn@mta-telco.com)) <[rglenn@mta-telco.com](mailto:rglenn@mta-telco.com)>; J Thompson ([jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)) <[jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)>; [row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com); OSP Design Group <[ospdesign@gci.com](mailto:ospdesign@gci.com)>; [dblehm@gci.com](mailto:dblehm@gci.com); Dan Mayfield <[Dan.Mayfield@matsugov.us](mailto:Dan.Mayfield@matsugov.us)>  
**Cc:** Jay Van Diest ([jay@valleymarket.com](mailto:jay@valleymarket.com)) <[jay@valleymarket.com](mailto:jay@valleymarket.com)>; LaMarr Anderson ([lamarra05@gmail.com](mailto:lamarra05@gmail.com)) <[lamarra05@gmail.com](mailto:lamarra05@gmail.com)>; Stan Gillespie ([stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)) <[stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)>; Jordan Rausa ([jordan@alaskaplans.com](mailto:jordan@alaskaplans.com)) <[jordan@alaskaplans.com](mailto:jordan@alaskaplans.com)>; Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com)) <[patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com)>; Marty Van Diest - Valley Market Real Estate ([marty@valleymarket.com](mailto:marty@valleymarket.com)) <[marty@valleymarket.com](mailto:marty@valleymarket.com)>; Gregory Pugh ([winforhim@aol.com](mailto:winforhim@aol.com)) <[winforhim@aol.com](mailto:winforhim@aol.com)>  
**Subject:** Request for Comments for Dobkowski Case #2016-151 Tech: PH

[External Email]

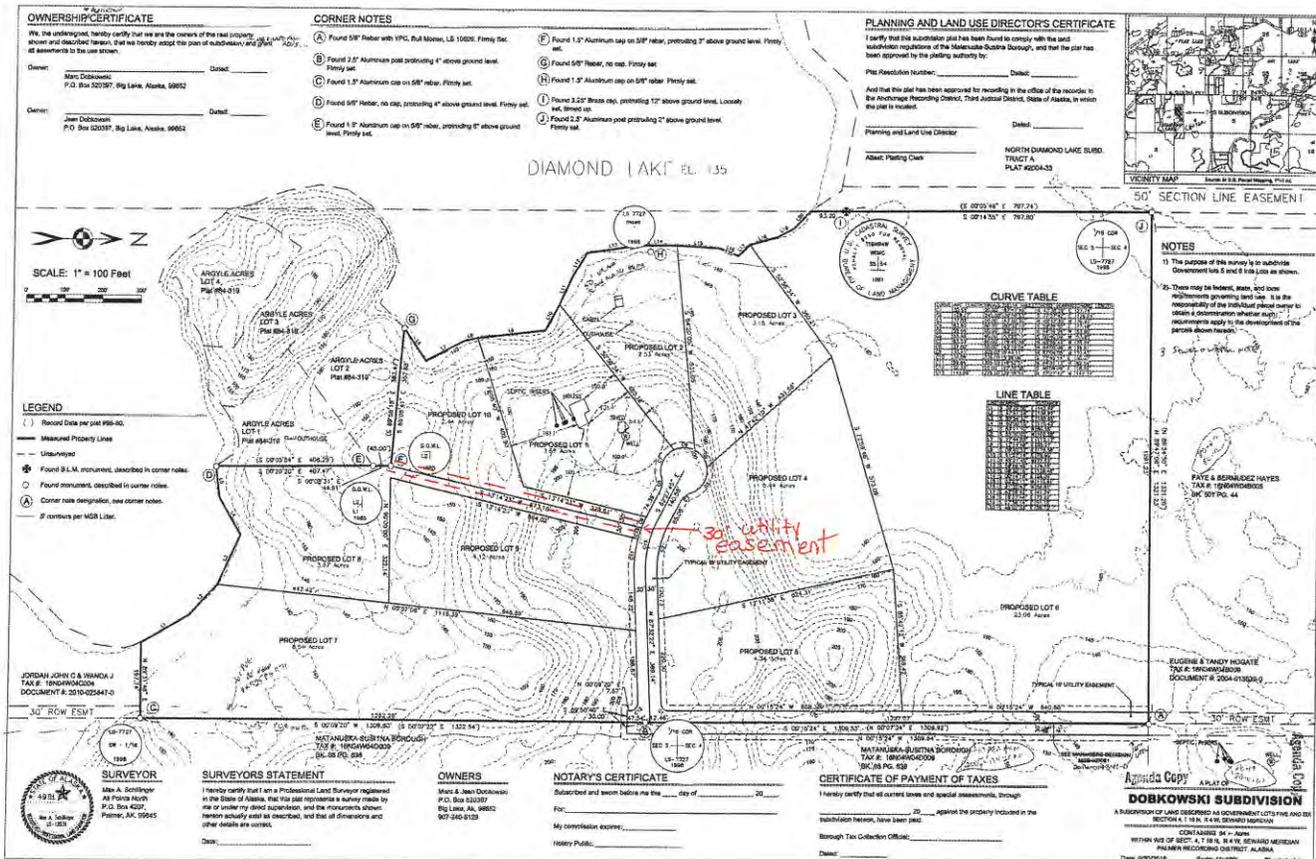
Good Morning,

Attached is a request for comments for a 10-lot subdivision in the Diamond Lake area. Please review and provide your comments by November 24, 2016. I have not heard whether they intend to build the road to pioneer or residential standards, but road construction will be a requirement.

Thank you,

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

**EXHIBIT N**



ME A  
COMMENTS

## Peggy Horton

---

**From:** Zafian, Holly K (DFG) <holly.zafian@alaska.gov>  
**Sent:** Wednesday, November 23, 2016 2:54 PM  
**To:** Peggy Horton  
**Cc:** Ivey, Samuel S (DFG); Price, Richard A (DFG); Carter, Marla M (DFG); Benkert, Ronald C (DFG)  
**Subject:** FW: Request for Comments for Dobkowski Case #2016-151 Tech: PH  
**Attachments:** RFC and map.pdf; soils.pdf; CDS Plan & Profile.PDF; Dobkowski plat.PDF; Main Rd Plan & Profile.PDF; Topo, As-Built & Drainage plan.PDF

Good afternoon,

The Alaska Department of Fish and Game (ADF&G) has reviewed the preliminary plat which requests to subdivide Government Lots 5 and 6 located within the W1/2 of Section 4, T. 16 N., R. 4 W., S.M., Alaska in order to create 10 new lots to be known as Dobkowski Subdivision. Proposed lots 1 – 3 and 6 – 8 are bordered by Diamond Lake. According to the Quitclaim Deed granted by the Matanuska-Susitna Borough to the applicants signed November 17, 1997, a 50' wide public access easement is located along and upland of the ordinary high water mark of Diamond Lake and a 30' wide public use easement is located along the east boundary of the subject property.

ADF&G- Division of Sport Fish has stocked Diamond Lake with rainbow trout and coho salmon since 1992. The 50' public use easement along the shore of Diamond Lake provides legal access for the public and should not be blocked or removed by the applicant. ADF&G recommends the plat be amended to depict the public use easements where they cross the subject property.

Provided the public use easements are included on the final plat, there do not appear to be any additional public access concerns. Thank you for the opportunity to review and comment on this platting proposal. If you have any questions about 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:** Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting

**Sent:** Wednesday, October 12, 2016 10:08 AM

**To:** Moore, Eric A (DNR); Horton, George C (DNR); Walker, James H (DNR); Wilber, Sarah E E (DFG); Zafian, Holly K (DFG); Fink, Mark J (DFG); [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil); [brian.young@usps.gov](mailto:brian.young@usps.gov); [caseysteinau@gmail.com](mailto:caseysteinau@gmail.com); [jennifer@tewsinc.com](mailto:jennifer@tewsinc.com); John Aschenbrenner; Richard Boothby; Elizabeth Derbonne; Eric Phillips; 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; [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); Dan Mayfield

**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 Rausa ([jordan@alaskaplans.com](mailto:jordan@alaskaplans.com)); Patrick Johnson ([patrickjohnson@alaskaplans.com](mailto:patrickjohnson@alaskaplans.com)); Marty

**OWNERSHIP CERTIFICATE**

We, the undersigned, hereby certify that we are the owners of the real property shown and described hereon, that we hereby adopt this plan of subdivision, and grant all easements to the use shown.

Owner: Marc Dobkowski Dated: \_\_\_\_\_  
 P.O. Box 520397, Big Lake, Alaska, 99652

Owner: Jean Dobkowski Dated: \_\_\_\_\_  
 P.O. Box 520397, Big Lake, Alaska, 99652

**CORNER NOTES**

- (A) Found 5/8" Rebar with YPC, Bull Moose, LS 10609. Firmly Set.
- (B) Found 2.5" Aluminum post protruding 4" above ground level. Firmly set.
- (C) Found 1.5" Aluminum cap on 5/8" rebar. Firmly set.
- (D) Found 5/8" Rebar, no cap, protruding 4" above ground level. Firmly set.
- (E) Found 1.5" Aluminum cap on 5/8" rebar, protruding 6" above ground level. Firmly set.
- (F) Found 1.5" Aluminum cap on 5/8" rebar, protruding 3" above ground level. Firmly set.
- (G) Found 5/8" Rebar, no cap. Firmly set.
- (H) Found 1.5" Aluminum cap on 5/8" rebar. Firmly set.
- (I) Found 3.25" Brass cap, protruding 12" above ground level. Loosely set, firmed up.
- (J) Found 2.5" Aluminum post protruding 2" above ground level. Firmly set.

**PLANNING AND 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:

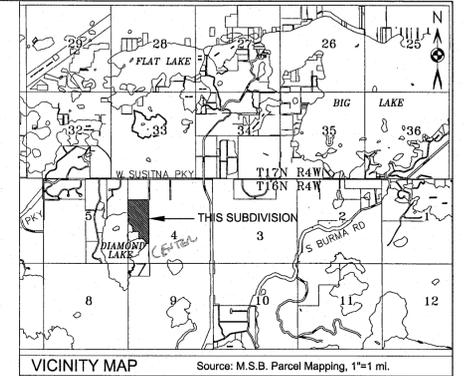
Plat Resolution Number: \_\_\_\_\_ Dated: \_\_\_\_\_

And that this plat has been approved for recording in the office of the recorder in the Anchorage Recording District, Third Judicial District, State of Alaska, in which the plat is located.

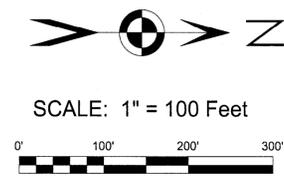
Planning and Land Use Director \_\_\_\_\_ Dated: \_\_\_\_\_

Attest: Platting Clerk \_\_\_\_\_

NORTH DIAMOND LAKE SUBD.  
 TRACT A  
 PLAT #2004-33



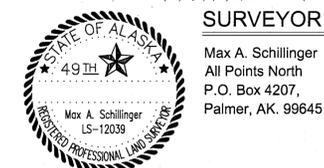
DIAMOND LAKE EL. 135



**LEGEND**

- ( ) Record Data per plat #98-80.
- Measured Property Lines
- - - Unsurveyed
- ⊗ Found B.L.M. monument, described in corner notes.
- Found monument, described in corner notes.
- (A) Corner note designation, see corner notes.
- 5' contours per MSB Lidar.

JORDAN JOHN C & WANDA J  
 TAX #: 16N04W04C004  
 DOCUMENT #: 2010-025847-0



**SURVEYORS STATEMENT**  
 I hereby certify that I am a Professional Land Surveyor registered in the State of Alaska, that this plat represents a survey made by me or under my direct supervision, and the monuments shown hereon actually exist as described, and that all dimensions and other details are correct.  
 Date: \_\_\_\_\_

**OWNERS**  
 Marc & Jean Dobkowski  
 P.O. Box 520397  
 Big Lake, Ak, 99652  
 907-240-8129

**NOTARY'S CERTIFICATE**  
 Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
 For: \_\_\_\_\_  
 My commission expires: \_\_\_\_\_  
 Notary Public: \_\_\_\_\_

**CERTIFICATE OF PAYMENT OF TAXES**  
 I hereby certify that all current taxes and special assessments, through \_\_\_\_\_, 20\_\_\_\_ against the property included in the subdivision hereon, have been paid.  
 Borough Tax Collection Official: \_\_\_\_\_  
 Dated: \_\_\_\_\_

**50' SECTION LINE EASEMENT**

**NOTES**

- 1) The purpose of this survey is to subdivide Government lots 5 and 6 into Lots as shown.
- 2) There may be federal, state, and local requirements governing land use. It is the responsibility of the individual parcel owner to obtain a determination whether such requirements apply to the development of the parcels shown hereon.

3) Survey and written notes

FAYE & BERMUDEZ HAYES  
 TAX #: 16N04W04B005  
 BK. 501 PG. 44

EUGENE & TANDY HOGATE  
 TAX #: 16N04W04B009  
 DOCUMENT #: 2004-013539-0

**CURVE TABLE**

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	30.65	20.00	87.4746°	N 43°39'29" E	27.74
C2	128.27	245.00	29°59'53" S	S 77°27'42" E	126.81
C3	37.82	50.00	43°20'30" N	N 40°47'30" W	36.93
C4	83.83	60.00	80°03'10" S	S 59°08'50" E	77.13
C5	55.96	60.00	53°26'17" S	S 40°02'28" W	53.95
C6	55.96	60.00	53°26'17" S	S 09°40'09" W	53.95
C7	83.53	60.00	79°45'38" N	N 65°55'49" W	76.94
C8	37.80	50.00	43°19'04" N	N 84°03'08" W	36.91
C9	30.45	305.00	5°43'11" N	N 67°04'08" W	30.43
C10	30.09	305.00	5°39'06" S	S 72°45'14" E	30.07
C11	89.86	305.00	16°52'51" N	N 84°01'13" W	89.54
C12	32.33	20.00	92°36'58" S	S 46°03'09" E	28.92
C13	143.98	275.00	29°59'53" N	N 77°27'42" W	142.54

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 30°29'50" E	142.92
L2	S 47°41'34" E	106.97
L3	S 65°54'39" E	1140.85
L4	N 60°00'10" E	110.43
L5	S 83°11'10" W	80.58
L6	S 55°20'05" W	102.28
L7	S 27°44'03" E	112.12
L8	S 12°14'48" E	35.27
L9	S 06°40'33" E	176.58
L10	S 61°27'14" E	166.50
L11	N 65°21'45" W	177.93
L12	S 58°48'45" E	74.10
L13	S 08°30'15" E	138.46
L14	S 00°14'18" E	98.09
L15	S 03°23'11" W	110.91
L16	S 21°35'43" W	82.81
L17	S 43°58'42" E	41.24
L18	S 19°34'44" E	133.22
L19	S 27°58'14" E	61.35
L20	S 46°02'33" E	159.73

**DOBKOWSKI SUBDIVISION**  
 A SUBDIVISION OF LAND DESCRIBED AS GOVERNMENT LOTS FIVE AND SIX SECTION 4, T 16 N, R 4 W, SEWARD MERIDIAN  
 CONTAINING 64 +/- Acres  
 WITHIN W/2 OF SECT. 4, T 16 N, R 4 W, SEWARD MERIDIAN  
 PALMER RECORDING DISTRICT, ALASKA  
 Date: 9/30/2016 Scale: 1"=100' Sheet: 1 of 1

**PRELIMINARY PLAT**

4C



## DISCUSSION

**Location & Access:** This property is located just west of Home Depot in Wasilla (**Exhibit A**) at the signalized intersection of S. Roberts Street and E. Palmer-Wasilla Hwy. Leonard Grau Jr. owns the southern property, over which a 60' wide public use easement will be granted. Esther Baker owns the property being subdivided and will dedicate a public right-of-way over the east 60' of her property. North of the subdivision, the plat of Village Heights, Plat #72-109, dedicated E. Horvath Dr. and S. Roberts St. In 2004, Home Depot entered into a private, non-exclusive road easement agreement with Ester Baker and Leonard Grau to provide access over the Baker and Grau property to Home Depot (**Exhibit B**). Home Depot agreed to construct and maintain this area until such time as it is dedicated to the public. A portion of the agreement states "Grantors and Grantee agree to use commercially reasonable efforts and work in good faith to convert the Road Easement Area to a public use easement or equivalent public right-of-way with the City of Wasilla." The City of Wasilla understands this and they are prepared to accept the road for road maintenance, once the plat records (**Exhibit C**).

**Lot Design:** Each lot, as designed, complies with MSB 43.20.320, *Lot Frontage*, and MSB 43.20.300, *Lot and Block Design*.

**Topography & Soils:** The engineer, Michael Erdman, provided a soils report and useable area determination that states Lot 1 will be served by City of Wasilla public water and sewer and Lot 2, 3, and Tract A each contain a minimum 10,000 sq ft of contiguous useable septic area and a minimum 10,000 sq ft of contiguous useable building area, as defined by MSB Title 43 (**Exhibit D**). Three test holes dug to a minimum 12 feet were reviewed and the soils found are consistent with MSB 43.20.281(A)(1)(f) for useable wastewater disposal.

**As-built:** As-Built information for the property is shown on (**Exhibit E**). According to the as-built information the property is undeveloped except for the road along the east side, and utilities and light poles.

**Comments:** Central Mat-Su Fire Service Area and Dept. of Emergency Services has no issues with the subdivision, but has issues if the property will be built upon for commercial applications. The city's water system does not have sufficient pressure to support fire suppression systems or potable drinking systems with pressures at the Home Depot site just above 20 psi (**Exhibit F**). DPW Engineer has no comment (**Exhibit G**). Current Planner has no comments (**Exhibit H**). Land & Resource Management stated no borough land is affected and they have no objection to this subdivision or Public Use Easement (**Exhibit I**).

City of Wasilla has no concerns (**Exhibit J**). They stated a subdivision permit must be submitted to the City for review/approval and that no clearing may take place on the lots until a land use permit application has been approved by the Planning Department.

State of Alaska, DOT&PF has no comment (**Exhibit K**). MEA requests a 30' wide utility easement centered on the lot line between Lots 1, 2 and Lot 3 (**Exhibit L**). Staff notes the petitioner's representative stated verbally that the plan is to bring utilities in from the south so staff suggests that MEA and MTA sign off on the final plat as they both requested a utility easement in this area (**Recommendation 4**). MTA requested 15-foot utility easements along the

northern boundary of the subdivision, adjoining E. Horvath Dr., on the north side of Lots 1 and 2 to serve Lot 3, and on the east side of Lot 2, adjoining the S. Roberts Street dedication (**Exhibit M**). GCI has no objections (**Exhibit N**). Enstar has no comments, recommendations, or objections (**Exhibit O**).

Dianne Daniels, owners of Lot 5, Block 2, Creekside Estates, has no objections to this request. No objections have been received as a result of the public noticing (**Exhibit P**).

## **CONCLUSION**

The preliminary plat of T.D. Business Park is consistent with AS 29.40.070, *Platting Regulations*, and MSB 43.15.015, *Preliminary Plat*. The Public Use Easement across Leonard Grau's property is consistent with MSB 43.15.021, *Public Use Easement Acceptance Procedure*.

No construction is necessary as all the proposed lots will have direct access to S. Roberts Street. The City of Wasilla is in favor of the dedication and is prepared to accept the road for maintenance. There were no objections to the proposed plat from borough departments, outside agencies, utilities, or the public.

## **RECOMMENDATIONS for PRELIMINARY PLAT & PUBLIC USE EASEMENT**

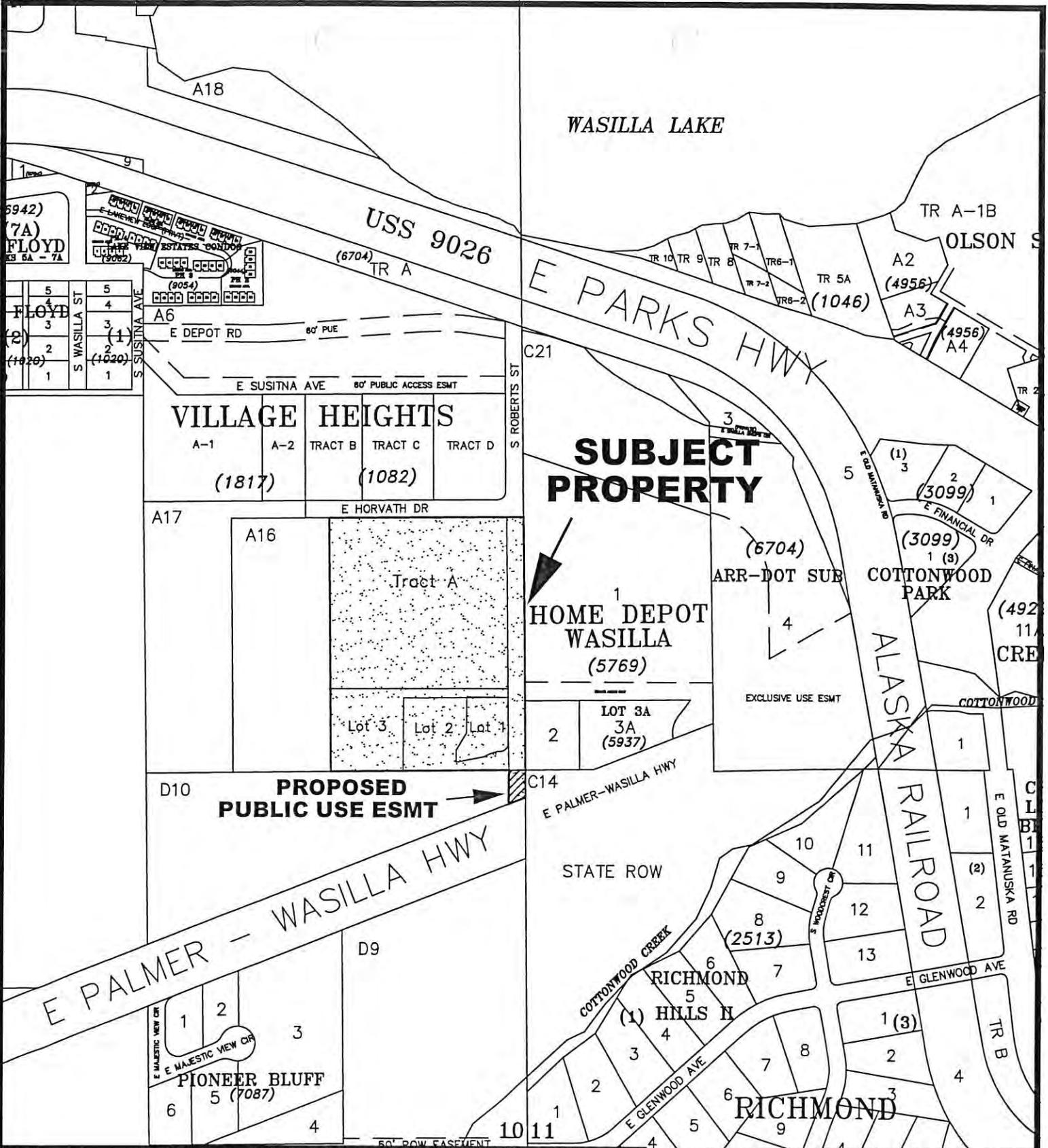
***Suggested Motion: "I move to approve the preliminary plat of T.D. Business Park and the Public Use Easement granted for access across an adjoining parcel, all located within Section 10, Township 17 North, Range 1 West, Seward Meridian, contingent on staff recommendations:"***

1. Pay mailing and advertising fees.
2. Provide a public use easement document with approved legal descriptions, bearing the acknowledgement of acceptance by the borough and being signed by all individuals holding a legal or equitable interest in the property involved, in a format that meets the State Recorder's Office requirements.
3. Provide 15-foot utility easements along the northern boundary of the subdivision, adjoining E. Horvath Dr., and on the east side of Lot 2, adjoining the S. Roberts Street dedication as requested by MTA.
4. Provide a 30-foot utility easement centered on the north line of Lots 1 and 2 to serve Lot 3, as requested by MEA or have MEA and MTA signoff on the final plat.
5. Obtain a Permit for Subdivision from the City of Wasilla.
6. Provide updated Certificate to Plat executed within 90 days of plat recordation per MSB 43.15.053(E) and submit Beneficiary Acknowledgement, if applicable.

7. Taxes and special assessments must be current prior to recording, pursuant to MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.
8. Submit final plat in full compliance to Title 43.

**FINDINGS for PRELIMINARY PLAT & PUBLIC USE EASEMENT**

1. The preliminary plat of T.D. Business Park is consistent with AS 29.40.070, *Platting Regulations*, and MSB 43.15.015, *Preliminary Plat*.
2. The lots have adequate legal and physical access with the granting of a public use easement on Grau's property and dedication of right-of-way on Baker's property in compliance with MSB 43.20.120(A)(1)(b), *Legal Access*.
3. The right-of-way is constructed, providing adequate physical access to the lots per MSB 43.20.140.
4. The City of Wasilla understands that the existing private easement recorded at 2004-015810-0 will be converted to a public right-of-way with this platting action and is prepared to accept the road for maintenance once the plat records.
5. Each lot, as designed, complies with MSB 43.20.320, *Lot Frontage*, and MSB 43.20.300, *Lot and Block Design*.
6. Lot 1 will be served by City of Wasilla public water and sewer and Lot 2, 3, and Tract A each contain a minimum 10,000 sq ft of contiguous useable septic area and a minimum 10,000 sq ft of contiguous useable building area, per the engineer, Michael Erdman.
7. Central Mat-Su Fire Service Area and Dept. of Emergency Services have no issues with the subdivision, but have issues if the property will be built upon for commercial applications. Staff notes their concerns are about development on the lots, not about the subdivision.
8. There were no objections to the plat from any borough departments, outside agencies, or the public.



### VICINITY MAP

FOR PROPOSED T.D. BUSINESS PARK  
 LOCATED WITHIN  
 SECTION 10, T17N, R1W  
 SEWARD MERIDIAN, ALASKA

WASILLA 11 MAP

EXHIBIT A

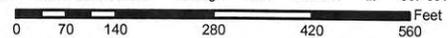
RICHMOND VW



Matanuska Susitna Borough  
 Platting Division  
 Date: 8/23/2016

EXHIBIT A-2

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





ccc

PALMER RECORDING DISTRICT

704-0004

After recording return to:

Robert G. Koury II  
LANE POWELL SPEARS LUBERSKY LLP  
601 S.W. Second Avenue, Suite 2100  
Portland, OR 97204

NON-EXCLUSIVE ROAD EASEMENT AGREEMENT

THIS NON-EXCLUSIVE ROAD EASEMENT AGREEMENT (the "Agreement") is entered into as of the 27 day of May, 2004 ("Effective Date"), between Leonard J. Grau, Jr. ("Grau"), Esther Nora Baker ("Baker") and HOME DEPOT U.S.A., INC., a Delaware corporation ("Grantee").

A. Home Depot is or will be the owner of that certain real property described on Exhibit "A" attached hereto (the "Home Depot Property").

B. Grau is the owner of the property described on Exhibit "B" ("Grau's Property"). Baker is the owner of the property described on Exhibit "C" ("Baker's Property"). Grau and Baker hereinafter are collectively referred to as "Grantors" and Grau's Property and Baker's Property shall hereinafter, for purposes of this Agreement only, collectively be referred to as "Grantors' Properties").

C. Grantors have agreed to grant to Grantee a permanent non-exclusive road easement over a portion of Grantors' Properties as legally described on Exhibit "D" attached hereto ("Road Easement Area") for ingress and egress to and from the Home Depot Property.

D. Grantee and Grantors have agreed that Grantors' Properties shall benefit from the road improvements to be constructed in the Road Easement Area by the creation of access from Grantors' Properties onto the Road Easement Area at the access points depicted on Exhibit "D."

E. Grantee has agreed to construct the road improvements.

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth in this agreement, the parties hereto agree as follows:

1. **Grant of Road Easement.** Subject to the terms and conditions of this Agreement, Grantors hereby each grant to Grantee a non-exclusive easement (the "Easement") for vehicular and pedestrian access on, over and across the respective roadways, curbs, sidewalks and other related improvements hereafter constructed in the Road Easement Area on their respective real property. All costs for the development, construction, maintenance and repair of the Easement shall be paid by Grantee, including without limitation, design costs, construction costs, repair and maintenance costs, costs for permits and other governmental approvals, and snow removal costs, provided, that, in the event this Agreement and Easement have not already been assigned to the City of Wasilla or replaced by a public use easement owned by the City of Wasilla, at the time Baker commercially develops her lots adjacent to the Easement Area, the costs of maintenance and repair for the Easement Area shall be split evenly between Baker and Grantee until such time as the Easement is assigned to the City of Wasilla or becomes a public use easement owned by the City of Wasilla. Grantee acknowledges and agrees that (i) Grantee has no right to utilize Grantors' other property for any purpose whatsoever; (ii) notwithstanding paragraph (i), if reasonably necessary, Grantee shall be authorized to place snow from the Easement Area on a mutually agreed location on Baker's property until such time as the Easement Area becomes a public use easement or is otherwise assigned to the City; (iii) each of the Grantors and their guests, invitees, visitors and family members shall have the free right to utilize the Road Easement Area for ingress and egress to the individual Grantor's property; and (iv) Grantee's rights under this Agreement and the Easement are subject to any and all exceptions, easements, encumbrances, restrictions, and agreements of record against the property included in the Road Easement Area. In consideration of the grant of Easement hereunder, in addition to the construction of the road, Grantee shall provide the following at no cost to the respective Grantor: (i) (A) three (3) driveway cuts to Baker's property adjacent to the Road Easement Area, and (B) one driveway cut to Grau's property, all of which driveway cuts shall be graded and paved to state and local government requirements, be thirty (30) feet wide and ten (10) feet deep, include required culverts and ditching, and be across from the location of Grantee's driveways to Grantee's adjoining property; and (ii) (A) three utility stub outs to Baker's property, and one stub out to Grau's property, all of which shall be for sewer, water, gas (if available at the time of placement of the stubs) and electric, which stub outs shall extend out to the western boundary of the Easement Area.

2. **Assignment.** This Agreement shall be binding upon, and inure to the benefit of, the properties described herein, and the owners, lessees and parties in possession of such properties and their heirs, personal representatives, successors in interest and assigns and shall run with the land. Grantors and Grantee agree to use commercially reasonable efforts and work



in good faith to convert the Road Easement Area to a public use easement or equivalent public right-of-way with the City of Wasilla.

3. **Reciprocal Indemnity.** Until dedication of this easement as a public use easement, Each party (the "Indemnitor") shall indemnify, defend (with counsel reasonably satisfactory to the other party) and hold the other party and all of such parties officers, directors, partners, members, mortgagees, and assigns (the "Indemnitee") harmless from and against any and all loss, damage, claims, penalties, liability, suits, costs, and expenses (including, without limitation, reasonable attorneys' fees) (collectively the "Claims") suffered or incurred by the Indemnitee arising out of or related to the Indemnitor's exercise of its rights (or Indemnitor's failure to satisfy its obligations) under this Agreement, except, in each case, loss, damage, claims, penalties, liability, suits, costs, and expenses (including, without limitation, reasonable attorneys' fees) suffered or incurred as a result of the negligence or willful misconduct of the Indemnitee. With respect to Grantee, Grantee's obligation hereunder as an Indemnitor shall include any and all Claims arising out of the use of the Road Easement Area by Grantee's invitees, guests, employees, suppliers and customers. The parties acknowledge that the foregoing provisions of this paragraph have been specifically and mutually negotiated between the parties. The obligation of each of the Grantors hereunder are several obligations and neither Grantor shall be jointly and severally liable to Grantee for the obligations of the other Grantor.

4. **Entire Agreement: No Modifications.** This Agreement together with the attached exhibits constitutes the entire agreement between Grantors and Grantee with respect to the matters described herein. Any prior correspondence, memoranda, understandings, offers, negotiations and agreements, oral or written, are replaced in total by this Agreement and the attached exhibits. This Agreement may not be modified or amended except in a writing signed by Grantee and Grantors.

5. **Governing Law.** This Agreement shall be governed by and interpreted in accordance with the laws of the State of Alaska.

6. **Headings.** Headings of the paragraphs of this Agreement are for convenience and reference only and the words contained therein shall in no way be held to explain, modify, amplify or aid in the interpretation, construction, or meaning of the provisions hereof.

7. **Attorneys' Fees.** In the event any party brings any action against any other party to interpret or enforce this Agreement, or for damages for any alleged breach hereof, the prevailing party in such action shall be entitled to attorneys' fees as awarded by the court, in addition to all other recoverable costs and damages.



8. **Notices.** All notices, demands, consents, approvals and other communications which are required to be given by either party to the other shall be in writing and shall be either hand-delivered or sent by United States express mail or by United States registered or certified mail, postage prepaid, return receipt requested, or by overnight courier service, fee prepaid, return receipt requested, addressed to the appropriate party at its address set forth below, at such other address as such parties shall have last designated by notice to the other, or by telefax if the receiving party has such capability. Notices, demands, consents, approvals and other communications shall be deemed given when hand-delivered or telefaxed, three days following deposit with the United States Postal Service, or the day following deposit to overnight courier service.

To: Leonard J. Grau, Jr.  
715 Pearl Drive  
Anchorage, Alaska 99518

To: Esther Nora Baker  
2900 Nancy Way  
Wasilla, Alaska 99687

To: Home Depot U.S.A., Inc.  
2455 Paces Ferry Road  
Atlanta, Georgia 30339  
Attention: Legal Department

Copies to: Home Depot U.S.A., Inc.  
3800 West Chapman Avenue  
Orange, California 92868  
Attention: Real Estate Department and Legal Department

Lane Powell Spears Lubersky LLP  
601 S.W. Second Avenue, Suite 2100  
Portland, OR 97204  
Attention: Robert G. Koury

9. **Counterparts.** This Agreement may be executed by the parties hereto in several counterparts, and each such counterpart shall be deemed to be an original and all such counterparts shall together constitute one and the same agreement.





IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first written above.

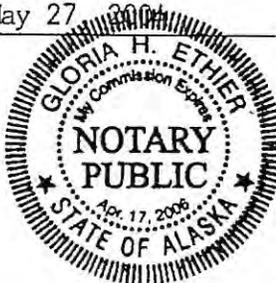
“GRANTORS”

Leonard J. Grau Jr.  
LEONARD J. GRAU, JR.

STATE OF ALASKA                    )  
  ) ss.  
THIRD JUDICIAL DISTRICT        )

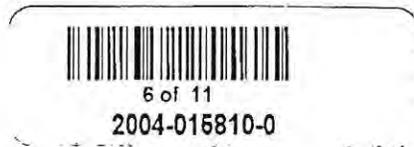
I certify that I know or have satisfactory evidence that LEONARD J. GRAU, JR. is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as his free and voluntary act of such parties for the uses and purposes mentioned in this instrument.

DATED: May 27, 2004 Gloria H. Ethier



Print Name: Gloria H. Ethier  
NOTARY PUBLIC for the State of  
Alaska, residing at Anchorage

My appointment expires: 04/17/2006





**EXHIBIT "A"**  
**(Legal description of Home Depot Property)**

A tract of land within Government Lot 6, Section 11, T17N, R1W, S.M., Alaska, Palmer Recording District, Third Judicial District, State of Alaska, and being more particularly described as follows:

Commencing at the Section Corner common to Sections 2, 3, 10, and 11, monumented with a ¾" iron pipe, thence S00°03'00"E a distance of 5282.57 feet to the Section Corner common to Sections 10, 11, 14, 15, monumented with a 3" aluminum monument; Thence N00°01'24"W a distance of 1321.37 feet to the S 1/16 Corner of Sections 10 and 11, the True Point of Beginning; Thence continuing N00°01'24"W a distance of 1102.87 feet; Thence S71°28'36"E a distance of 695.22 feet; Thence S00°05'13"E to the North R.O.W. Line of the Palmer-Wasilla Highway Extension a distance of 726.80 feet; Thence S69°22'56"W along said R.O.W. a distance of 443.11 feet; Thence N89°48'24"W a distance of 245.13 feet to the True Point of Beginning, containing approximately 14.29 acres, more or less.



**EXHIBIT "B"**  
**Legal Description of Grau's Property**

The Southeast Quarter of the Southeast Quarter of Section 10, Township 17 North, Range 1 West, Seward Meridian Alaska, Palmer Recording District, Third Judicial District, State of Alaska.

EXCEPTING THEREFROM that portion conveyed to the State of Alaska, Department of Transportation and Public Facilities by Warranty Deed September 1, 2000, Book 1088 Page 147.

106666.0195/464434.2

9



9 of 11

2004-016810-0

**EXHIBIT B-9**

**EXHIBIT "C"**  
**Legal Description of Baker's Property**

A portion of the Northeast Quarter of the Southeast Quarter of Section 10, Township 17 North, Range 1 West, Seward Meridian Alaska, Palmer Recording District, Third Judicial District, State of Alaska, more particularly described as follows:

BEGINNING at a point located S 00° 03' 00" E, a distance of 430.00 feet from the ¼ corner common to Sections 10 and 11, Township 17 North, Range 1 West, Seward Meridian, Alaska; thence S 00° 03' 00" E, a distance of 890.00 feet to the Southeast corner of the Northeast Quarter of the Southeast Quarter of said Section 10; thence S 89° 57' 00" W, a distance of 341.00 feet; thence N 00° 03' 00" W, a distance of 890.00 feet; thence N 89° 57' 00" E, a distance of 341.00 feet to the POINT OF BEGINNING.



**EXHIBIT "D"**  
**Legal Description of Road Easement Area**

*(portion on Grau property)*

An area of land lying within the Southeast 1/4 of the Southeast 1/4 of Section 10, Township 17 North, Range 1 West, Seward Meridian, Alaska, Palmer Recording District, Third Judicial District, Alaska more particularly described as follows:

The easterly 60 feet of the aforesaid Southeast 1/4 of the Southeast 1/4 of Section 10 lying north of the northerly right of way line of the Palmer-Wasilla Highway.

Containing 0.148 acres (6470 square feet), more or less.

*(portion on Baker property)*

An area of land lying within the Northeast 1/4 of the Southeast 1/4 of Section 10, Township 17 North, Range 1 West, Seward Meridian, Alaska, Palmer Recording District, Third Judicial District, Alaska more particularly described as follows:

The easterly 60 feet of the lands described by Quitclaim Deed in Book 642 Pages 279 & 280; Reciting the original calls of the aforesaid Quitclaim Deed; Beginning at a point located S 0°03'00" E a distance of 430.00 feet from the 1/4 corner common to sections 10 and 11 of T17N-R1W, S.M., Alaska; Thence S 0°03'00" E a distance of 890.00 feet to the SE corner of the NE1/4SE1/4 of said section 10; Thence S 89°57'00" W a distance of 341.00 feet; Thence N 0°03'00" W a distance of 890.00 feet; Thence N 89°57'00" E a distance of 341.00 feet to the point of beginning.

Containing 1.227 acres (53460 square feet), more or less.



RECEIVED

SEP 19 2016



# CITY OF WASILLA

## PLATTING

MAYOR BERT L. COTTLE  
290 E. Herning Avenue  
Wasilla, AK 99654-7091  
Phone: (907) 373-9055  
Fax: (907) 373-9096

September 14, 2016

John Moosey  
Matanuska-Susitna Borough Manager  
350 E. Dahlia Avenue  
Palmer, AK 99645

RE: Proposed Roberts Street Public Use Easement

Dear Mr. Moosey,

The City understands there are interested parties in developing property west of Home Depot in Wasilla. As such, these parties are seeking to convert the existing private easement for Home Depot into a Public Use Easement (see attached drawing). This private easement currently serves the approach road for Home Depot at the signalized intersection with the Palmer-Wasilla Highway.

The City of Wasilla is in support of the proposed Public Use Easement and is prepared to accept the road for road maintenance. Any help you can provide in this manner is greatly appreciated.

Sincerely,

Bert L. Cottle  
Mayor

EXHIBIT C

RECEIVED

OCT 18 2016

PLATTING

**ERDMAN & ASSOCIATES**  
**Consulting Engineers / Water Testing Laboratory**

5200 Dunbar Drive  
Wasilla, AK 99654

Phone 907-376-6989  
Fax 907-373-2157

October 18, 2016

Matanuska Susitna Borough  
350 East Dahlia Ave.  
Palmer, AK 99645

Re: Proposed Roberts Street Business Park; Soils Report & Usable Area Determination

Ladies & Gentlemen,

Erdman & Associates was retained to evaluate soil conditions and usable area for the proposed subdivision. As shown on the preliminary plat by John Shadrach, RLS, the proposed subdivision will create 3 lots and one tract, each with an area greater than 40,000 square feet. Lot 1 is to be served by City of Wasilla public water and sewer. This report addresses soil conditions and usable area on Lots 2&3 and Tract A.

Erdman & Associates inspected and performed percolation tests on three test pits. Test hole logs are below, with percolation test results where applicable, and a location map is attached.

TH #1	TH #2	TH #3
0-2' Silt/Topsoil	0-3' Silt/Topsoil	0-3' Silt/Topsoil
2-12' Silty Gravel (GM)	2-12' Silty Gravel (GM)	3-14' Silty Sand/Gravel (SM/GM)
No Groundwater/Impermeable	No Groundwater/Impermeable	No Groundwater/No Impermeable
Perc 24 min/inch @ 5-6'	Perc 48 min/inch @ 5-6'	Perc 20 min/inch @ 5-6'

The test holes revealed that subsurface soil conditions are silty sand and gravel. Measured percolation rates were from 20 to 48 min/inch. Neither groundwater nor impermeable soils were encountered in any of the test pits.

Soil and water table conditions are suitable for installation of conventional onsite wastewater disposal (septic) systems. As indicated by the topography mapping, there are no significant areas with slopes exceeding 25%.

Based upon our soils investigation, and evaluation of surface topography, it is my opinion that proposed Lots 2 & 3, and Tract A, each contain a minimum of 10,000 square feet of contiguous useable septic area, and a minimum 10,000 square feet of contiguous useable building area, as defined by MSB Title 43.

Please call if you have any questions or need additional information.

Sincerely,



Michael R. Erdman, P.E.



10/18/16

EXHIBIT D-1

TEMPORARY TURNAROUND TO BE REMOVED WHEN STREET IS EXTENDED (PLAT #72-109 PRD, RADIUS LENGTH NOT SPECIFIED)

VILLAGE HEIGHTS (PLAT #72-109 PRD)

20' CONSTRUCTION AND SLOPE MAT. EASEMENT (PLAT #72-109 PRD)

TRACT B

TRACT C

TRACT D

10' UTILITY EASEMENT (PLAT #72-109 PRD)

E. HORVATH DR.

S 89°57'00"W 682.00'

682.00'

30' 30'

30' 30'

60' NON-EXCLUSIVE ROAD EASEMENT AGREEMENT RECORDED JUNE 15, 2004 AT SERIAL No. 2004-015810-0 PRD

PARCELS 3, MATANUSKA-SUSITNA BOROUGH WAIVER RESOLUTION SERIAL No. 78-89, FILED AS INSTRUMENT 78-175W PRD

Tract A  
0.49 ac.

THE AT HAS BEEN OF ALASKA, IN

LOT 1 HOME DEPOT WASILLA SUBDIVISION (PLAT #2005-151)

N 89°57'00"E 622.00'

15' UTILITY EASEMENT (TO BE GRANTED WITH THIS PLAT)

S. ROBERTS STREET

N 0°03'00"W 890.00'

65' PRIVATE ACCESS EASEMENT (PLAT #2005-151 PRD)

TH #2

TH #3

Lot 3  
70,865 sf

Lot 2  
68,459 sf

Lot 1  
44,186 sf

20' UTILITY EASEMENT (PLAT #2005-151 PRD)

20' TELE. & ELEC. EASEMENT (PLAT #2005-151 PRD)

LOT 2 HOME DEPOT WASILLA SUBDIVISION (PLAT #2005-151)

30' EASEMENT FOR INGRESS, EGRESS, REGRESS AND ACCESS RECORDED JULY 30, 2002 AT SERIAL No. 2002-016030-0 PRD

S 89°57'00"W 425.00'

295.00'

S 0°03'00"E 285.00'

S 0°03'00"E 125.00'

220.00'

205.00'

60' EASEMENT FOR INGRESS, EGRESS, REGRESS AND ACCESS RECORDED JULY 30, 2002 AT SERIAL No. 2002-016029-0 PRD

N 89°57'00"E 682.00'

UNSUBDIVIDED

MEA EASEMENT RECORDED AT SERIAL No. 2005-020299-0 PRD PUBLIC USE EASEMENT TO BE RECORDED PRIOR TO RECORDING FINAL PLAT

33' SECTION LINE EASEMENT

E. PALMER - WASILLA HIGHWAY  
N 89°14'13"E

ROBERTS STREET BUSINESS PARK  
TEST HOLE LOCATION MAP



MOVED WHEN STREET  
IDED (PLAT #72-109 PRD,  
LENGTH NOT SPECIFIED)

TRACT B

TRACT C

TRACT D

10' UTILITY EASEMENT (PLAT #72-109 PRD)

E. HORVATH DR.

S 89°57'00"W 682.00'  
592.00'

ASPHALT PARKING

60' NON-EXCLUSIVE ROAD  
EASEMENT AGREEMENT  
RECORDED JUNE 15, 2004 AT  
SERIAL No. 2004-015810-0 PRD

ASPHALT PARKING

ASPHALT PARKING

LOT 1  
HOME DEPOT WASILLA SUBDIVISION  
(PLAT #2005-151)

PARCELS 3, MATANUSKA-SUSITNA BOROUGH  
WAIVER RESOLUTION SERIAL No. 78-69,  
FILED AS INSTRUMENT 78-175W PRD

S 0°03'00"E 890.00'

Tract A  
8.49 ac.

15' UTILITY EASEMENT (TO BE GRANTED WITH THIS PLAT)

S. ROBERTS STREET

N 0°03'00"W 890.00'

N 89°57'00"E 622.00'

S 89°57'00"W 425.00'

65' PRIVATE ACCESS EASEMENT (PLAT #2005-151 PRD)

20' UTILITY EASEMENT (PLAT #2005-151 PRD)

20' TELE. & ELEC.  
EASEMENT (PLAT #2005-151 PRD)

LOT 2  
HOME DEPOT WASILLA SUBDIVISION  
(PLAT #2005-151)

EDGE OF ASPHALT

EASEMENT FOR INGRESS, EGRESS,  
REGRESS AND ACCESS  
RECORDED JULY 30, 2002 AT  
SERIAL No. 2002-016030-0 PRD

Lot 3  
70,865 sf

Lot 2  
68,459 sf

Lot 1  
44,166 sf

S 0°03'00"E  
265.00'

L3

L4

L2

L1

L5

L6

L7

L8

L9

L10

L11

L12

L13

L14

L15

L16

L17

L18

L19

L20

L21

L22

L23

L24

L25

L26

L27

L28

L29

L30

197.00'

N 89°57'00"E 682.00'

UNSUBDIVIDED

60' EASEMENT FOR INGRESS, EGRESS, REGRESS  
AND ACCESS RECORDED JULY 30, 2002 AT  
SERIAL No. 2002-016029-0 PRD

60' EASEMENT FOR INGRESS, EGRESS, REGRESS  
AND ACCESS RECORDED JULY 30, 2002 AT  
SERIAL No. 2002-016029-0 PRD

E. PALMER - WASILLA HIGHWAY  
N 69°14'13"E

AS-BUILT INFO

EXHIBIT E

## Peggy Horton

---

**From:** Richard Boothby  
**Sent:** Saturday, October 22, 2016 6:42 AM  
**To:** Platting  
**Cc:** James Steele; Ken Barkley; Bill Gamble  
**Subject:** Re: Request for Comments for T.D. Business Park Case #2016-155 & 156 Tech: PH

The Central Mat-Su FSA and DES has no issues with the subdivide but has issues if the property will be built upon for commercial applications. The city's water system does not have sufficient pressure to support fire suppression systems or potable drinking systems with pressures at the Home Depot site just above 20 psi.

Sent from my iPad

On Oct 20, 2016, at 6:46 PM, Platting <[Platting@matsugov.us](mailto:Platting@matsugov.us)> wrote:

Good Afternoon,

Attached is a request for comment for a 4 lot subdivision and public use easement directly west of the Home Depot in Wasilla. Please review and provide your comments no later than November 18, 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)

<COW Support Ltr.pdf>  
<Soils.pdf>  
<RFC and Map.pdf>  
<As-built.pdf>  
<T.D. Bsns Pk plat.PDF>

## Amy Otto-Buchanan

---

**From:** Jamie Taylor  
**Sent:** Monday, November 07, 2016 9:06 AM  
**To:** Platting  
**Cc:** Peggy Horton  
**Subject:** RE: Request for Comments for T.D. Business Park Case #2016-155 & 156 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:** Thursday, October 20, 2016 3:46 PM  
**To:** Kemplen, Allen (DOT); Kevin Vakalis ([kevin.vakalis@alaska.gov](mailto:kevin.vakalis@alaska.gov)); Tucker Hurn ([tucker.hurn@alaska.gov](mailto:tucker.hurn@alaska.gov)); Melanie Nichols ([melanie.nichols@alaska.gov](mailto:melanie.nichols@alaska.gov)); Steven Banse - ADOT&PF ([steven.banse@alaska.gov](mailto:steven.banse@alaska.gov)); Holly Zafian - ADF&G ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); Mark Fink ([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); [planning@ci.wasilla.ak.us](mailto:planning@ci.wasilla.ak.us); publicworks; [ken@slauson.us](mailto:ken@slauson.us); John Aschenbrenner; Richard Boothby; Elizabeth Derbonne; Eric Phillips; 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; [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); Steve Colligan ([stevecolligan@mtaonline.net](mailto:stevecolligan@mtaonline.net))  
**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 Rausa ([jordan@alaskaplans.com](mailto:jordan@alaskaplans.com)); Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.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 T.D. Business Park Case #2016-155 & 156 Tech: PH

Good Afternoon,

Attached is a request for comment for a 4 lot subdivision and public use easement directly west of the Home Depot in Wasilla. Please review and provide your comments no later than **November 18, 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:** Susan Lee  
**Sent:** Tuesday, October 25, 2016 7:16 AM  
**To:** Platting  
**Subject:** RE: Request for Comments for T.D. Business Park Case #2016-155 & 156 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:** Thursday, October 20, 2016 3:46 PM  
**To:** Kemplen, Allen (DOT); Kevin Vakalis ([kevin.vakalis@alaska.gov](mailto:kevin.vakalis@alaska.gov)); Tucker Hurn ([tucker.hurn@alaska.gov](mailto:tucker.hurn@alaska.gov)); Melanie Nichols ([melanie.nichols@alaska.gov](mailto:melanie.nichols@alaska.gov)); Steven Banse - ADOT&PF ([steven.banse@alaska.gov](mailto:steven.banse@alaska.gov)); Holly Zafian - ADF&G ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); Mark Fink ([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); [planning@ci.wasilla.ak.us](mailto:planning@ci.wasilla.ak.us); publicworks; [ken@slauson.us](mailto:ken@slauson.us); John Aschenbrenner; Richard Boothby; Elizabeth Derbonne; Eric Phillips; 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; [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); Steve Colligan ([stevecolligan@mtaonline.net](mailto:stevecolligan@mtaonline.net))  
**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 Rausa ([jordan@alaskaplans.com](mailto:jordan@alaskaplans.com)); Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.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 T.D. Business Park Case #2016-155 & 156 Tech: PH

Good Afternoon,

Attached is a request for comment for a 4 lot subdivision and public use easement directly west of the Home Depot in Wasilla. Please review and provide your comments no later than November 18, 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

Community Development

Land & Resource Management

350 East Dahlia Avenue • Palmer, AK 99645

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

RECEIVED  
OCT 21 2016  
PLATTING

## MEMORANDUM

DATE: October 21, 2016  
TO: Fred Wagner, Platting Officer  
FROM: Land & Resource Management *NSC*  
SUBJECT: Preliminary Plat Comments / Case #2016-155 & 156

---

Platting Tech: Peggy Horton  
Public Hearing: December 1, 2016  
Applicant / Petitioner: Baker  
TRS: 17N01W10  
Tax ID: 17N01W10A014, A015, D010  
Subd: T.D. Business Park  
Tax Map: WA 11

### Comments:

- No MSB land affected.
- No objection to proposed subdivision or public use easement.

**EXHIBIT I**

## Peggy Horton

---

**From:** Tina Crawford <tcrawford@ci.wasilla.ak.us>  
**Sent:** Thursday, October 27, 2016 12:23 PM  
**To:** Peggy Horton  
**Subject:** RE: Request for Comments for T.D. Business Park Case #2016-155 & 156 Tech: PH

Peggy,

The City Planning and Public Works departments do not have any concerns. The only comment is that a subdivision permit must be submitted to the City for review/approval and that no clearing may take place on the lots until a land use permit application has been approved by the Planning Department.

Thanks!

Tina

### 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:** Thursday, October 20, 2016 4:05 PM  
**To:** Tina Crawford  
**Subject:** FW: Request for Comments for T.D. Business Park Case #2016-155 & 156 Tech: PH

---

**From:** Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting  
**Sent:** Thursday, October 20, 2016 3:46 PM  
**To:** Kemplen, Allen (DOT); Kevin Vakalis ([kevin.vakalis@alaska.gov](mailto:kevin.vakalis@alaska.gov)); Tucker Hurn ([tucker.hurn@alaska.gov](mailto:tucker.hurn@alaska.gov)); Melanie Nichols ([melanie.nichols@alaska.gov](mailto:melanie.nichols@alaska.gov)); Steven Banse - ADOT&PF ([steven.banse@alaska.gov](mailto:steven.banse@alaska.gov)); Holly Zafian - ADF&G ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)); Mark Fink ([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); Planning; publicworks; [ken@slauson.us](mailto:ken@slauson.us); John Aschenbrenner; Richard Boothby; Elizabeth Derbonne; Eric Phillips; 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; [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); Steve Colligan ([stevecolligan@mtaonline.net](mailto:stevecolligan@mtaonline.net))  
**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 Rausa ([jordan@alaskaplans.com](mailto:jordan@alaskaplans.com)); Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.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 T.D. Business Park Case #2016-155 & 156 Tech: PH

Good Afternoon,

Attached is a request for comment for a 4 lot subdivision and public use easement directly west of the Home Depot in Wasilla. Please review and provide your comments no later than November 18, 2016.

Peggy Horton



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

## Department of Transportation and Public Facilities

DIVISION of PROGRAM DEVELOPMENT  
Anchorage Field Office

4111 Aviation Avenue  
P.O. Box 196900  
Anchorage, Alaska 99519-6900  
Main: (907) 269-0520  
Fax number: (907) 269-0521  
[dot.alaska.gov](http://dot.alaska.gov)

November 17, 2016

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

Re: Plat Review

Dear Mr. Wagner:

The Alaska Department of Transportation and Public Facilities (DOT&PF) has reviewed the following plat and has no comment:

- **TD Business Park**

The Alaska Department of Transportation and Public Facilities (DOT&PF) has reviewed the following plat and has the following comment:

- **Hilltop Estates RSB Lots 1, 10, & 11**
  - No direct access will be granted to the Parks Highway. All access must be to Lauren Drive, Kacey Circle, or Jessie Circle.

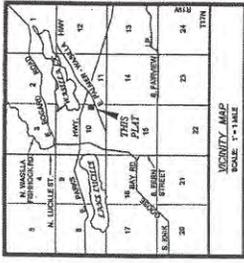
If there are any questions regarding these comments please feel free to contact me at (907) 269-0509 or [melanie.nichols@alaska.gov](mailto:melanie.nichols@alaska.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Melanie Nichols".

Melanie Nichols  
Mat-Su Area Planner

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



**CURVE DATA**

Station	Chord Length	Chord Bearing
0+00	24.00	S 89° 57' 42" W
1+00	24.00	S 89° 57' 42" W
2+00	24.00	S 89° 57' 42" W
3+00	24.00	S 89° 57' 42" W
4+00	24.00	S 89° 57' 42" W
5+00	24.00	S 89° 57' 42" W
6+00	24.00	S 89° 57' 42" W
7+00	24.00	S 89° 57' 42" W
8+00	24.00	S 89° 57' 42" W
9+00	24.00	S 89° 57' 42" W
10+00	24.00	S 89° 57' 42" W
11+00	24.00	S 89° 57' 42" W
12+00	24.00	S 89° 57' 42" W
13+00	24.00	S 89° 57' 42" W
14+00	24.00	S 89° 57' 42" W
15+00	24.00	S 89° 57' 42" W
16+00	24.00	S 89° 57' 42" W
17+00	24.00	S 89° 57' 42" W
18+00	24.00	S 89° 57' 42" W
19+00	24.00	S 89° 57' 42" W
20+00	24.00	S 89° 57' 42" W
21+00	24.00	S 89° 57' 42" W
22+00	24.00	S 89° 57' 42" W
23+00	24.00	S 89° 57' 42" W
24+00	24.00	S 89° 57' 42" W
25+00	24.00	S 89° 57' 42" W
26+00	24.00	S 89° 57' 42" W
27+00	24.00	S 89° 57' 42" W
28+00	24.00	S 89° 57' 42" W
29+00	24.00	S 89° 57' 42" W
30+00	24.00	S 89° 57' 42" W



**JOHN SHADRACH, R.L.S.**  
Professional Land Surveyor  
No. 464147  
2017-2022

**SURVEYOR'S CERTIFICATE**  
I HEREBY CERTIFY THAT THE SURVEY AND PLAT HEREON WERE MADE AND MADE ACCORDING TO THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND LAND ADJUSTERS OF THE STATE OF ALASKA, AND THAT THE SURVEY AND PLAT WERE MADE AND MADE ACCORDING TO THE BEST OF MY KNOWLEDGE.

DATE: Dec. 2, 2014

**A PRELIMINARY PLAT OF**  
**ROBERTS STREET BUSINESS PARK**  
A SUBDIVISION OF  
WASILLA BOROUGHS  
WASILLA RESOLUTION SERIAL NO. 79-65,  
FILED IN THE OFFICE OF THE CLERK OF  
SUPERIOR COURT, JUDICIAL DISTRICT  
SEMI SECTION 40, T17N, R17W,  
PALMER RECORDING DISTRICT,  
THIRD ALASKA LEGISLATIVE DISTRICT,  
STATE OF ALASKA,  
CONTAINING 13.0 ACRES, MORE OR LESS

DRAWN BY: JR      PROJECT: ROBERTS STREET  
DATE: 8/20/14      DRAWING SCALE: 1" = 100'  
SHEET NO.: 1 OF 1



*AS-BUILT  
INFO*

*MCA COMMENTS*

**OWNERSHIP CERTIFICATE**  
I HEREBY CERTIFY THAT THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED IN THIS PLAT HAVE BEEN DULY IDENTIFIED AND THAT THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SAME AND THAT ALL EGRESS TO THE USES SHOWN ARE OPEN AND UNHINDERED.

DATE: Dec 2, 2014

**NOTARY'S ACKNOWLEDGMENT**  
I, John Shadrach, R.L.S., Notary Public for the State of Alaska, do hereby certify that the foregoing is a true and correct copy of the original as recorded in the office of the Clerk of Superior Court, Judicial District of the State of Alaska.

DATE: Dec 2, 2014

**OWNERSHIP CERTIFICATE**  
I HEREBY CERTIFY THAT THE SURVEY AND PLAT HEREON WERE MADE AND MADE ACCORDING TO THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND LAND ADJUSTERS OF THE STATE OF ALASKA, AND THAT THE SURVEY AND PLAT WERE MADE AND MADE ACCORDING TO THE BEST OF MY KNOWLEDGE.

DATE: Dec 2, 2014

**NOTARY'S ACKNOWLEDGMENT**  
I, John Shadrach, R.L.S., Notary Public for the State of Alaska, do hereby certify that the foregoing is a true and correct copy of the original as recorded in the office of the Clerk of Superior Court, Judicial District of the State of Alaska.

DATE: Dec 2, 2014

**PLANNING AND LAND USE DIRECTOR'S CERTIFICATE**  
I HEREBY CERTIFY THAT THE SURVEY AND PLAT HEREON WERE MADE AND MADE ACCORDING TO THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND LAND ADJUSTERS OF THE STATE OF ALASKA, AND THAT THE SURVEY AND PLAT WERE MADE AND MADE ACCORDING TO THE BEST OF MY KNOWLEDGE.

DATE: Dec 2, 2014

**CERTIFICATE OF PAYMENT OF TAXES**  
I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS IN THE JURISDICTION OF THE CITY OF WASILLA HAVE BEEN PAID IN FULL AS OF THE DATE OF RECORDING OF THIS PLAT.

DATE: Dec 2, 2014

**CERTIFICATE OF PAYMENT OF TAXES**  
I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS IN THE JURISDICTION OF THE CITY OF WASILLA HAVE BEEN PAID IN FULL AS OF THE DATE OF RECORDING OF THIS PLAT.

DATE: Dec 2, 2014

**NOTES**

- THESE MAPS MAY BE FEDERAL, STATE AND LOCAL REQUIREMENTS GOVERNING THE DEVELOPMENT OF THE INDIVIDUAL PLOTS, OTHER THAN THE DEVELOPMENT OF THE PLOTS SHOWN HEREON.
- THESE MAPS MAY BE SUBJECT TO FEDERAL, STATE AND LOCAL REQUIREMENTS GOVERNING THE DEVELOPMENT OF THE INDIVIDUAL PLOTS, OTHER THAN THE DEVELOPMENT OF THE PLOTS SHOWN HEREON.
- THESE MAPS MAY BE SUBJECT TO FEDERAL, STATE AND LOCAL REQUIREMENTS GOVERNING THE DEVELOPMENT OF THE INDIVIDUAL PLOTS, OTHER THAN THE DEVELOPMENT OF THE PLOTS SHOWN HEREON.



## Peggy Horton

---

**From:** OSP Design Group <ospdesign@gci.com>  
**Sent:** Wednesday, October 26, 2016 11:58 AM  
**To:** Platting  
**Subject:** RE: Request for Comments for T.D. Business Park Case #2016-155 & 156 Tech: PH

No objections from us on this one.

Thanks,  
Joshua Swanson | Technician I, GIS Mapping | **GCI**

---

**From:** Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting  
**Sent:** Thursday, October 20, 2016 3:46 PM  
**To:** Kemplen, Allen (DOT) <[allen.kemplen@alaska.gov](mailto:allen.kemplen@alaska.gov)>; Kevin Vakalis ([kevin.vakalis@alaska.gov](mailto:kevin.vakalis@alaska.gov)) <[kevin.vakalis@alaska.gov](mailto:kevin.vakalis@alaska.gov)>; Tucker Hurn ([tucker.hurn@alaska.gov](mailto:tucker.hurn@alaska.gov)) <[tucker.hurn@alaska.gov](mailto:tucker.hurn@alaska.gov)>; Melanie Nichols ([melanie.nichols@alaska.gov](mailto:melanie.nichols@alaska.gov)) <[melanie.nichols@alaska.gov](mailto:melanie.nichols@alaska.gov)>; Steven Banse - ADOT&PF ([steven.banse@alaska.gov](mailto:steven.banse@alaska.gov)) <[steven.banse@alaska.gov](mailto:steven.banse@alaska.gov)>; Holly Zafian - ADF&G ([holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)) <[holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)>; Mark Fink ([mark.fink@alaska.gov](mailto:mark.fink@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); [planning@ci.wasilla.ak.us](mailto:planning@ci.wasilla.ak.us); [publicworks@ci.wasilla.ak.us](mailto:publicworks@ci.wasilla.ak.us); [ken@slauson.us](mailto:ken@slauson.us); John Aschenbrenner <[John.Aschenbrenner@matsugov.us](mailto:John.Aschenbrenner@matsugov.us)>; Richard Boothby <[Richard.Boothby@matsugov.us](mailto:Richard.Boothby@matsugov.us)>; Elizabeth Derbonne <[elizabeth.derbonne@matsugov.us](mailto:elizabeth.derbonne@matsugov.us)>; Eric Phillips <[Eric.Phillips@matsugov.us](mailto:Eric.Phillips@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)>; [mearow@matanuska.com](mailto:mearow@matanuska.com); Becky Glenn ([rglenn@mta-telco.com](mailto:rglenn@mta-telco.com)) <[rglenn@mta-telco.com](mailto:rglenn@mta-telco.com)>; J Thompson ([jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)) <[jthompson@mta-telco.com](mailto:jthompson@mta-telco.com)>; [row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com); OSP Design Group <[ospdesign@gci.com](mailto:ospdesign@gci.com)>; [dblehm@gci.com](mailto:dblehm@gci.com); Steve Colligan ([stevecolligan@mtaonline.net](mailto:stevecolligan@mtaonline.net)) <[stevecolligan@mtaonline.net](mailto:stevecolligan@mtaonline.net)>  
**Cc:** Jay Van Diest ([jay@valleymarket.com](mailto:jay@valleymarket.com)) <[jay@valleymarket.com](mailto:jay@valleymarket.com)>; LaMarr Anderson ([lamarra05@gmail.com](mailto:lamarra05@gmail.com)) <[lamarra05@gmail.com](mailto:lamarra05@gmail.com)>; Stan Gillespie ([stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)) <[stan.gillespie@gmail.com](mailto:stan.gillespie@gmail.com)>; Jordan Rausa ([jordan@alaskaplans.com](mailto:jordan@alaskaplans.com)) <[jordan@alaskaplans.com](mailto:jordan@alaskaplans.com)>; Patrick Johnson ([patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com)) <[patrickjhnsn@hotmail.com](mailto:patrickjhnsn@hotmail.com)>; Marty Van Diest - Valley Market Real Estate ([marty@valleymarket.com](mailto:marty@valleymarket.com)) <[marty@valleymarket.com](mailto:marty@valleymarket.com)>; Gregory Pugh ([winforhim@aol.com](mailto:winforhim@aol.com)) <[winforhim@aol.com](mailto:winforhim@aol.com)>  
**Subject:** Request for Comments for T.D. Business Park Case #2016-155 & 156 Tech: PH

[External Email]

Good Afternoon,

Attached is a request for comment for a 4 lot subdivision and public use easement directly west of the Home Depot in Wasilla. Please review and provide your comments no later than November 18, 2016.

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

**EXHIBIT N**



**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

November 16, 2016

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

Subject: Preliminary Plat Request for Comments – T.D. Business Park  
(Case No. 2016-155 and 156)

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 blue ink, appearing to read "Robin Leighty", with a long horizontal flourish extending to the right.

Robin Leighty  
Right-of-Way and Permitting Agent

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

**EXHIBIT O**



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



**FIRST CLASS**

*non-objection*  
 RECEIVED

NOV 18 2016

PLATTING

51014B02L005 29  
 DANIELS DIANNE M  
 PO BOX 872611  
 WASILLA, AK 99687-2611

99687-2611 8033  
**NOTIFICATION OF PUBLIC HEARING**

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

**PETITIONER:** ESTHER BAKER & LEONARD J. GRAU JR. (owners/petitioners)

**REQUEST:** The request is to divide Parcel 1 & 2, MSB Waiver 78-69, recorded as 78-175W, into 3 lots and 1 Tract to be known as **TD BUSINESS PARK**. Lot 1 will be served by Wasilla municipal water and sewer. Dedication of S. Robert Street and a Public Use Easement extending to E. Palmer-Wasilla Highway is proposed and will provide public right-of-way from the existing signalized intersection to the proposed lots and to the entrance to Home Depot.

**LOCATION:** Located within Sec 10, T17N, R01W, S.M. AK, lying north at the intersection of E. Palmer-Wasilla Highway and S. Roberts Street, east of Knik-Goose Bay Road.

**Community Council:** N/A (City of Wasilla) **Assembly District:** #4: Steve Colligan **Area:** 13.93 Acres +/-

The Matanuska-Susitna Borough **Platting Board** will hold a public hearing in **Assembly Chambers** of the **Dorothy Swanda Jones Building**, 350 E. Dahlia Avenue, Palmer, Alaska on the proposed **Subdivision & Public Use Easement** on **December 1, 2016**. The meeting begins at **1:00 p.m.** We are sending you this notice as required by State Law and Borough Ordinances cause your property is within 1200' of the petition area. This will be heard before the **PLATTING BOARD** and you are invited 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 to (907) 861-8407 or e-mail: platting@matsugov.us. Comments received by 3:00 PM one week prior to the meeting, **November 23, 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 or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

Name: Dianne M Daniels (Kella) Address: Box 872611 Wasilla, AK 99687

Comments: I have no objections to the platting request.

**OWNERSHIP CERTIFICATE**

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

ESTHER NORA BAKER  
2800 N NANCY WAY  
WASILLA, ALASKA 99654

**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
FOR \_\_\_\_\_

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

**OWNERSHIP CERTIFICATE**

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

LEONARD J. GRAU JR.  
1231 E. GLENWOOD AVE.  
WASILLA, ALASKA 99654-8207

**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
FOR \_\_\_\_\_

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

**PLANNING AND LAND USE DIRECTOR'S CERTIFICATE**

I CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION No. \_\_\_\_\_ DATED \_\_\_\_\_ AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, IN WHICH THIS PLAT IS LOCATED.

DATE \_\_\_\_\_ PLANNING AND LAND USE DIRECTOR

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

**CERTIFICATE OF PAYMENT OF TAXES**

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

DATE \_\_\_\_\_ BOROUGH TAX COLLECTION OFFICIAL

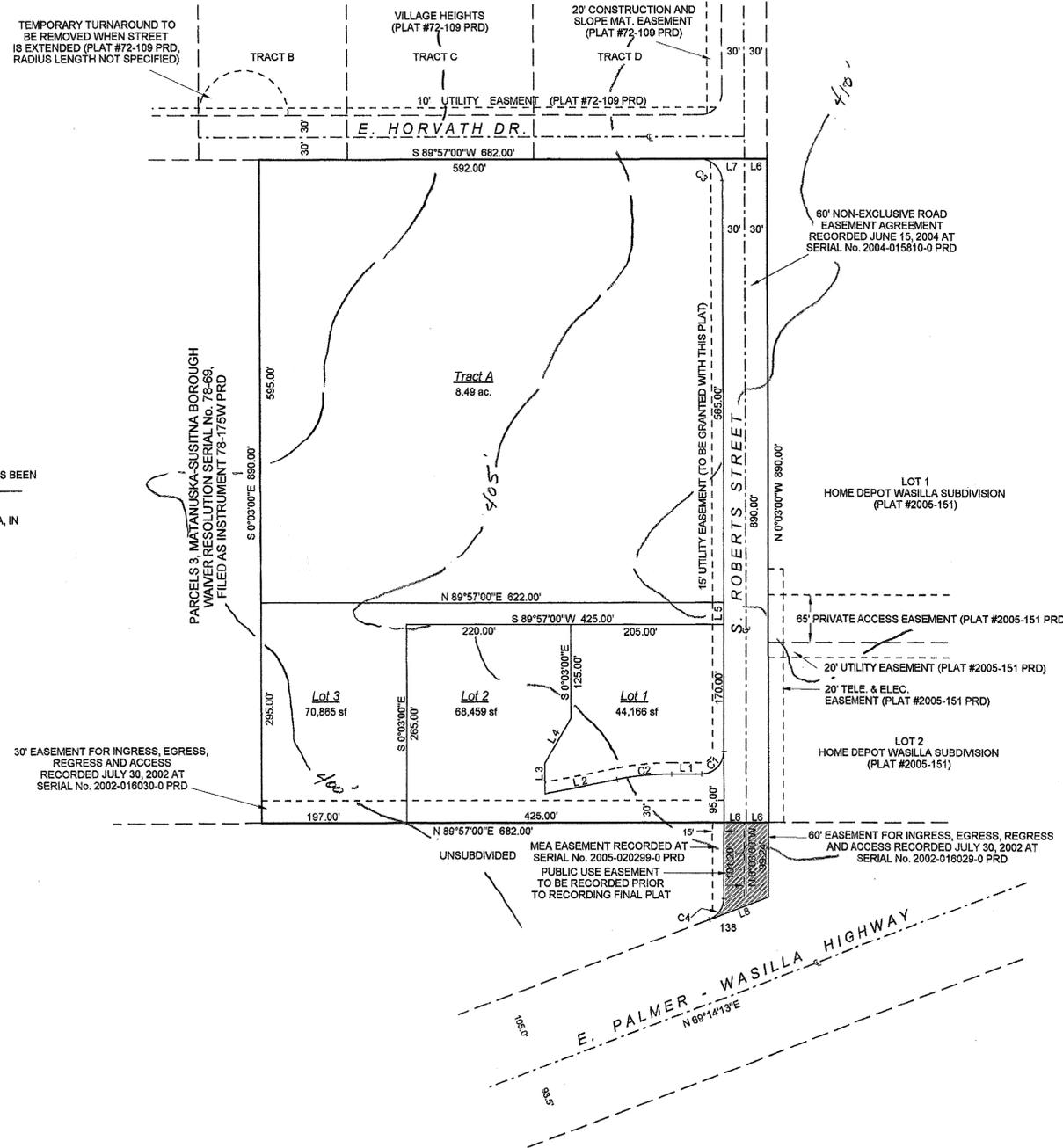
**CERTIFICATE OF PAYMENT OF TAXES**

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

DATE \_\_\_\_\_ CITY OF WASILLA TAX COLLECTION OFFICIAL

**NOTES**

- THERE MAY BE FEDERAL, STATE AND LOCAL REQUIREMENTS GOVERNING LAND USE. IT IS THE RESPONSIBILITY OF THE INDIVIDUAL PARCEL OWNER TO OBTAIN A DETERMINATION WHETHER SUCH REQUIREMENTS APPLY TO THE DEVELOPMENT OF THE PARCELS SHOWN HEREON.
- NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS SUCH SYSTEM IS LOCATED, CONSTRUCTED AND EQUIPPED IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS AND RECOMMENDATIONS OF THE STATE OF ALASKA, DEPARTMENT OF ENVIRONMENTAL CONSERVATION, WHICH GOVERNS THOSE SYSTEMS.
- LOT 1 SHALL BE SERVED BY THE CITY OF WASILLA WATER AND SEWER SYSTEMS.

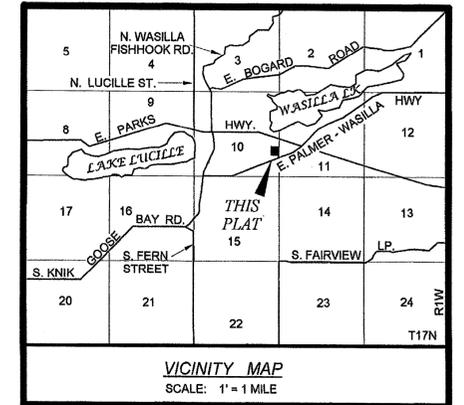


**CURVE DATA**

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
C1	90°00'00"	30.00	47.12	30.00	42.43	S 44°57'00"W
C2	11°07'54"	360.00	73.83	37.03	73.71	S 84°23'03"W
C3	90°00'00"	30.00	47.12	30.00	42.43	S 45°00'00"E
C4	69°17'13"	30.00	36.28	20.73	34.11	S 34°35'37"W

**LINE DATA**

Line	Bearing	Distance
L1	S 89°57'00"W	40.00'
L2	S 78°49'08"W	98.49'
L3	N 0°03'00"W	41.16'
L4	N 30°12'23"E	69.46'
L5	N 0°03'00"W	30.00'
L6	N 89°57'00"E	30.00'
L7	N 89°57'00"E	60.00'
L8	N 69°14'13"E	64.15'



VICINITY MAP  
SCALE: 1" = 1 MILE

**SCALE BAR**



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

**SURVEYOR'S CERTIFICATE**

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

JOHN SHADRACH  
REGISTERED LAND SURVEYOR LS-5122  
10/17/16  
DATE

**A PRELIMINARY PLAT OF**  
**T.D. BUSINESS PARK**

A SUBDIVISION OF  
PARCELS 1 AND 2, MATANUSKA-SUSITNA BOROUGH,  
WAIVER RESOLUTION SERIAL No. 78-69,  
FILED AS INSTRUMENT 78-175W  
LOCATED WITHIN  
SE1/4 SECTION 10, T17N, R1W,  
SEWARD MERIDIAN,  
PALMER RECORDING DISTRICT,  
THIRD JUDICIAL DISTRICT,  
STATE OF ALASKA  
CONTAINING 13.93 ACRES, MORE OR LESS

DRAWN BY: JS	FIELD BOOK:	PROJECT:
DATE: 9/25/2016		ROBERTS STREET
CHECKED:	DRAWING SCALE: 1" = 100'	SHEET: 1 OF 1

Agenda Copy

Agenda Copy

6A



## MATANUSKA-SUSITNA BOROUGH

### • PLATTING DIVISION •

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

## MEMORANDUM

Date: December 1, 2016

To: Platting Board

Thru: Fred Wagner, Platting Officer

From: Peggy Horton, Platting Technician

**RE: Dewy's Garden Add 5  
Case # 2016-102**

---

### Attachments:

Vicinity Map	Exhibit 1
Previous NOA	Exhibit 2
Minutes	Exhibit 3
Plat 99-88	Exhibit 4
PUE Locations	Exhibit 5
Sloten Email	Exhibit 6

### HISTORY:

The platting board approved Dewy's Garden Add 5 on October 6, 2016 and the written decision was completed on October 12, 2016 (**Exhibit 2 & 3**). The plat was approved and the developer requested a road construction permit through the Borough's Permit Center, as required by Condition #3. The ROW Coordinator, Andy Dean, would not issue the permit because the route from E. Maud Road to the subdivision was over a "60' wide Public Driveway Easement for Lot 1" created on the plat of Dewy's Garden Add 3, plat 99-88 (**Exhibit 4**). This is located on the pole portion of Tract A6-1. The Platting Board agreed to a public use easement over a triangular portion of Tract A6-1 so the subdivision lots will have contiguous right-of-way from the end of the pole portion of his lot to the subdivision road. What needs to be done now is extend that public use easement through the pole portion of Tract A6-1 to remove the ambiguity created with the words "Public Driveway Easement." **See Exhibit 5.**

Pursuant to MSB 43.35.005, *Reconsideration by Platting Board*, the staff decided to request this reconsideration on October 19, 2016, within 10 days of the date of the written notification of platting board action (NOA) to allow pertinent information concerning access to the Platting Board for their consideration.

Staff was informed that the ROW Coordinator would not issue a road construction permit for this easement because the plat note indicates the easement is only for Lot 1, not as access to any other lots, even though the words “public” are on the plat.

Pursuant to MSB 43.35.005(B)(2), the reconsideration may be heard by the platting board as the original approval was based on a mistake by the platting staff in not considering the “public driveway easement for Lot 1” a hindrance for issuing a road construction permit and not presenting this information to the Platting Board.

### **DISCUSSION:**

Mr. Hatley requested and received approval from the owner of Tract A6-1, Jason Sloten, for the “Public Driveway Easement” to become a public access easement for the subdivision (**Exhibit 6**). This change will need to be accepted by the Platting Board. Condition of Approval #2 reads “Obtain the Planning and Land Use Director’s signature on a final Public Use Easement document with attached drawing from a land surveyor formatted to State Recorder’s Office standards and signed by those having legal and equitable interest, in full compliance with Title 43, to be recorded with the plat.” This condition of approval would require that the owner of Tract A6-1 sign a public use easement documents over the pole portion of his lot and over the triangular section that accesses the Hatley property being divided. He understands this and is in agreement.

The conditions of approval do not need to be modified as they are already worded in a way that would include the new public use easement described above. Listed below are the conditions of approval as approved on October 6, 2016, written decision October 12, 2016 (**Exhibit 2**). The cleanest way to take care of this is to reapprove the subdivision in its entirety with modifications to findings 3 and 6 (**see underlined sections**) concerning the location of the public use easement and the addition of finding 17 concerning the reconsideration. Staff recommends the conditions of approval and findings as modified be approved.

***Recommended Motion:*** “**I move to approve a public use easement across Tract A6-1, Dewy’s Garden Addition 3, and the preliminary plat of Dewy’s Garden Addition 5 located within Section 6, Township 17 North, Range 3 East, Seward Meridian, Alaska, contingent on the following staff recommendations and findings:**”

### **RECOMMENDATIONS FOR PRELIMINARY PLAT AND PUBLIC USE EASEMENT:**

1. Provide to platting staff updated logs of test holes dug to 12' and an updated certification that

the proposed lots meet the requirements of MSB 43.20.281(A)(1) of 10,000 sq ft of contiguous useable septic area and 10,000 sq ft of useable building area.

2. Obtain the Planning and Land Use Director's signature on a final Public Use Easement document with attached drawing from a land surveyor formatted to State Recorder's Office standards and signed by those having legal and equitable interest, in full compliance with Title 43, to be recorded with the plat.
3. Construct N. Hatley Circle to pioneer standards minimum. Obtain a road construction permit from the ROW Coordinator. During construction, a licensed civil engineer must inspect the construction activities, and provide inspection reports following the "No Engineer Left Behind" guidelines.
4. Provide evidence from a land surveyor that the roads are constructed within the rights-of-way as required by MSB 43.20.140.
5. Obtain the borough's final acceptance of all the road improvements required.
6. Place plat notes on final plat per MSB 43.20.055(E).
7. Record a document granting a private access easement over the pole portions of Lots 1 & 2, for the benefit of Lots 1, 2, & 4 and graphically show on the final plat, indicating the common access onto N. Hatley Circle.
8. Place a 15' wide utility easement along the western property line from the t-tumaround to the north boundary as requested by MEA to provide utility access to Lot 1 and properties to the north or provide MEA signoff on the final plat.
9. Submit final plat in full compliance with Title 43.
10. Submit an affidavit from any holders of beneficial interest, if any, to be recorded with the plat per 43.15.053(A).
11. Provide updated Certificate to Plat executed within 90 days, prior to recording plat per MSB 43.15.053(E).
12. 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.
13. Submit recording fee, payable to the State of Alaska, DNR.
14. Submit cost estimate, schedule pre-construction meeting with DPW Engineer, pay 1% inspection fee and obtain Notice to Proceed.
15. Construct N. Yeti Street to residential sub collector standards. Provide engineer's final

inspection report along with verification from RLS that constructed roadways are located within proposed ROW per MSB 43.20.140, *Physical Access*, and obtain DPW Engineer Signoff.

**FINDINGS FOR PRELIMINARY PLAT AND PUBLIC USE EASEMENT:**

1. The preliminary plat of Dewys Garden Add 5 is consistent with MSB 43.15.016, *Preliminary Plat Submittal and Approval*, with the prior approval of a variance from MSB 43.20.140, *Physical Access*.
2. The variance from MSB 43.20.140, *Physical Access*, was approved by the Platting Board on March 3, 2016 (written decision March 10, 2016) to allow for a substandard intersection including a tangent and curve radius less than required in the MSB Subdivision Construction Manual for the access from AOL 206989 to the petitioner's property.
3. The public use easement over a portion of Tract A6-1, Dewys Garden Add 3 from E. Maud Road to the subdivision is consistent with AS 29.40.070, Platting Regulations and MSB 43.15.021, Public Use Easement Acceptance Procedure.
4. The majority of the test holes were dug to 11 feet and there is no indication in the useable area report that Mr. Hanson used MSB 43.20.281 to make his conclusions. MSB 43.20.281(A)(1)(b)(ii)(bb) requires test holes be dug to 12 feet. An updated useable area report is recommended certifying the useable septic and useable building areas comply with the definitions and requirements of MSB 43.20.281.
5. The internal road to lots 1 through 6 is essentially constructed as a driveway, but not proven to be of any standard. The drainage plan does not indicate any culverts or drainage easements necessary, but may be updated or revised due to road construction activities.
6. Mr. Jason Sloten has provided a final Public Use Easement document with attached drawing from a land surveyor formatted to State Recorder's Office standards and signed by those having legal and equitable interest, in full compliance with Title 43. This will provide legal access to Lots 1-6 and will be recorded with the plat. Mr. Sloten will have to amend that public use easement document to include an easement over the pole portion of his lot.
7. MSB Land Management provided a Public Use Easement, recorded at Serial # 2016-008577-0, providing access to the petitioner's property from AOL 206989 over borough land.
8. AOL 206989 that provides access to N. Yeti Street does not receive routine public maintenance, but has received maintenance by both the State of Alaska and the Borough several times throughout the years. MSB 43.20.055(A)(2) states, "The petitioner will not be required to upgrade any road prior to the subject parcel that is or has been maintained by the state or an incorporated municipality."
9. MSB 43.20.055(E) allows the platting board to reduce the road standards to minimum pioneer standard within and leading to a subdivision if physical access to the subdivision is being

improved, connectivity is improved, and the primary purpose of the proposed subdivision is for seasonal or recreational use provided that: (a) a note be placed on the plat that no borough funds will be expended to upgrade the roads; (b) before borough maintenance will be provided, the roads will have to be upgraded and accepted for maintenance by the public works department. N. Hatley Circle and N. Yeti Street will provide access to the subdivision and will be improved.

10. Title 43 does not define rural and remote subdivisions, and the borough has no way of limiting the use of properties for seasonal or recreational use, therefore, platting staff has interpreted MSB 43.20.055(E) without those two restrictions.

11. Mr. Hatley stated he intends to provide a private access easement over the pole portions of Lots 1 & 2 for the benefit of Lots 1, 2, & 4. This is to protect the existing driveways in to Lot 4.

12. The Current Planner commented that a Shoreline Setback Exception was approved for a structure set back less than 75 feet from McRoberts Creek. Staff notes this is for the abandoned cabin shown on the as-built drawing.

13. ADOT&PF, Platting Staff, and a response from the public suggested connecting N. Hatley Circle with N. Dewys Street. There is no code requirement to connect the two streets as each adjoining lot has legal access from E. Maud Road, N. Marley Drive, N. Dewys Street, or N. Hatley Circle.

14. The Lot and Block Design standards, per MSB 43.20.300 are met.

15. The lots have frontage per MSB 43.20.320, *Frontage*. The lots adjacent to a waterbody have frontage as required per MSB 43.20.340, Lot Dimensions.

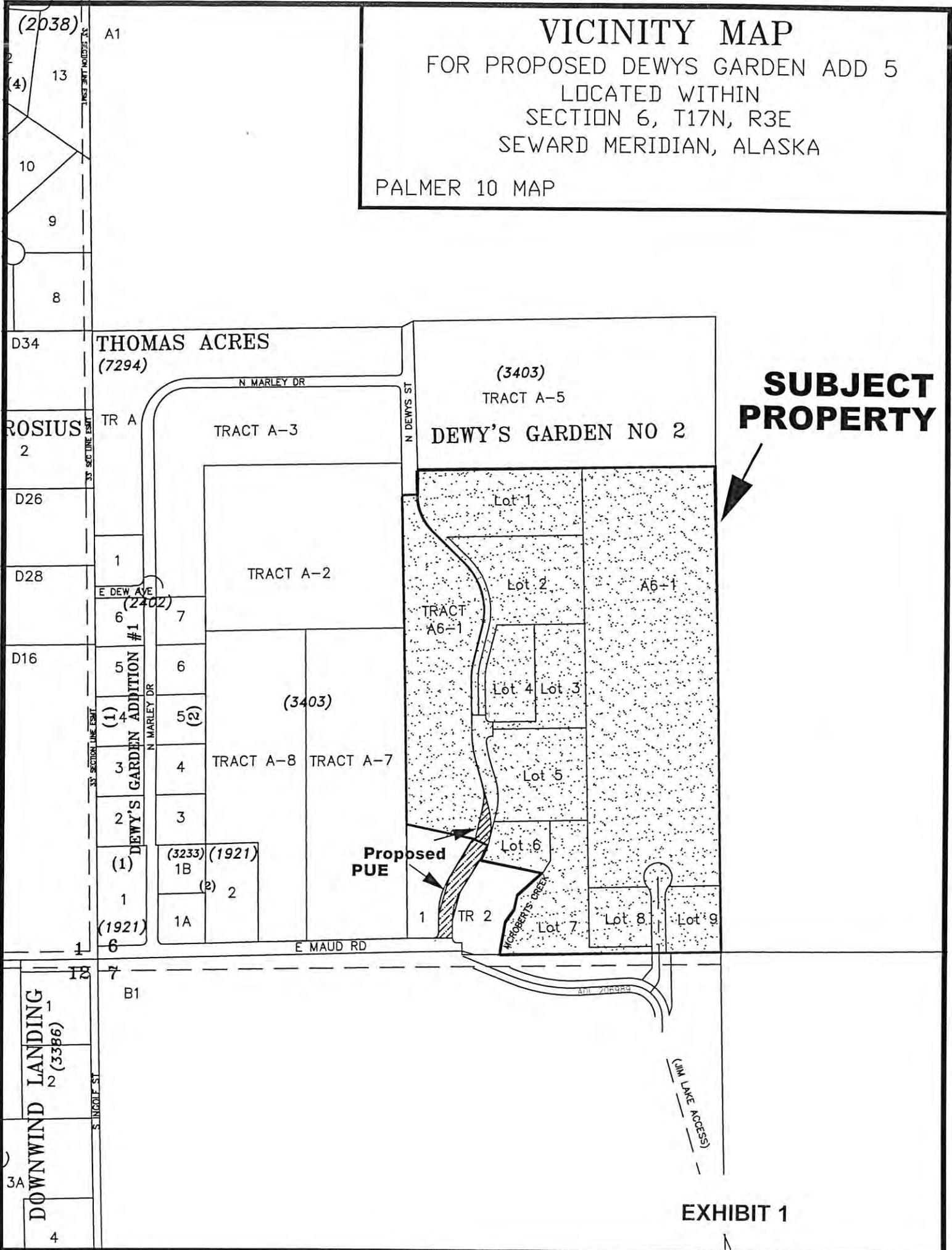
16. Mr. Hatley intends to build N. Yeti Street to Residential Sub Collector Standards.

17. Platting Staff requested reconsideration under MSB 43.35.005 and the Platting Board agreed to reconsider this case due to a mistake made by staff in not presenting the full facts of the case to the Platting Board for their decision. The fact that the pole portion was overlaid by a "Public Driveway Easement for Lot 1" and would need to be changed to a public use easement to allow public access to this subdivision was not disclosed to the Platting Board at the October 6, 2016 meeting.

# VICINITY MAP

FOR PROPOSED DEWYS GARDEN ADD 5  
LOCATED WITHIN  
SECTION 6, T17N, R3E  
SEWARD MERIDIAN, ALASKA

PALMER 10 MAP



**SUBJECT  
PROPERTY**

EXHIBIT 1



# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Platting Division

350 East Dahlia Avenue • Palmer AK 99645

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

October 12, 2016

## NOTIFICATION OF ACTION

Justin Hatley  
Jason Sloten  
18401 E. Maud Road  
Palmer, AK 99645

**RE: DEWYS GARDEN ADD 5**

**CASE: 2016-102**

Action taken by the Platting Board on October 6, 2016 is as follows:

THE PRELIMINARY PLAT FOR DEWYS GARDEN ADDITION 5 AND PUBLIC USE EASEMENT ACROSS TRACT A6-1 ON DEWYS GARDEN ADDITION 4 WAS APPROVED AND WILL EXPIRE ON OCTOBER 12, 2022 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

sv

cc:

DPW – Jamie Taylor

Edge Survey & Design  
12501 Old Seward Hwy, Unit D  
Anchorage, AK 99515

Ute Kragl & Mark Boutwell  
1143 N. Dewys Street  
Palmer, AK 99645

**Additional Plat Reviews After 2<sup>nd</sup> Final are \$100.00 Each**

**EXHIBIT 2-1**

**CONDITIONS of APPROVAL:**

The Platting Board approved the Preliminary Plat for Dewys Garden Addition 5 and public use easement across Tract A6-1 on Dewys Garden Addition 4, contingent upon the following:

1. Provide to platting staff updated logs of test holes dug to 12' and an updated certification that the proposed lots meet the requirements of MSB 43.20.281(A)(1) of 10,000 sq ft of contiguous useable septic area and 10,000 sq ft of useable building area.
2. Obtain the Planning and Land Use Director's signature on a final Public Use Easement document with attached drawing from a land surveyor formatted to State Recorder's Office standards and signed by those having legal and equitable interest, in full compliance with Title 43, to be recorded with the plat.
3. Construct N. Hatley Circle to pioneer standards minimum. Obtain a road construction permit from the ROW Coordinator. During construction, a licensed civil engineer must inspect the construction activities, and provide inspection reports following the "No Engineer Left Behind" guidelines.
4. Provide evidence from a land surveyor that the roads are constructed within the rights-of-way as required by MSB 43.20.140.
5. Obtain the borough's final acceptance of all the road improvements required.
6. Place plat notes on final plat per MSB 43.20.055(E).
7. Record a document granting a private access easement over the pole portions of Lots 1 & 2, for the benefit of Lots 1, 2, & 4 and graphically show on the final plat, indicating the common access onto N. Hatley Circle.
8. Place a 15' wide utility easement along the western property line from the t-turnaround to the north boundary as requested by MEA to provide utility access to Lot 1 and properties to the north or provide MEA signoff on the final plat.
9. Submit final plat in full compliance with Title 43.
10. Submit an affidavit from any holders of beneficial interest, if any, to be recorded with the plat per 43.15.053(A).
11. Provide updated Certificate to Plat executed within 90 days, prior to recording plat per MSB 43.15.053(E).
12. 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.
13. Submit recording fee, payable to the State of Alaska, DNR.
14. Submit cost estimate, schedule pre-construction meeting with DPW Engineer, pay 1% inspection fee and obtain Notice to Proceed.

**EXHIBIT 2-2**

15. Construct N. Yeti Street to residential sub collector standards. Provide engineer's final inspection report along with verification from RLS that constructed roadways are located within proposed ROW per MSB 43.20.140, Physical Access, and obtain DPW Engineer Signoff.

### **FINDINGS:**

1. The preliminary plat of Dewys Garden Add 5 is consistent with MSB 43.15.016, *Preliminary Plat Submittal and Approval*, with the prior approval of a variance from MSB 43.20.140, *Physical Access*.
2. The variance from MSB 43.20.140, *Physical Access*, was approved by the Platting Board on March 3, 2016 (written decision March 10, 2016) to allow for a substandard intersection including a tangent and curve radius less than required in the MSB Subdivision Construction Manual for the access from ADL 206989 to the petitioner's property.
3. The public use easement over a portion of Tract A6-1, Dewys Garden Add 3 is consistent with AS 29.40.070, *Platting Regulations* and MSB 43.15.021, *Public Use Easement Acceptance Procedure*.
4. The majority of the test holes were dug to 11 feet and there is no indication in the useable area report that Mr. Hanson used MSB 43.20.281 to make his conclusions. MSB 43.20.281(A)(1)(b)(ii)(bb) requires test holes be dug to 12 feet. An updated useable area report is recommended certifying the useable septic and useable building areas comply with the definitions and requirements of MSB 43.20.281.
5. The internal road to lots 1 through 6 is essentially constructed as a driveway, but not proven to be of any standard. The drainage plan does not indicate any culverts or drainage easements necessary, but may be updated or revised due to road construction activities.
6. Mr. Jason Sloten has provided a final Public Use Easement document with attached drawing from a land surveyor formatted to State Recorder's Office standards and signed by those having legal and equitable interest, in full compliance with Title 43. This will provide legal access to Lots 1-6 and will be recorded with the plat.
7. MSB Land Management provided a Public Use Easement, recorded at Serial # 2016-008577-0, providing access to the petitioner's property from ADL 206989 over borough land.
8. ADL 206989 that provides access to N. Yeti Street does not receive routine public maintenance, but has received maintenance by both the State of Alaska and the Borough several times throughout the years. MSB 43.20.055(A)(2) states, "The petitioner will not be required to upgrade any road prior to the subject parcel that is or has been maintained by the state or an incorporated municipality."

9. MSB 43.20.055(E) allows the platting board to reduce the road standards to minimum pioneer standard within and leading to a subdivision if physical access to the subdivision is being improved, connectivity is improved, and the primary purpose of the proposed subdivision is for seasonal or recreational use provided that: (a) a note be placed on the plat that no borough funds will be expended to upgrade the roads; (b) before borough maintenance will be provided, the roads will have to be upgraded and accepted for maintenance by the public works department. N. Hatley Circle and N. Yeti Street will provide access to the subdivision and will be improved.
10. Title 43 does not define rural and remote subdivisions, and the borough has no way of limiting the use of properties for seasonal or recreational use, therefore, platting staff has interpreted MSB 43.20.055(E) without those two restrictions.
11. Mr. Hatley stated he intends to provide a private access easement over the pole portions of Lots 1 & 2 for the benefit of Lots 1, 2, & 4. This is to protect the existing driveways in to Lot 4.
12. The Current Planner commented that a Shoreline Setback Exception was approved for a structure set back less than 75 feet from McRoberts Creek. Staff notes this is for the abandoned cabin shown on the as-built drawing.
13. ADOT&PF, Platting Staff, and a response from the public suggested connecting N. Hatley Circle with N. Dewys Street. There is no code requirement to connect the two streets as each adjoining lot has legal access from E. Maud Road, N. Marley Drive, N. Dewys Street, or N. Hatley Circle.
14. The Lot and Block Design standards, per MSB 43.20.300 are met.
15. The lots have frontage per MSB 43.20.320, *Frontage*. The lots adjacent to a waterbody have frontage as required per MSB 43.20.340, *Lot Dimensions*.
16. Mr. Hatley intends to build N. Yeti Street to Residential Sub Collector Standards.

**F. SANDY HILLS**

Sloan Von Gunten (Administrative Specialist)

- Stated that 53 public hearing notices were mailed out on September 14, 2016, to this date there have been 3 returns, 1 objection, no non-objections, and no concerns.

Amy Otto-Buchanan (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.

Frank Wheeler

- Asked for more clarification on what is being subdivided.

Pam Wheeler

- Asked about why the request is being brought forth to the platting board.
- Concerned about what the petitioner is doing to the property and what they will be building on the land.

Jay Van Diest (Chairman)

- Closed the public hearing.

Gary LoRusso (Petitioner's Representative)

- Agrees with all the recommendations.
- Explained DOT's reasons for the placement of the roadway.

**MOTION:**

- Mr. Johnson moved to approve the preliminary plat for Sandy Hills, seconded by Mr. Gillespie.

**DISCUSSION:**

- Clarified for the public that the platting board only deals with platting land not the development of land.
- Talked about the roadways and interconnectivity in the area.

**VOTE:**

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

**TIME: 2:25 P.M.**

**CD: 01:23:58**

**Mr. Marty Van Diest recused himself from Dewys Garden Add 5 RSB.**

**G. DEWYS GARDEN ADD 5, PUE**

**EXHIBIT 3-1**

Sloan Von Gunten (Administrative Specialist)

- Stated that 23 public hearing notices were mailed out on September 14, 2016, to this date there have been no returns, no objections, 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.

Justin Hatley (Petitioner's Representative)

- Agrees with all the recommendations.
- Gave an explanation of what they are doing with the property.
- Shared information regarding the bridge across the creek.
- Is not sure about the wordage on recommendation #3 & #7. Staff went over recommendations.

MOTION:

- Mr. Anderson moved to approve the preliminary plat for Dewys Garden Addition 5 and public use easement across Tract A6-1 on Dewys Garden Addition 4, seconded by Mr. Pugh. Modify recommendation #3 and Add #14 & #15. Add Findings #16.

RECOMMENDATIONS:

- Modify #3: "Construct N. Hatley Circle to Pioneer standards minimum." . . .
- Add #14: Submit cost estimate, schedule pre-construction meeting with DPW Engineer, pay 1% inspection fee and obtain Notice to Proceed.
- Add #15: Construct N. Yeti Street to residential sub collector standards. Provide engineer's final inspection report along with verification from RLS that constructed roadways are located within proposed ROW per MSB 43.20.140, Physical Access, and obtain DPW Engineer Signoff.

FINDINGS:

- Add #16: Mr. Hatley intends to build N. Yeti Street to Residential Sub Collector Standards.

VOTE:

- The motion passed with all in favor. There are 16 Findings.

**TIME: 3:11 P.M.**

**CD: 02:10:57**

**BREAK**

**TIME: 3:22 P.M.**

**CD: 02:22:02**

**EXHIBIT 3-2**

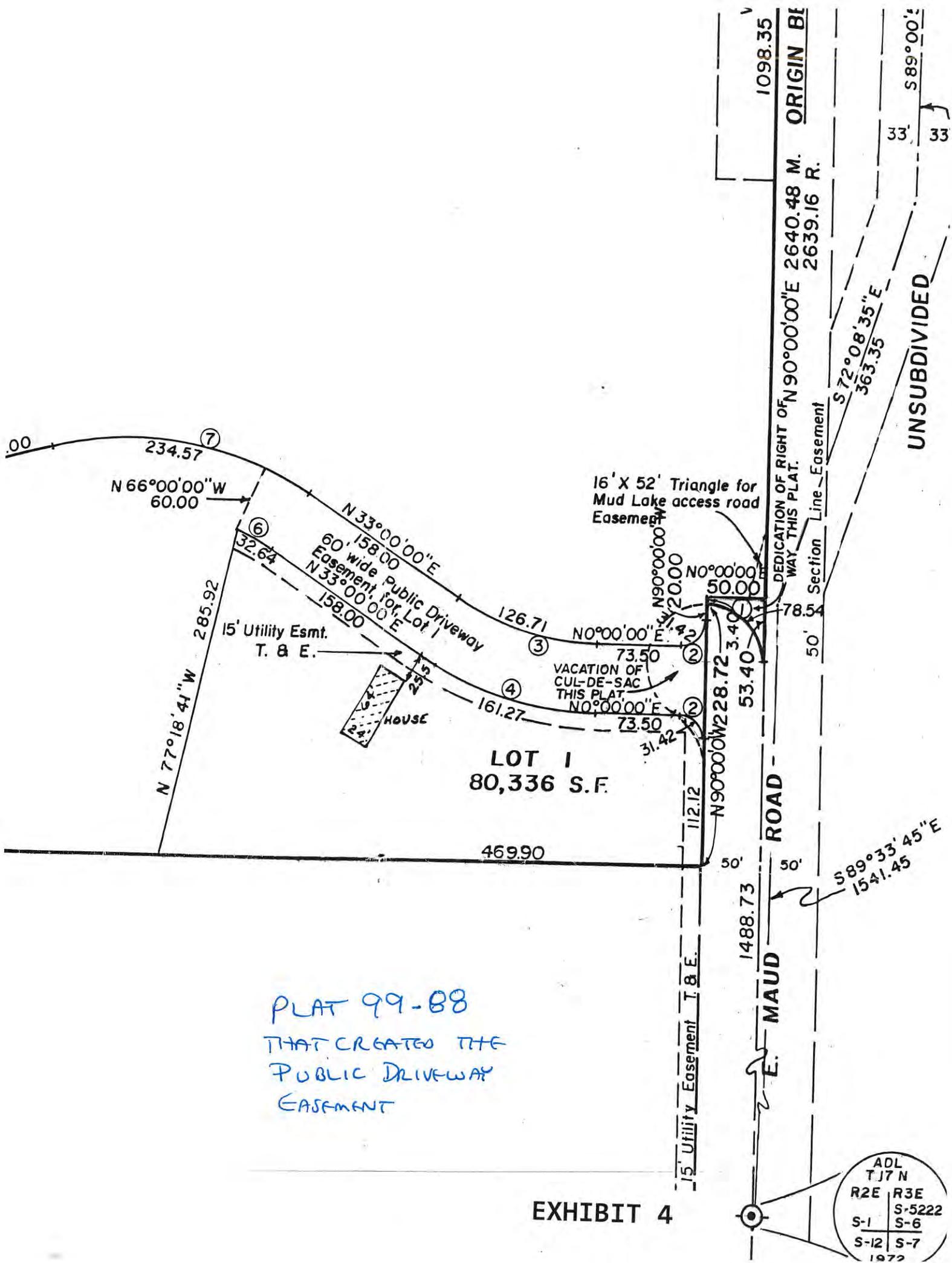
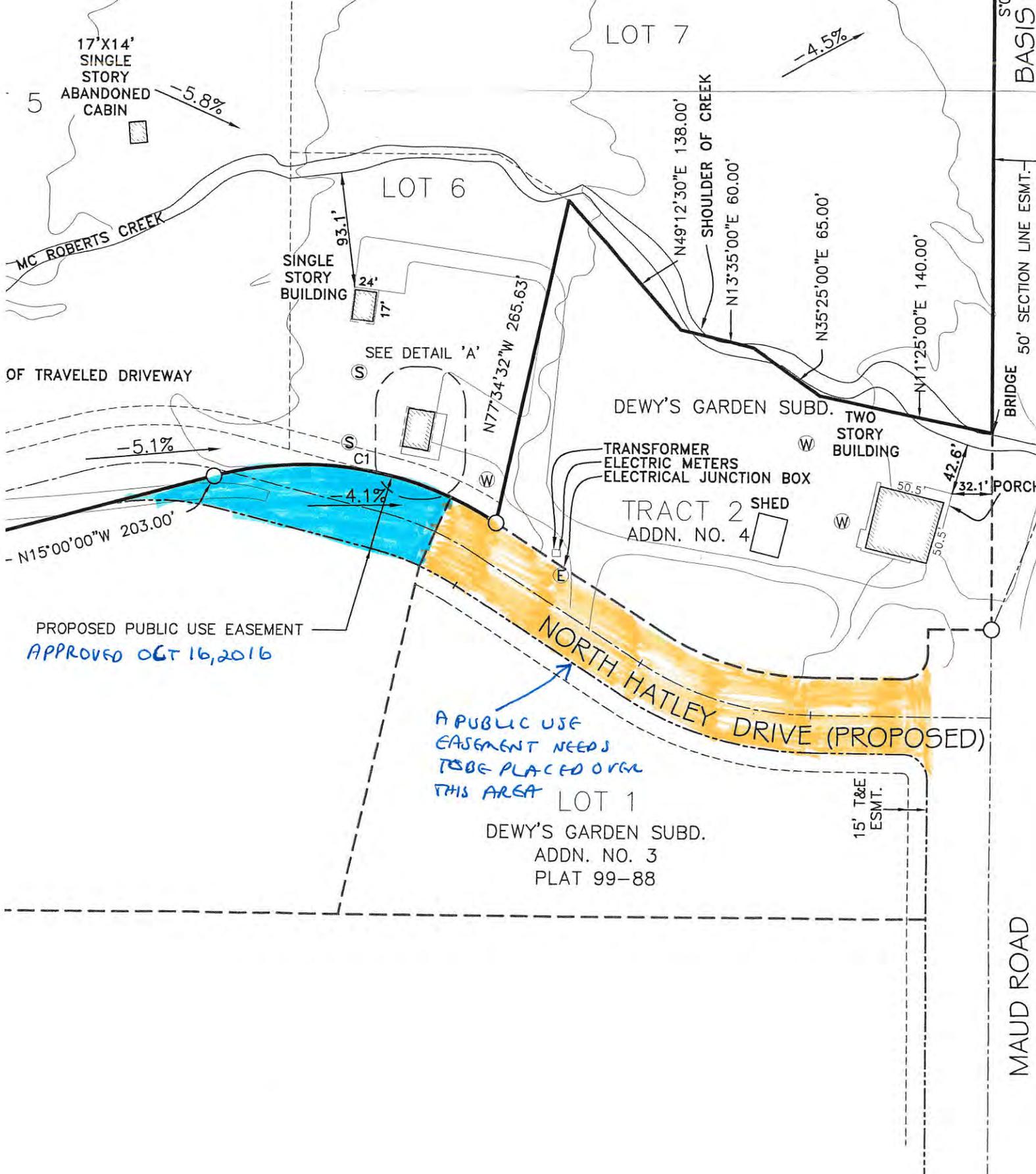


EXHIBIT 4

ADL	T	R	S
T	J	7	N
R	2	E	R
S	1	3	E
S	1	6	S
S	12	7	S
1972			



CERTIFICATE OF SURVEYOR

I HEREBY CERTIFY THAT THIS AS-BUILT WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND THE STRUCTURES EXIST AS OF THE DATE OF THE SURVEY. DATE OF SURVEY

EXHIBIT 5

## Peggy Horton

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**From:** Jd Hatley <jdhatley@yahoo.com>  
**Sent:** Friday, October 21, 2016 10:35 AM  
**To:** Peggy Horton  
**Subject:** Fwd: Dewy's Garden

See below,

Sent from my iPhone

Begin forwarded message:

**From:** jason sloten <[findjl@hotmail.com](mailto:findjl@hotmail.com)>  
**Date:** October 21, 2016 at 10:23:36 AM AKDT  
**To:** Jd Hatley <[jdhatley@yahoo.com](mailto:jdhatley@yahoo.com)>  
**Subject:** RE: Dewy's Garden

To whom it may concern,

I, Jason Sloten, offer no contest to changing the designation of the existing 60 foot public driveway easement from Maud Road north to my plot. The new designation should allow for access to all lots in Dewey's Garden additions #3 and #4.

Jason Sloten  
October 21, 2016

Sent from my Windows Phone

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**From:** Jd Hatley  
**Sent:** 10/20/2016 4:12 PM  
**To:** [jason.sloten](mailto:jason.sloten)  
**Subject:** Dewy's Garden

Jason,

I believe this is what the letter should look like.

I Jason Sloten give permission and offer no contest to changing the designation of the existing Public Driveway Easement on portions of my property to a Public Access easement to access all of Dewy's Garden Add # 3 and all of Dewy's Garden Add # 4 and all future lots contained on them.

Or to make it simpler you could just state I have no contest changing the current designation of the easement on my pot from a public driveway easement accessing lot 1 only, to a public access easement with no lot restrictions.

I hope that helps, yours in Dewy's Garden Add # 3 and mine is # 4.

Regards,

JD

Sent from my iPhone