

AGENDA

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD
AGENDA**

REGULAR MEETING

1:00 P.M.

December 15, 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 15, 2016
ASSEMBLY CHAMBERS
REGULAR MEETING
1:00 P.M.**

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

- A. December 1, 2016

3. UNFINISHED BUSINESS

4. PUBLIC HEARINGS

- *Does any board member need to disclose ex-parte contact or financial gain conflict for this case.*

- A. **JAMES & CHERILYN COOPER** (owners/petitioners): The request is to create 27 lots from Tract 1, Jim-N-I (Plat 2015-125), to be known as **JIM-N-I ADDITION 1 MASTER PLAN**, containing 33.9 acres +/- . This is a four phase master plan. Access will be from newly constructed streets. Located within NE ¼ Sec 19, T18N, R01E, S.M. AK, lying east of Wasilla-Fishhook Road, south of Pamela Drive and west of Sorrelwood Street. Community Council: N/A, Assembly District: #6: Barbara Doty

- *Does any board member need to disclose ex-parte contact or financial gain conflict for this case.*

B. **WALTER NEWMAN AND ERIC & KELLY MOXLEY** (owners/petitioners): The request is to adjust the right-of-way of W. Lauren Drive, due to an encroachment of the right-of-way setback of a structure on Lot 1. The right-of-way will be adjusted north, thus changing lot lines of Lots 1, 10 and 11, Hilltop Estates, Plat No. 2005-164. The new lots will be known as **LOTS 1A, 10A & 11A, HILLTOP ESTATES**, containing 12.3 acres +/- . The petitioner will also be vacating an existing 15' wide utility easement on the north side of W. Lauren Drive and replacing it with a 15' wide utility easement north adjoining the new right-of-way line. Located within Sec 17, T19N, R04W, S.M. AK, lying east of W. Parks Highway and west of N. Kacey Circle and N. Jesse Circle. Community Council: Willow, Assembly District: #7: Randall Kowalke

- *Does any board member need to disclose ex-parte contact or financial gain conflict for this case.*

C. **AGIM DELOLLI** (owners/petitioners): The request is to divide Tract A Creekside Heights, Plat #2007-49, into 2 lots to be known as **LOTS 1 & 2, CREEKSIDE HEIGHTS 2016**, containing 8.44 acres +/- . The petitioner is requesting a variance from MSB 43.20.300, Lot and Block design, to allow for the creation of Lot 1 with a flag pole width of less than 30 feet. Lot 1 has 60' of road frontage on S. Creekside Circle, but the pole portion narrows to 25 feet. This petitioner is also requesting a variance from MSB 43.20.140, Physical Access, waiving construction of E. Brome Avenue for access to Lot 2. If approved Lot 2 would not have access to a constructed public road. Located within Sec 17, T17N, R01E, S.M. AK, lying west of Wasilla Creek, north and east of the E. Brome Avenue and S. Creekside Circle. Community Council: Gateway, Assembly District: #3: George McKee

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

A. Introduction for the January 5, 2017 Platting Board Hearing (*Informational Only – Subject to change*)

- Snider RSB L/20, Case 2016-168
- Gothberg Add 1 RSB L/A-C, Case 2016-101
- Jim-N-I Add 1 MSP, Case 2016-146
- ASLS 2015-11. Case 2016-110

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), or at various libraries within the borough.

MINUTES

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on December 1, 2016, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 1:00 P.M. by the Chairman, Mr. Jay Van Diest.

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

Platting Board members present and establishing a quorum:

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

Staff in attendance:

- Ms. Sloan Von Gunten, Administrative Specialist
- Mr. Fred Wagner, Platting Officer
- Ms. Peggy Horton, Platting Technician

B. THE PLEDGE OF ALLEGIANCE

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

Mr. Marty Van Diest 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 17, 2016 were approved without objection.

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

A. EVANS

Sloan Von Gunten (Administrative Specialist)

- Stated that 39 public hearing notices were mailed out on November 10, 2016, to this date there have been no returns, no objections, no non-objections, and no concerns.

Peggy Horton (Platting Technician)

- Gave an overview of the case, # 2016-150.

Mr. Anderson arrived at the meeting.

Jay Van Diest (Chairman)

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

Skip Evans (Petitioner)

- Agrees with all the recommendations.

MOTION:

- Mr. Johnson moved to approve the preliminary plat for Evans, seconded by Mr. Marty Van Diest.

VOTE:

- The motion passed with all in favor. There are 7 findings.

TIME: 1:19 P.M.

CD: 0:15:18

B. DOBKOWSKI

Sloan Von Gunten (Administrative Specialist)

- Stated that 33 public hearing notices were mailed out on November 10, 2016, to this date there have been 1 return, no objections, no non-objections, and no concerns.

Peggy Horton (Platting Technician)

- Gave an overview of the case, # 2016-151.

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.

The Petitioner or the Petitioner's Representative was not present.

MOTION:

- Mr. Anderson moved to approve the preliminary plat for Dobkowski, seconded by Mr. Rausa. Add Finding #12.

FINDINGS:

- Add #12: The Army Corps of Engineers and MSB Environmental Planner stated there are significant wetlands on Lot 6 and a US Army Corp permit may be required.

VOTE:

- The motion passed with all in favor. There are 12 findings.

TIME: 1:34 P.M.

CD: 0:30:47

Mr. Rausa recused himself from TD Business Park

C. TD BUSINESS PARK & PUE

Sloan Von Gunten (Administrative Specialist)

- Stated that 94 public hearing notices were mailed out on November 10, 2016, to this date there have been 5 returns, no objections, 1 non-objection, and no concerns.

Peggy Horton (Platting Technician)

- Gave an overview of the case, # 2016-155/156.

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.

John Shadrach (Petitioner's Representative)

- The Petitioner has filed with the City of Wasilla a Land Permit to start clearing.
- Agrees with all the recommendations.

MOTION:

- Mr. Johnson moved to approve the preliminary plat for TD Business Park and the public use easement granted for access across an adjoining parcel, seconded by Mr. Paugh.

DISCUSSION:

- Discussion on naming convention.

VOTE:

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

TIME: 1:50 P.M.

CD: 0:46:44

Mr. Rausa Returned to his seat.

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

5. ITEMS OF BUSINESS & MISCELLANEOUS

Mr. Marty Van Diest Recused himself from Dewys Garden Add #5.

6. RECONSIDERATIONS/APPEALS

A. DEWYS GARDEN ADD #5

Sloan Von Gunten (Administrative Specialist)

- Stated that 23 public hearing notices were mailed out on November 10, 2016, to this date there have been no returns, no objections, no non-objections, and no concerns.

Peggy Horton (Platting Technician)

- Gave an overview of the case, # 2016-102.

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.

The Petitioner or the Petition's Representative was not present.

MOTION:

- Mr. Rausa moved to approve the public use easement across Tract A6-1, Dewy's Garden Addition 3, and the preliminary plat for Dewy's Garden Addition 5, seconded by Mr. Pugh. Add Finding #18.

FINDINGS:

- Add #18: There is an electrical utility box within the pole portion of Tract A6-1.

VOTE:

- The motion passed with all in favor. There are 18 findings.

TIME: 2:14 P.M.

CD: 01:10:03

7. PLATTING STAFF & OFFICER COMMENTS

- There will be 3 cases to be heard at the next platting board meeting.
- Went over the handout on the agenda example for Quasi-Judicial Actions.
- The Administrative Specialist will put in the next Agenda the statement the board agreed upon: "Does any board member need to disclose ex-parte contact or financial gain

conflict for this case.”

- The BOAA will be hearing Blue Grouse Hill on December 2, 2016. The platting board cannot attend due to the open meeting act & conflict of interest.
- The Administrative Specialist gave an update on the vacancy report and the new applications for the vacant seats.

8. BOARD COMMENTS

- No Comments

9. ADJOURNMENT

Adjourned: 02:30 P.M.

CD: 01:25:28

Jay Van Diest, Chairman

Sloan Von Gunten
Administrative Specialist

4A



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

MEMORANDUM

Date: December 15, 2016

To: Platting Board

From: Cheryl Scott, Platting Technician

RE: JIM-N-I ADDITION 1 MSP

Case #: 2016-146

The petitioner and staff have agreed to continue this case until January 5, 2017. The request for the continuance is to allow staff time to resend notification of public hearing due to a redesign of the subdivision.

Vicinity Map **Exhibit A**
Request for Continuance **Exhibit B**

Suggested motion: “I move to continue the public hearing for JIM-N-I Addition 1 Master Plan, located within Section 19, Township 18 North, Range 1 East, Seward Meridian, Alaska, until January 5, 2017.”

Cheryl Scott

From: Craig Hanson <ceh@hansonssurveying.com>
Sent: Thursday, December 01, 2016 10:38 AM
To: Cheryl Scott
Subject: Jim-N-I Continuation

Good morning, Cheryl,

Sam just brought over the 14 copies of Jim-N-I Subdivision with the latest design.

Please continue our Platting Action to allow it to be heard at the January 5th, 2017 hearing.

--

Respectfully,
Craig Hanson RLS
Hanson Surveying & Mapping, LLC
305 E. Fireweed Ave.
Palmer, AK 99645
(907)746-7738

4B

**STAFF REVIEW AND RECOMMENDATIONS
PUBLIC HEARING
DECEMBER 15, 2016**

PRELIMINARY PLAT: **HILLTOP ESTATES RSB LOTS 1, 10 & 11
PARTIAL VACATION OF W. LAUREN DRIVE
15' WIDE UTILITY EASEMENT MODIFICATION**

LEGAL DESCRIPTION: **SEC 17, T19N, R04W, SEWARD MERIDIAN, AK**

PETITIONER(S): **WALTER E. NEWMAN; ERIC & KELLY MOXLEY**

SURVEYOR: **R & K LAND SUREYING, RICK WENTWORTH, RPLS**

ACRES: 12.3 ± PARCELS: 3

REVIEWED BY: **AMY OTTO-BUCHANAN CASE: 2016-142, 143 & 144**

REQUEST: The request is to adjust the right-of-way of W. Lauren Drive, due to an encroachment of the right-of-way setback of a structure on Lot 1. The right-of-way will be adjusted north, thus changing lot lines of Lots 1, 10 and 11, Hilltop Estates, Plat No. 2005-164, Section 17, Township 19 North, Range 04 West SM AK, containing 12.3+ acres. The new lots will be known as LOTS 1A, 10A & 11A. Petitioner will also be vacating an existing 15' wide utility easement on the north side of W. Lauren Drive and replacing it with a 15' wide utility easement north adjoining the new right-of-way line.

EXHIBITS

Vicinity Map, Aerial Photo, Bare Earth Imagery	Exhibit A – 5 pgs
As-Built & Topo, DEC Septic Info	Exhibit B – 5 pgs
Petition for Vacation of Right-of-Way	Exhibit C – 3 pgs
Petition for Modification of Utility Easement	Exhibit D – 2 pgs
Vacation Posting Affidavit and Photo	Exhibit E – 3 pgs

AGENCY COMMENTS

Department of Public Works Operations & Maintenance	Exhibit F – 1 pg
Land & Resource Management Division	Exhibit G – 1 pg
Department of Emergency Services	Exhibit H – 1 pg
Utilities	Exhibit I – 7 pgs
Agencies	Exhibit J – 1 pg
Site visit report with photos, dated November 10, 2016	Exhibit K – 5 pgs

DISCUSSION:

The subject parcel is located east of W. Parks Highway in the Willow Area, south of W. Long Lake Road, southwest of Ruth Lake and northwest of Jack Lake. Lot 10 is 3.04 acres; Lot 1 is 3.42 acres; and Lot 11 is 4.36 acres.

Petition for Vacation of Right-of-Way: Petition for Vacation of Right-of-Way is at **Exhibit C**, pursuant to MSB 43.15.035. Petitioner is proposing to vacate a portion of W. Lauren Drive, due to a setback encroachment of a structure on the south side of the street. Petitioner proposes to replace the vacated right-of-way with a 15' wide Utility and Slope Maintenance Easement. This will be in addition to the existing platted 15' wide utility easement, granted on Plat No. 2005-164, on the south side of W. Lauren Street. Petitioner also proposes to grant a replacement right-of-way on the north side of W. Lauren Drive. Surveyor of record has provide a sketch (**Exhibit C-3**), showing the alignment of the current street and how it relates to the realignment of the right-of-way. Assembly approval of the vacation is required (see **Recommendations #1**), pursuant to MSB 43.10.065(F). Petitioner is required to post and maintain notification of the vacation for 30 days prior to the public hearing. An affidavit of the posting, a copy of the posting and a photo of the posting have been provided to Platting staff, pursuant to MSB 43.10.065(G), at **Exhibit E**.

Petition for Modification of Utility Easement: Petition for Modification of Utility Easement is at **Exhibit D**, pursuant to MSB 43.15.032. There is an existing platted 15' wide utility easement on the north side of W. Lauren Street, granted on Plat No. 2005-164. In order to grant the additional replacement right-of-way to the north adjoining the current right-of-way of W. Lauren Street, the 15' wide utility easement is required to be vacated, and then a 15' wide utility easement granted north adjoining of the new right-of-way alignment of W. Lauren Street. Assembly approval of the modification is required (see **Recommendation #2**). Staff notes it will be the responsibility of the petitioner to move any existing utility plants in the existing 15' wide utility easement.

Soils: A geotechnical report was not required as this is a vacation plat that is not substantially changing the existing lot sizes. Petitioner has provided ADEC documentation of construction of the existing septic system on Lot 1 (**Exhibit B**). Lot 10 and Lot 11 are undeveloped A geotechnical report done by Curt Holler, PE, Holler Engineering in 2004, is in the file of Hilltop Estates, Plat No. 2005-164.

Access: Legal and physical access to the proposed lots are required pursuant to MSB 43.20.100 Access Required, MSB 43.20.120 Legal Access and MSB 43.20.140 Physical Access. Access requirements are met, as W. Lauren Drive is 60' wide platted right-of-way; street is owned and maintained by MSB. Pursuant to MSB 43.20.320 Frontage, each lot has 60' frontage onto W. Lauren Drive.

Comments: Department of Public Works Operations & Maintenance (**Exhibit F**) Civil Engineer has no objections; this exactly fulfills the request from the pre-application. Land and Resource Management Division (**Exhibit G**) notes no MSB owned lands are affected and has no objection to the subdivision or the vacation and modification. Department of Emergency Services (**Exhibit H**) has no objections. Site visit report with photos, dated November 11, 2016 at **Exhibit K**. Staff notes the petitioner has applied for a driveway permit for the existing driveway and the application is on file with Platting staff.

Utilities: (**Exhibit I**) MTA objects to the elimination of the utility easement within Lot 1, as they have buried telecommunications within the existing utility easement. *Staff notes*

petitioner is not eliminating the utility easement within Lot 1. The revised plat was sent to MTA and they approved as shown. MEA also has existing underground primary electric cable in the existing easement along the southeast side of the existing road right-of-way and objects to the relocation of the existing utility easement, and to the addition of a slope easement to the utility easement. Facilities should be located and added to the as-built to allow MEA to provide further comments on the proposed changes. *Staff notes petitioner does not plan on eliminating the utility easement within Lot 1; only the right-of-way. Staff notes surveyor provided a revised plat and also a diagram of utility locates; this information was provided to MEA, and MEA approved as shown.* GCI has no objections as their facilities are on the west side going north/south and don't seem to be in the way. Enstar has no comments, recommendations or objections.

Agencies: (Exhibit J) ADOT&PF notes no direct access will be granted to the Parks Highway; all access must be to W. Lauren Drive, N. Kacey Circle and N. Jessie Circle.

At the time of staff report write-up, there were no responses to the Request for Comments (RFC) from US Army Corps of Engineers; ADF&G; Willow Area Community Council; Road Service Area #20 Greater Willow; MSB Assessments, Planning, Permit Center, or Pre-Design Division.

CONCLUSION: The preliminary plat of Hilltop Estates RSB Lots 1, 10 & 11, the vacation of the right-of-way and the modification of the utility easement are consistent with AS 29.40.070 Platting Regulations, MSB 43.15.016 Preliminary Plats, MSB 43.15.035 Vacations, and MSB 43.15.032 Modification of Utility Easement. There were no objections to the plat from any federal or state agency, Borough department or utilities. No objections were received from the general public in response to the Notice of Public Hearing. Legal and physical access is provided to the proposed lots, consistent with MSB 43.20.100 Access Required, MSB 43.20.120 Legal Access and MSB 43.20.140 Physical Access. Frontage for the subdivision exists pursuant to MSB 43.20.320 Frontage. A geotechnical report was not required as the vacation plat is not substantially changing the existing lot sizes and petitioner provided ADEC documentation of construction of the existing septic system on Lot 1.

RECOMMENDATION FOR APPROVAL OF PRELIMINARY PLAT

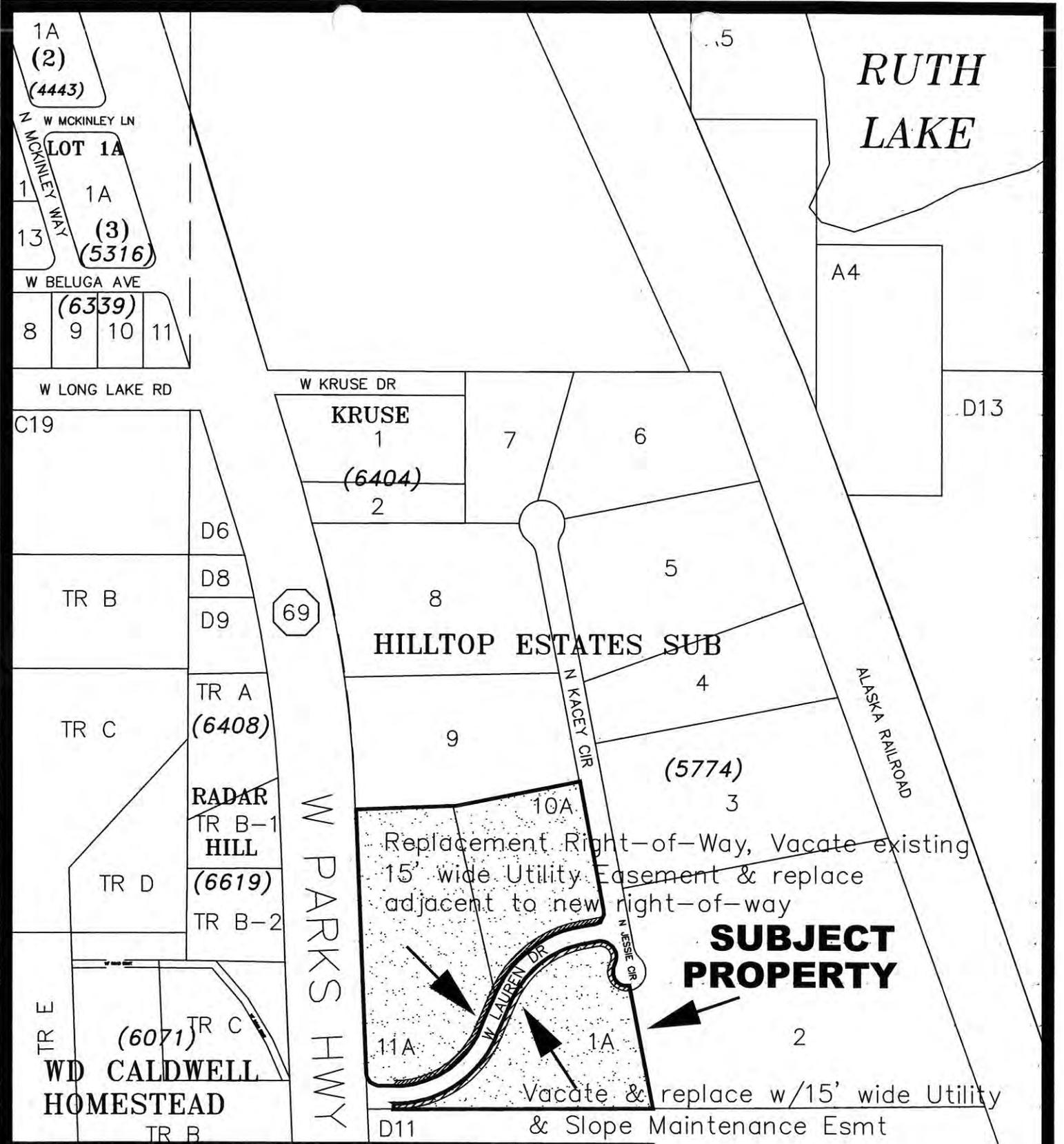
Suggested motion: "I move to approve the preliminary plat of Hilltop Estates RSB Lots 1, 10 & 11, the vacation of right-of-way and the modification of the utility easement, Section 17, Township 19 North, Range 04 West, Seward Meridian, Alaska, contingent on staff recommendations:"

1. Obtain approval from the Assembly for the vacation of the right-of-way.
2. Obtain approval from the Assembly for the modification of the utility easement.
3. Taxes and special assessments must be current prior to the recording, pursuant to MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.
4. Pay mailing and advertising fees.
5. Provide updated Certificate to Plat executed within 90 days of recording and submit Beneficiary Acknowledgement for any holder of a beneficial interest.

6. Show or list all easements of record on final plat.
7. Submit recording fee payable to State of Alaska, Department of Natural Resources (SOA/DNR).
8. Submit final plat in full compliance with Title 43.

FINDINGS for PRELIMINARY PLAT

- 1) The plat of Hilltop Estates RSB Lots 1, 10 & 11 is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.016 Preliminary Plats.
- 2) The vacation of the right-of-way is consistent with MSB 43.20.035 Vacations.
- 3) The modification of the utility easement is consistent with MSB 43.20.032 Modification of Utility Easements.
- 4) There were no objections from any federal or state agencies, Borough departments, or utilities.
- 5) No objections were received from the general public in response to the Notice of Public Hearing.
- 6) At the time of staff report write-up, there were no responses to the Request for Comments (RFC) from US Army Corps of Engineers; ADF&G; Willow Area Community Council; Road Service Area #20 Greater Willow; MSB Assessments, Planning, Permit Center, or Pre-Design Division.
- 7) Lot sizes and useable area are consistent with MSB 43.20.281 Area
- 8) Frontage for the subdivision exists pursuant to MSB 43.20.320 Frontage.
- 9) Legal and physical access are provided to the proposed lots, consistent with MSB 43.20.100 Access Required, MSB 43.20.120 Legal Access, and MSB 43.20.140 Physical Access.
- 10) Petitioner posted and maintained notification of the vacation for 30 days prior to the public hearing.
- 11) An affidavit of the vacation posting was provided to Platting staff, pursuant to MSB 43.10.065(G).
- 12) Approval from the Assembly for the right-of-way vacation and the modification of the utility easement is required.
- 13) It is the responsibility of the petitioner to move any existing utility plants in the existing 15' wide utility easement.
- 14) A geotechnical report was not required as the vacation plat is not substantially changing the existing lot sizes. ADEC documentation of construction of the existing septic system on Lot 1 was provided. A geotechnical report done by Curt Holler, PE, Holler Engineering in 2004, is on the file in Hilltop Estates, Plat No. 2005-164.



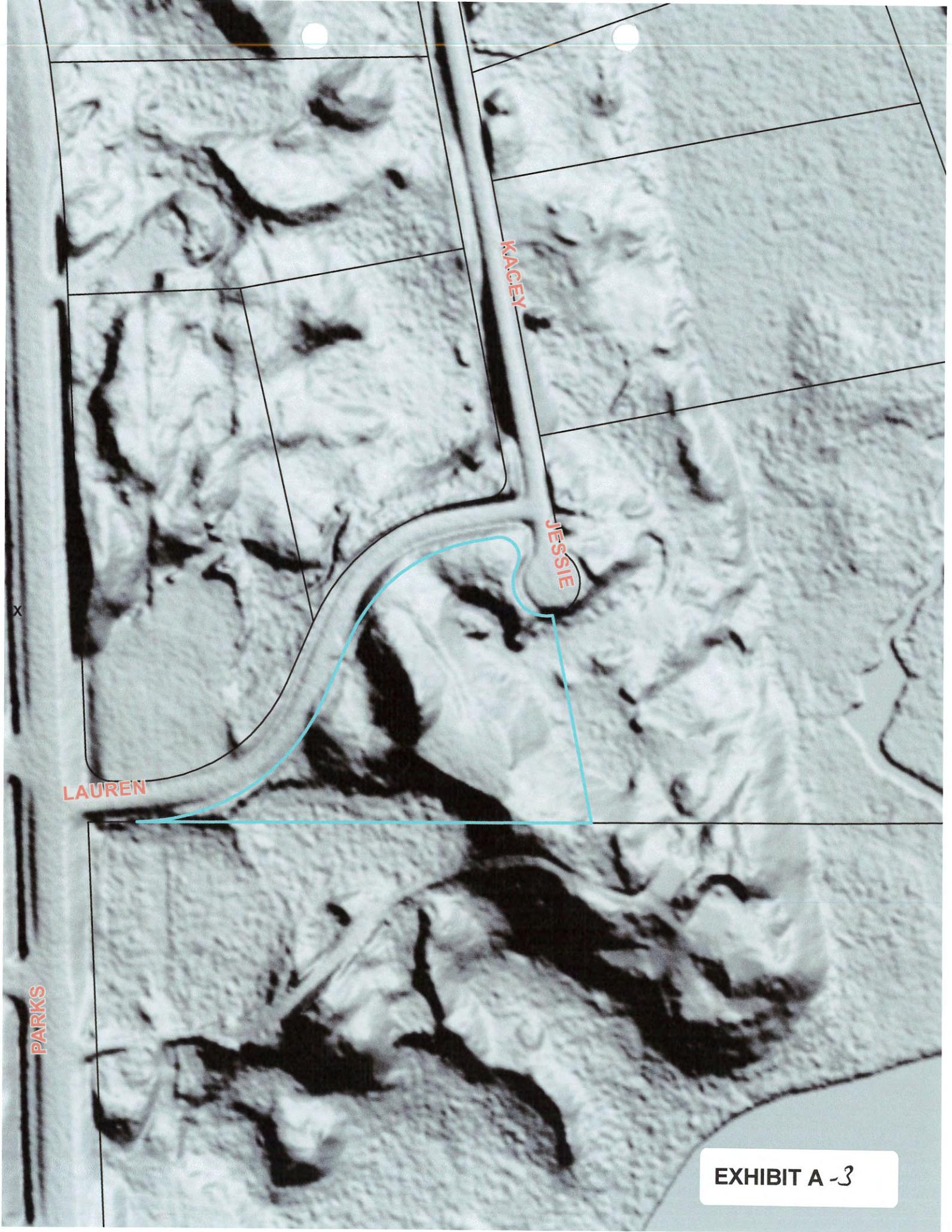
VICINITY MAP

FOR HILLTOP EST RSB L/1, 10 & 11
 VACATION OF RIGHT-OF-WAY (PARTIAL) &
 UTILITY EASEMENT
 LOCATED WITHIN
 SECTION 17, T19N, R04W, SEWARD MERIDIAN,
 ALASKA
 WILLOW 10 MAP

EXHIBIT A -1

**JACK
LAKE**





KACEY

JESSIE

LAUREN

PARKS

X

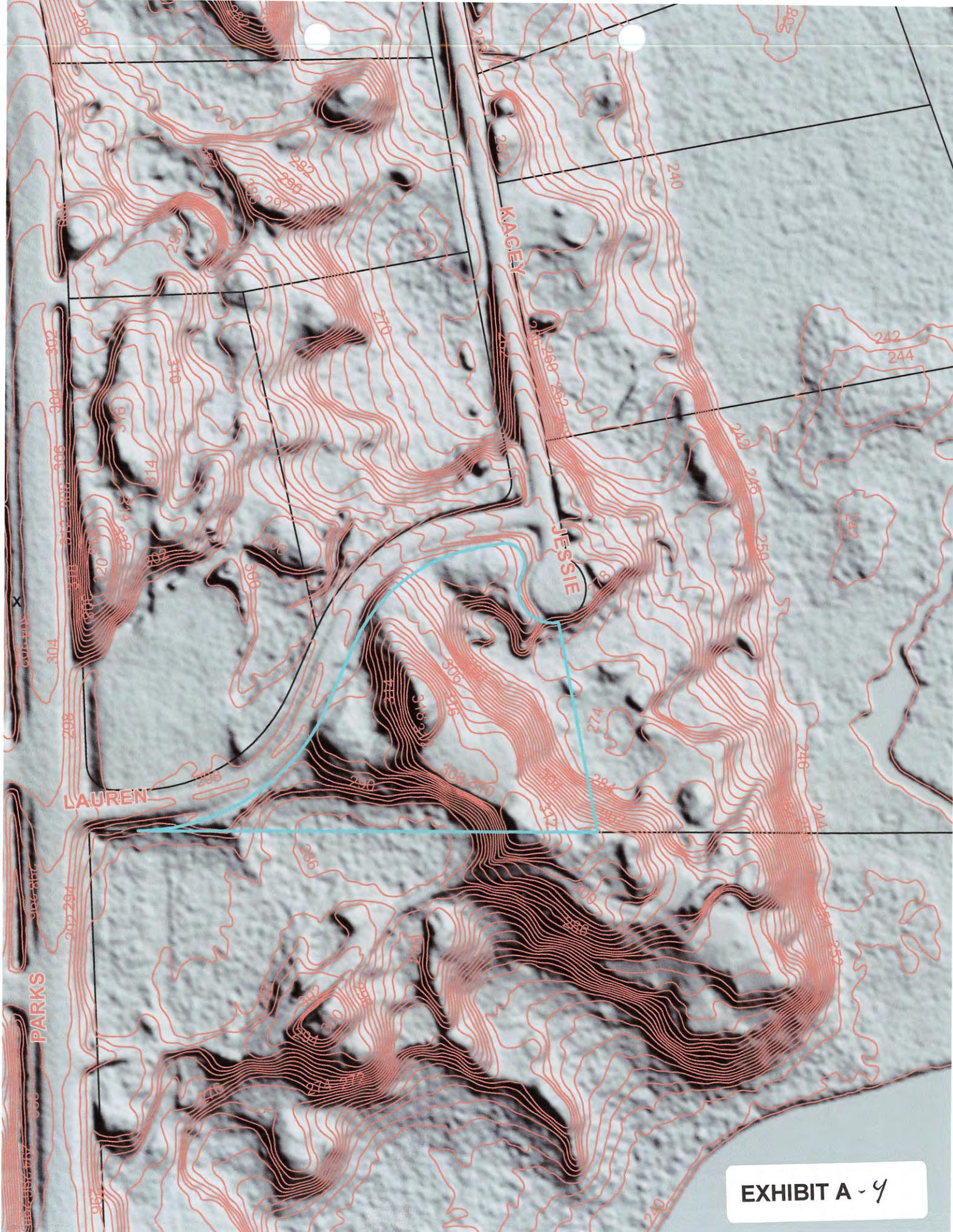


EXHIBIT A - 9



EXHIBIT A-5

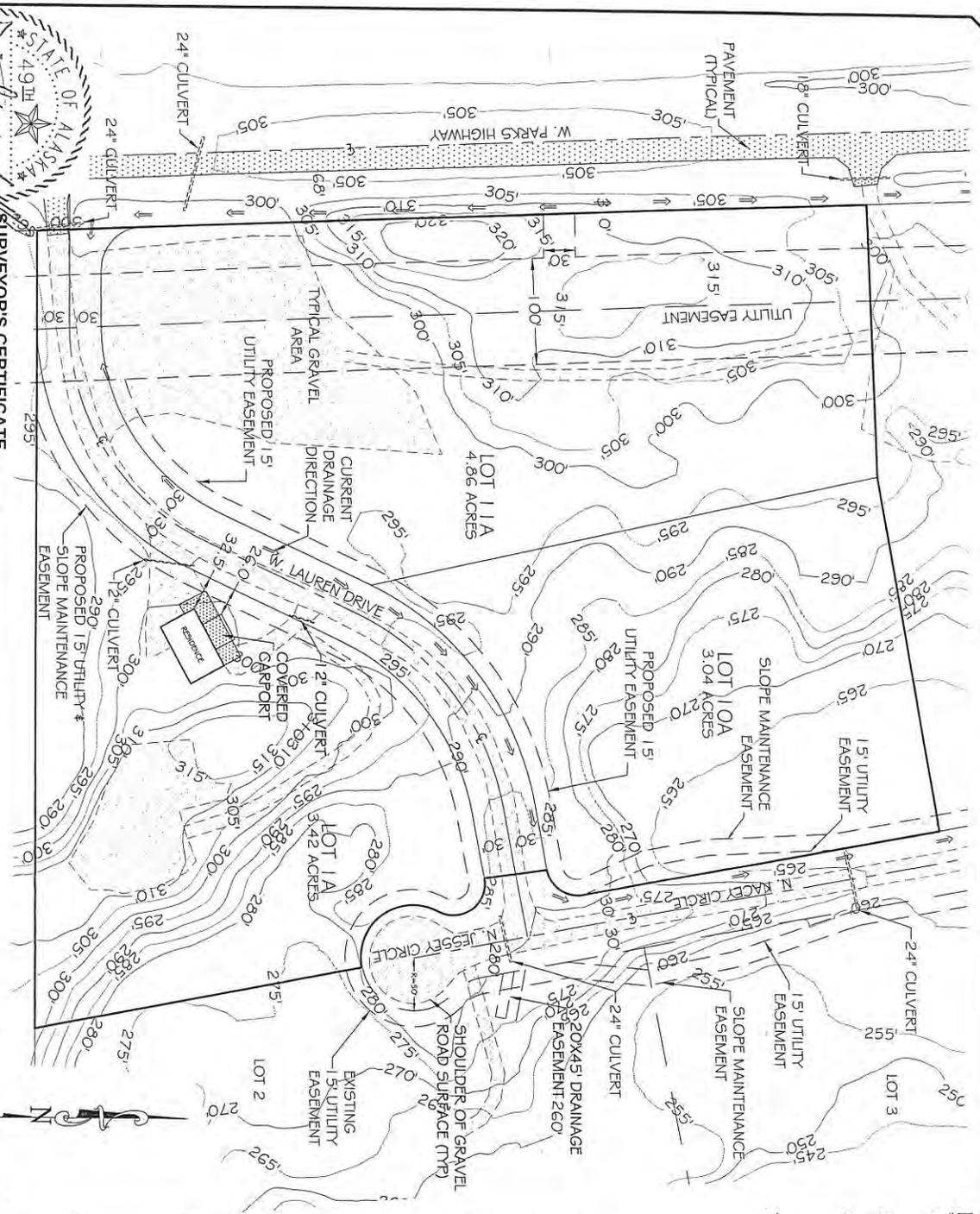


SURVEYOR'S CERTIFICATE
 RICHARD L. WENTWORTH, PLS# 11004, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS MAP REPRESENTS CONDITIONS THAT I ACCEPT FOR PRELIMINARY PLATTING PURPOSES.

RICHARD L. WENTWORTH, PLS# 11004

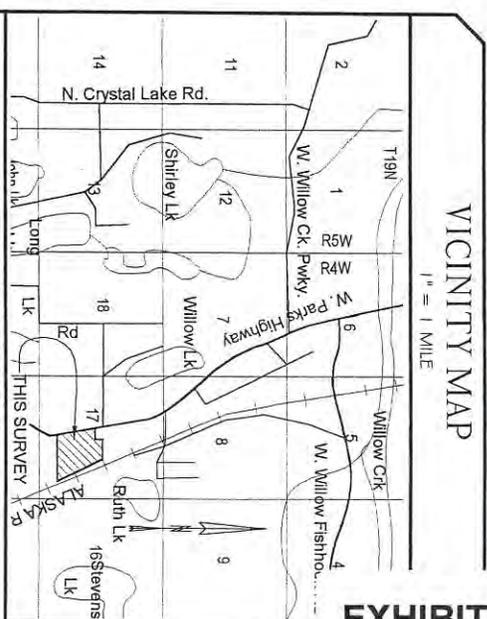
DATE _____

R & K LAND SURVEYING



FIELD BOOK: RKL5 2016-01
DATE: 09/30/16
REVISION: XXXX
DRAWN BY: RLW
CHECKED BY: KEW
SCALE: 1" = 100'
SHEET: 1 OF 1

HILLTOP ESTATES SUBDIVISION
LOTS 1A, 10A, AND 11A
 A RESUBDIVISION OF LOTS 1, 10, AND 11 OF HILLTOP ESTATES SUBDIVISION ACCORDING TO PLAT 2005-164 CONTAINING APPROXIMATELY 12.30 ACRES LOCATED WITHIN SECTION 17, T19N, R4W, 5.M., AK PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA



VICINITY MAP
 1" = 1 MILE

RECEIVED
 OCT 09 2016
PLATTING

NOTES:

1. THIS MAP DEPICTS THE CURRENT TOPOGRAPHY CONDITIONS THAT ARE ACCEPTABLE FOR THE PRELIMINARY PLATTING PROCESS.
2. RECORD 60' ROW AND PROPERTY LINES PER PLAT 2005-164.
3. PROPOSED 60' ROW AND PROPERTY LINES ARE SHOWN FOR PROPOSED LOTS 1A, 10A, AND 11A. CENTERLINE CURVE RADIUS ARE 225' OR GREATER. LOT ACREAGE SHOWN IS PROPOSED.
4. CONTOURS ARE MATANUSKA SUSTAINA BOROUGH PUBLISHED CONTOURS AND ARE ACCEPTED FOR THE PURPOSE OF THE PRELIMINARY PLATTING PROCESS.

RECEIVED

OCT 03 2016

PLATTING

Date Received

RECEIVED
AUG - 4 2011

DEC Wasilla

STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DOCUMENTATION OF CONSTRUCTION

I. GENERAL INFORMATION

Legal Description of the Location

Hilltop Estates, Lot 1

Street Address (if known): 12860 N. Jessie Circle

Installer Name:

Newman's Hilltop Services

Mailing Address

PO Box 98

Willow, AK 99688

Submitted by: (Check one)

- Certified Installer
- Approved Homeowner
- Registered Engineer

Onsite Wastewater System Serves:

- Single Family. Number of Bedrooms 4
- Duplex. Number of Bedrooms _____
- Small Commercial Facility With Estimated Design Flow of less than 500 GPD.

II. WATER SUPPLY SYSTEM

(SECTION II IS OPTIONAL)

Source of Water and Containment (Check all that Apply)

- Well (Drilled or Driven)
- Roof Catchment
- Holding Tank
- Surface (Identify) _____
- Other (Identify) _____

Type of Water Supply System

- SF/Duplex
- Public

Treatment of Water (Check all that Apply)

- None
- Filtration
- Other: _____
- Chlorination
- Mineral Removal

Well Data

Is the height of the well casing more the 12" above the ground?

- Yes
- No

Is a sanitary seal or well cap installed on the well casing?

- Yes
- No

Is drainage directed away from or around the casing within a radius of 10 feet of the well casing?

- Yes
- No

Is well wire enclosed in conduit?

- Yes
- No

Date Drilled

Depth of Well (Feet)

Static Water Level (Feet)

Yield (If available)

Pump Rate (If available)

Separation Distance from the Well Casing to each of the Following Sources of Contamination:

Septic/Holding Tank on Lot

Sewer Lines on Lot

Absorption Area on Lot

Feet

Feet

Feet

Closest Septic/Holding Tank on Adjacent Lot

Closest Sewer Lines on Adjacent Lot

Closest Edge of an Absorption Area on Adjacent Lot:

Feet

Feet

Feet

Indicate separation distance from toxic materials including fuel tanks, paints, lubricants and other petroleum based materials, pesticides, fungicides or herbicides to well casing:

On Lot

On Adjacent Lot

Water Sample Taken by: (Name)

Sampler is:

- Buyer
- Engineer
- Banker
- Government Official

Address

Water Sample Results:

Attach Copy

Satisfactory - Date

Unsatisfactory - Date

Comments/Recommendations:

I certify that the above information, and that provided in Section IV, is correct:

Signature

Typed/Printed Name

Title

Date

Note: 1. This section should be signed by a Certified Installer, Professional Engineer, DEC staff, or Owner/Builder

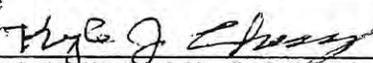
2. All public water systems must receive ADEC plan approval prior to construction. See AS 11.41C.180 State of Alaska Drinking Water Regulations for specific requirements.



5-26-2011

EXHIBIT B-2

III. WASTEWATER DISPOSAL	Legal Description: Hilltop Estates, Lot 1
Type of Wastewater System:	
<input checked="" type="checkbox"/> Septic Tank with Conventional Soil Absorption System	<input type="checkbox"/> Package Treatment Plant (requires engineered design)
<input type="checkbox"/> Holding Tank: Material Type: _____ Size in Gallons: _____ Manufacturer: _____	
<input type="checkbox"/> Other - Specify Type _____	<input type="checkbox"/> Alternate Onsite (requires engineered design)
<input type="checkbox"/> Small Commercial System (< 500 GPD) With Estimated Daily Wastewater Flow of: _____ Gallons Per Day (GPD)	
Criteria Used to Estimate Daily Wastewater Quantity: _____	

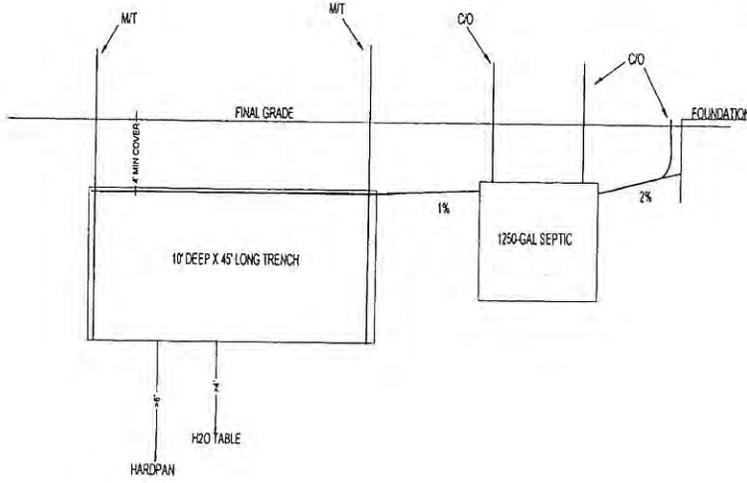
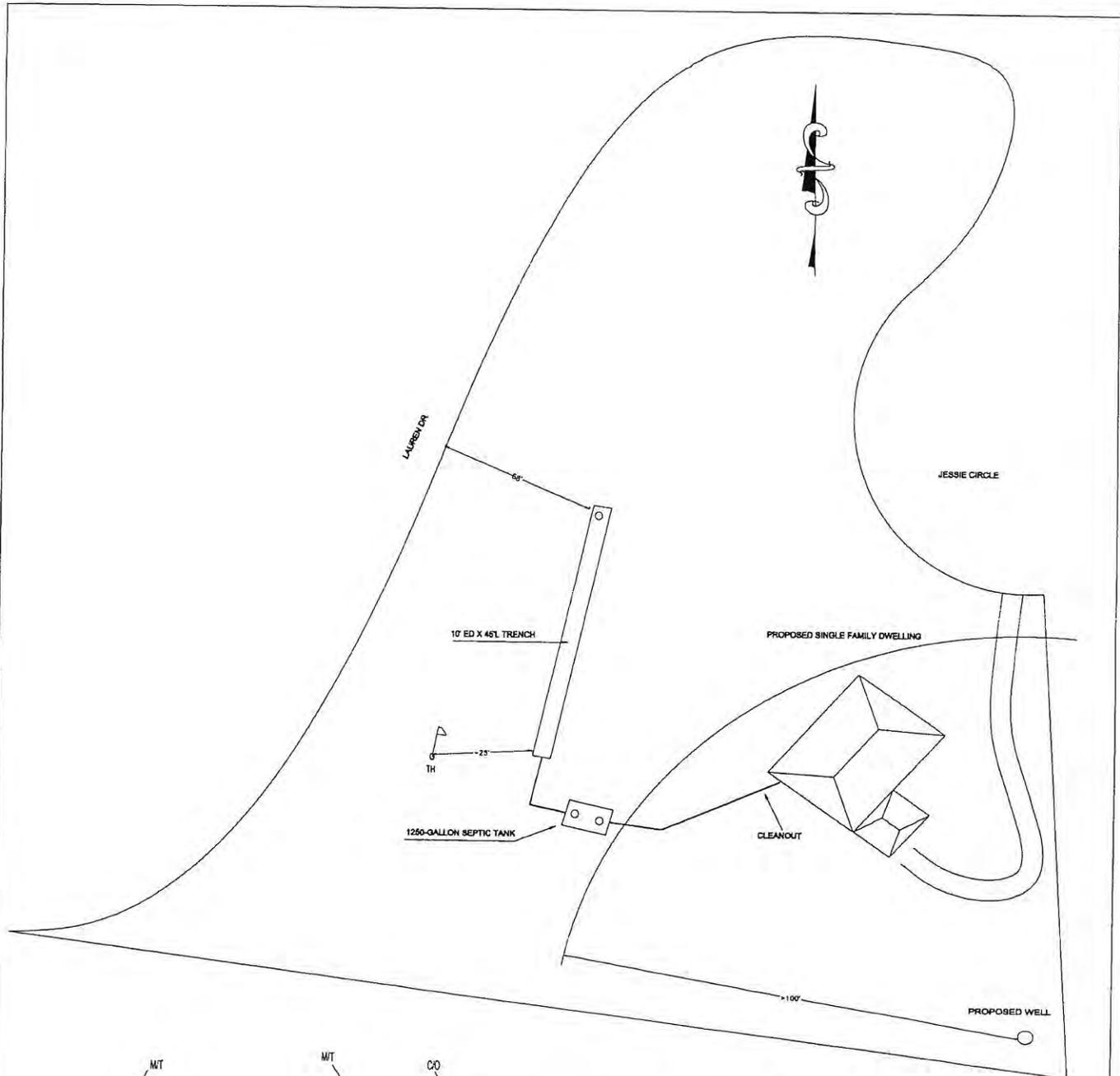
<input checked="" type="checkbox"/> NEW SYSTEM	<input type="checkbox"/> REPAIR TO EXISTING SYSTEM	Certified Installer Installation Notification Date:
Name of Installer: Newman's Hilltop Services		Date Installed: 10-2-10
System Installed:	<input type="checkbox"/> By a Registered Engineer	<input checked="" type="checkbox"/> With Inspection by a Registered Engineer
	<input type="checkbox"/> By Approved Homeowner (attach copy of approval letter)	<input type="checkbox"/> By a Certified Installer/Installer Number _____
Septic Tank: Material:	Manufacturer:	Size (Gallons):
STEEL	GREER	1250
		Number of Compartments:
		2
Type of Soil Absorption System:	<input checked="" type="checkbox"/> Deep Trench	<input type="checkbox"/> Shallow Trench
	<input type="checkbox"/> Mound	<input type="checkbox"/> Seepage Pit
		<input type="checkbox"/> Bed
Soil Classification: SP	Soil Rating: 190 sf/br	Dimensions/Size of Absorption Area: 10'ED x 45'L
Grading/Size of Distribution Rock: 3/4" - 3"		Thickness/Depth of Distribution Rock: 10'
Percolation Test Results, Attach Copy of Report:		Percolation Test Performed by: Visual Inspection by Bell & Assoc.
Minutes per Inch	Sq. ft. per bedroom	percolation test results must be sealed/signed by a registered engineer
List ground cover in feet over:	Septic Tank > 4'	Absorption Area > 4'
		Sewer Pipes > 4'
Cleanout Pipes/Caps Installed:	Foundation Cleanout: 1	Septic Tank: 2
		Monitor Tubes: 1
Indicate separation distances from septic tank or absorption area, whichever is closest, to all nearby:		
Public drinking water sources within 200 feet:	>200'	Private drinking water sources within 100 feet: >100'
Nearest water bodies (see 18 AAC 72.020(b)): N/A		Lot line: ± 68' to West lot line
Separation Distance from Onlot Sewer Lines to:	Public Drinking Water Sources: >200'	Private Sources: > 75'
Separation Distance From Bottom of Distribution Rock to:	Groundwater Table: >4'	Bedrock: >6'
Separation Distance from Absorption Area to Slope exceeding 25%:	N/A	
Comments/Recommendations		
No percolation test performed. The soil was classified by the field inspector as SP with an estimated application rate of 190 s.f./bedroom. As part of this inspectio the grades of the septic tank and associated lines were verified. Well was not dirlled at the time of inspection.		
I certify that the above information, and that provided in Section IV, is correct:		
Signature	Typed/Printed Name	Title, Reg./Cert No., Inst. No.
	Kyle Cherry	CE 2116
		Date
		10-12-10
NOTE: Must be signed by a Certified Installer, Professional Engineer, DEC staff, or Approved Homeowner. If engineering seal bears printed name, registration number, and is signed, those blocks need not be completed for engineered submittals.		

SEAL
Registered Professional
Engineer



3-23-2010

EXHIBIT B-3



F. Robert Ball
ASSOC
ENGINEERS AND LAND SURVEYORS

1365 E PARK & HWY. STE 203
WASHILLA, ALASKA 99684
PHONE (907) 357-4347

SEPTIC SITE PLAN

PREPARED FOR: NEMAN'S EXCAVATION	MSB TAX ID#: 5774000L001
DRAWN BY: KCM CHECKED BY: KJC	FIELD BOOK: N/A
JOB NO: 11-1698.01	ADDRESS: 12860 N JESSIE CIRCLE
SCALE: NTS	DATE: 5-25-2011

SOIL LOG



Job Number: 11-1698.01

Project Location: Hilltop Lot 1

Logged By: Kurt MacKenzie

Date: 4-28-2011

TEST HOLE NO.1

Depth (feet)	Description
0	0-1' Topsoil
1	1-7' Fine sand w/ some cobbles/stones/ SM, estimated 250 sqft/bedroom
2	
3	
4	
5	
6	
7	
8	7-18' Sand with gravels, poor to moderate structure/ SP
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	Bottom of test hole
20	
21	



DATE: 5-26-2011

TEST HOLE LOCATION:
~25 of proposed infiltrative trench

COMMENTS:
No ground water, soils were visually rated as a weighted average of 225 sqft/day/bedroom

This soil log was prepared for the sole purpose of determining the feasibility of constructing an onsite wastewater disposal system at the location of the test hole. Soil type ratings are based on visual observation and have not been verified with laboratory analyses. These soils have not been analyzed for structural stability or for any purpose other than wastewater absorption field construction. Anyone relying on this information for any use other than wastewater absorption field development shall do so at their own risk.

RECEIVED

OCT 03 2016

Matanuska-Susitna Borough
Telephone (907) 861-7874

350 East Dahlia Avenue
Palmer, Alaska 99645-6488

PLATTING

PETITION FOR VACATION OF RIGHT-OF-WAY

Comes now the undersigned, Eric Moxley, and petitions the Matanuska-Susitna Borough to vacate the right-of-way lying within the following described property, to-wit:

Hilltop Estates Subdivision lots 1, 10, & 11

Said right-of-way being more fully described as: W. Lauren Drive

(ATTACH SUPPLEMENTAL SHEET IF APPLICABLE)

Submitted herewith are the following:

- 1. A copy of the plat showing the right-of-way to be vacated; or
- 2. A recorded public easement creating the public right-of-way; and
- 3. **\$250.00** Right-of-Way Vacation Fee with Regular Plat; or
- 4. **\$500.00** for Stand Alone Vacation.

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

A correction to a building setback violation on lot 1

APPLICANT Name: Eric Moxley Email: e_moxley@hotmail.com

OR Mailing Address: PO Box 11926 Willow, AK Zip: 99698

OWNER Contact Person: Eric Moxley Phone: 355-1569

SURVEYOR Name (FIRM): R&K Land Surveying Email: rklandsurveying@gmail.com

Mailing Address: Po Box 606 Willow, AK Zip: 99698

Contact Person: Rick Wentworth Phone: 495-0047

SIGNATURES OF PETITIONER(S):

Eric Moller

NOTE: In accordance with MSB 43.15.035(D), vacations of public rights-of-way are subject to consent of the City Council or Borough Assembly. The City Council or Borough Assembly has 30 days from the date of Platting Board written decision in which to veto the action.



THIS AREA TO BE COMPLETED BY THE MATANUSKA-SUSITNA BOROUGH

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

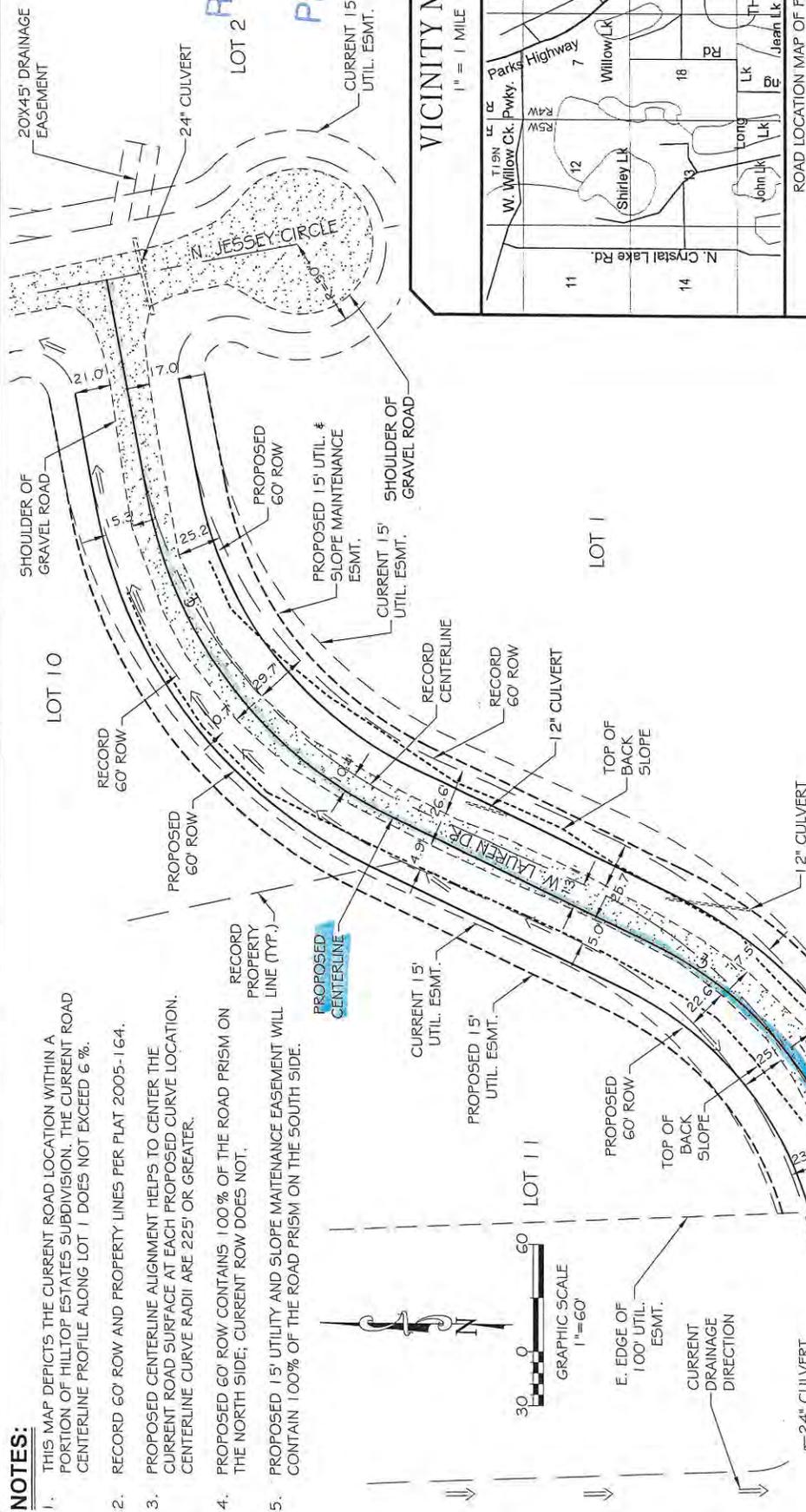
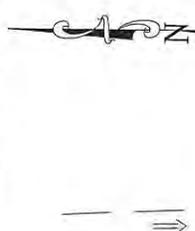
10/5/16
DATE

[Signature]
PLATTING DIVISION REPRESENTATIVE

SCHEDULED FOR PLATTING BOARD MEETING OF: 12/15/16

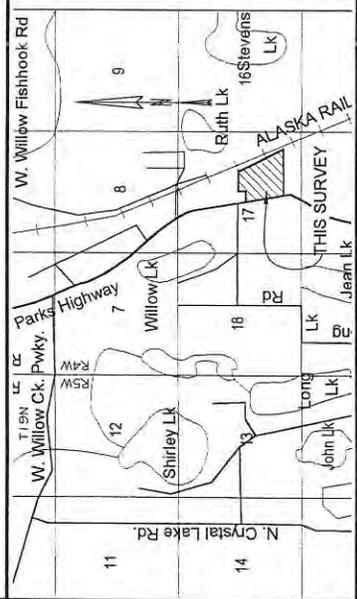
NOTES:

1. THIS MAP DEPICTS THE CURRENT ROAD LOCATION WITHIN A PORTION OF HILLTOP ESTATES SUBDIVISION. THE CURRENT ROAD CENTERLINE PROFILE ALONG LOT 1 DOES NOT EXCEED 6%.
2. RECORD 60' ROW AND PROPERTY LINES PER PLAT 2005-164.
3. PROPOSED CENTERLINE ALIGNMENT HELPS TO CENTER THE CURRENT ROAD SURFACE AT EACH PROPOSED CURVE LOCATION. CENTERLINE CURVE RADII ARE 225' OR GREATER.
4. PROPOSED 60' ROW CONTAINS 100% OF THE ROAD PRISM ON THE NORTH SIDE; CURRENT ROW DOES NOT.
5. PROPOSED 15' UTILITY AND SLOPE MAINTENANCE EASEMENT WILL CONTAIN 100% OF THE ROAD PRISM ON THE SOUTH SIDE.



RECEIVED
OCT 03 2016
PLATTING

VICINITY MAP
1" = 1 MILE



ROAD LOCATION MAP OF PROPOSED:

**HILLTOP ESTATES SUBDIVISION
LOTS 1A, 10A, AND 11A**

A RESUBDIVISION OF LOTS 1, 10, AND 11 OF HILLTOP ESTATES SUBDIVISION ACCORDING TO PLAT 2005-164 CONTAINING APPROXIMATELY 12.30 ACRES LOCATED WITHIN SECTION 17, T19N, R4W, S.5M., AK

FIELD BOOK: RKL5 2016-01	DATE: 09/30/16	REVISION: XXXX
DRAWN BY: RLW	SCALE: 1" = 60'	SHEET: 1 OF 1
CHECKED BY: KEW		

SURVEYOR'S CERTIFICATE

I, RICHARD L. WENTWORTH, PL5# 11004, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS MAP REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

RICHARD L. WENTWORTH, PL5# 11004

DATE



R & K LAND SURVEYING

RECEIVED

OCT 03 2016

Matanuska-Susitna Borough
Telephone (907) 861-7874

350 East Dahlia Avenue
Palmer, Alaska 99645-6488

PLATTING

PETITION FOR ELIMINATION OR MODIFICATION OF UTILITY, SLOPE, SNOW STORAGE, DRAINAGE, SANITATION, BUFFERS AND SCREENING EASEMENTS

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

Hilltop Estates Subdivision lots 1, 10, & 11

Said easement(s) being more fully described as:

15' utility easements along southern boundary of lots 10 & 11 and the 15' utility easement along the northern boundary of lot 1.

NOTE: Utility easement eliminations require non-objection letters from the service area utility companies at the time of submittal, see MSB 43.15.032.

Submitted herewith are the following:

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

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

The petitioner is altering the original plat to correct a building setback violation on lot 1. The corrective action will adjust the row for W. Lauren Drive.

APPLICANT Name: Eric Moxley Email: e-moxley@hotmail.com

OR Mailing Address: PO Box 1186 Willow, AK Zip: 99688

OWNER Contact Person: Eric Moxley Phone: 355-1569

SURVEYOR Name (FIRM): R&K Land Surveying Email: rklandsurveying@gmail.com

Mailing Address: PO Box 606 Willow, AK Zip: 99688

Contact Person: Rick Wentworth Phone: 495-0047

SIGNATURES OF PETITIONER(S):

Eric Motala _____



THIS AREA TO BE COMPLETED BY THE MATANUSKA-SUSITNA BOROUGH

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

10/15/16
DATE

Amy A. Ott-Buchanan
PLATTING DIVISION REPRESENTATIVE

SCHEDULED FOR PUBLIC HEARING ON: 12/15/16



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

PUBLIC NOTICE OF VACATION OF A PUBLIC RIGHT-OF-WAY

LEGAL DESCRIPTION:

POSTING DATE: Nov. 14, 2016 MSB Platting Division Case # 2016-143

Applicant: Eric Moxley
Mailing Address: P.O. 1186
Willow AK 99688

To Whom It May Concern:

In accordance with MSB 43.10.065(G), the posting of this letter is to give the public every opportunity to comment on the above action prior to and/or at the public hearing. Please contact the Matanuska-Susitna Borough Platting Division for more information concerning this action.

The applicant, in accordance with MSB 43.10.065(G) is required to place a sign, notifying the public of the date, time, and place of the public hearing, at all common points of access to that portion of the easement or right-of-way that is subject of the application for 30 days prior to the public hearing.

THE PLATTING BOARD WILL CONVENE AT 1:00 P.M., August 4, 2016, in the Assembly Chambers of the Dorothy Swanda Jones Building, 350 E. Dahlia Avenue, Palmer, Alaska. Please send any comments regarding the proposed action to MSB, Platting Division, 350 E. Dahlia Ave., Palmer AK 99645. Comments received one week prior to the meeting will be included in the Platting Board packet. Comments received 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.

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. An *interested party* means, (a) the applicant before the Platting Board; or (b) any person affected by the decision who appeared before the Platting Board and made an oral or written presentation. 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 (<http://www.matsugov.us>), or at various libraries within the borough.



EXHIBIT E-3

Amy Otto-Buchanan

From: Jamie Taylor
Sent: Thursday, November 17, 2016 12:29 PM
To: Amy Otto-Buchanan
Subject: Re: RFC Hilltop Est RSB

No objection, this exactly fulfills my request from the pre-app.

Thanks,
Jamie Taylor

Sent from my iPad

> On Oct 31, 2016, at 1:25 PM, Amy Otto-Buchanan <Amy.Otto-Buchanan@matsugov.us> wrote:

>

> Attached is the Request for Comments (RFC) for Hilltop Est RSB Lots 1, 10 & 11, MSB Case #2016-142; the relocation of W. Lauren Drive (#2016-143) and the relocation of the utility easement (#2016-144), Tech AOB. Also attached is the Vicinity Map, the preliminary plat, topo information, the vacation requests and owners' statements. Comments are due by NOVEMBER 30, 2016. Please let me know if you have any questions. Thanks. A.

>

>

> Amy Otto-Buchanan

> Platting Technician

> email: amy.otto@matsugov.us

> Phone: 861.7872 (direct line)

>

>

>

> <Hilltop Est RSB 16-142 AOB.pdf>

> <Hilltop Est RSB L 1 10 11.PDF>



MATANUSKA-SUSITNA BOROUGH
Community Development
Land & Resource Management

350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7869 • Fax (907) 861-8635

MEMORANDUM

DATE: November 21, 2016
TO: Fred Wagner, Platting Officer
FROM: Land & Resource Management *NSC*
SUBJECT: Preliminary Plat Comments / Case #2016-142-144

Platting Tech: Amy Otto-Buchanan
Public Hearing: December 15, 2016
Applicant / Petitioner: Newman / Moxley
TRS: 19N04W17
Tax ID: 55774000L001/L010/L011
Subd: Hilltop Estates RSB Lots 1, 10, 11 / ROW VAC / UTE MOD
Tax Map: WI 10

Comments:

- No borough land affected.
- No objections to proposed lot line adjustment or utility vacation/relocation.

Amy Otto-Buchanan

From: Richard Boothby
Sent: Tuesday, November 01, 2016 12:40 PM
To: Amy Otto-Buchanan
Cc: Mahlon Greene; James Steele; Ken Barkley; Bill Gamble
Subject: RE: RFC Hilltop Est RSB

The Willow FSA and DES has no objections.

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

From: Amy Otto-Buchanan
Sent: Monday, October 31, 2016 1:25 PM
To: Kemplen, Allen (DOT) (allen.kemplen@alaska.gov); kevin.vakalis@alaska.gov; melanie.nichols@alaska.gov; Hurn, John T (DOT) (tucker.hurn@alaska.gov); Zafian, Holly K (DFG) (holly.zafian@alaska.gov); mark.fink@alaska.gov; regpagemaster@usace.army.mil; John OConnor (johnoconnorkx420@gmail.com); randallk_2@msn.com; chair@waco-ak.org; sec@waco-ak.org; debiebloom@gmail.com; willowseniors@yahoo.com; comet62@gci.net; trs@mtaonline.net; Richard Boothby; Elizabeth Derbonne; Eric Phillips; Michael Weller; Sheila Armstrong; Tracy McDaniel; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Eileen Probasco; Jessica Smith; Frankie Barker; Mark Whisenhunt; Permit Center; Andy Dean; MEA; MTA; Jessica Thompson (jthompson@mta-telco.com); jennifer.diederich@enstarnaturalgas.com; Robin L. Leighty (Robin.Leighty@enstarnaturalgas.com); row@enstarnaturalgas.com; 'ospdesign@gci.com' (ospdesign@gci.com); 'dblehm@gci.com' (dblehm@gci.com)
Cc: jay@valleymarket.com; lamarra05@gmail.com; stan.gillespie@gmail.com; jordan@alaskaplans.com; patrickjhnsn@hotmail.com; marty@valleymarket.com; winforhim@aol.com
Subject: FW: RFC Hilltop Est RSB

Attached is the Request for Comments (RFC) for Hilltop Est RSB Lots 1, 10 & 11, MSB Case #2016-142; the relocation of W. Lauren Drive (#2016-143) and the relocation of the utility easement (#2016-144), Tech AOB. Also attached is the Vicinity Map, the preliminary plat, topo information, the vacation requests and owners' statements. Comments are due by NOVEMBER 30, 2016. Please let me know if you have any questions. Thanks. A.

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

Amy Otto-Buchanan

From: Becky Glenn <rglenn@mta-telco.com>
Sent: Monday, October 31, 2016 3:05 PM
To: Amy Otto-Buchanan
Cc: Jessica Thompson; Nathan Spinner
Subject: RE: RFC Hilltop Est RSB

Amy,

MTA has reviewed the preliminary plat for Hilltop Estates. Please be advised MTA has buried telecommunications within the existing utility easement located within Lot 1, Hilltop Estates. MTA strongly objects to the elimination of the utility easement within Lot 1, Hilltop Estates.

Thank you for the opportunity to review and comment.

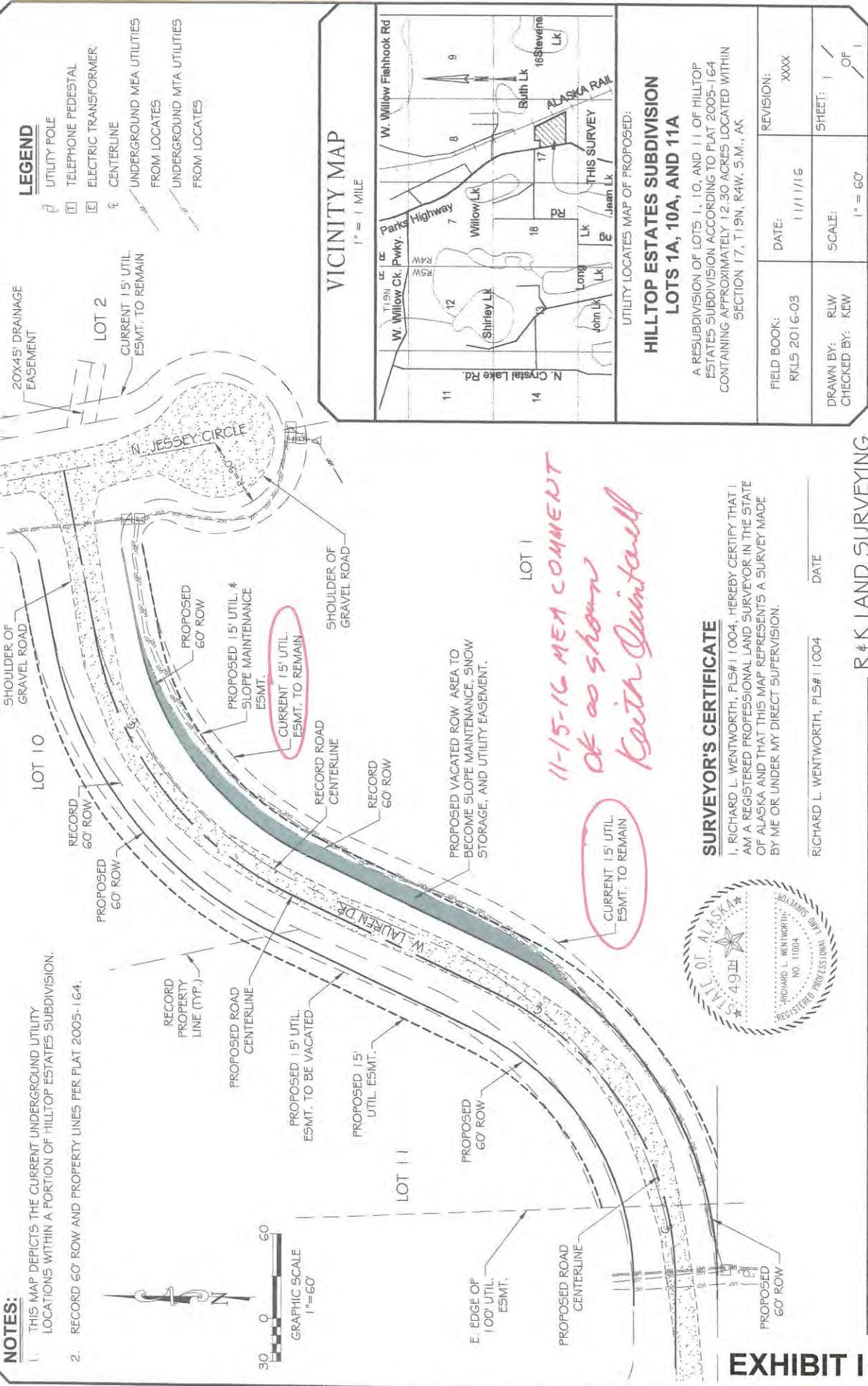
Becky Glenn
MTA

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

From: Amy Otto-Buchanan [<mailto:Amy.Otto-Buchanan@matsugov.us>]
Sent: Monday, October 31, 2016 1:25 PM
To: Kemplen, Allen (DOT) (allen.kemplen@alaska.gov) <allen.kemplen@alaska.gov>; kevin.vakalis@alaska.gov; melanie.nichols@alaska.gov; Hurn, John T (DOT) (tucker.hurn@alaska.gov) <tucker.hurn@alaska.gov>; Zafian, Holly K (DFG) (holly.zafian@alaska.gov) <holly.zafian@alaska.gov>; mark.fink@alaska.gov; regpagemaster@usace.army.mil; John OConnor (johnoconnorkx420@gmail.com) <johnoconnorkx420@gmail.com>; randallk_2@msn.com; chair@waco-ak.org; sec@waco-ak.org; debiebloom@gmail.com; willowseniors@yahoo.com; comet62@gci.net; trs@mtaonline.net; Richard Boothby <Richard.Boothby@matsugov.us>; Elizabeth Derbonne <elizabeth.derbonne@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Michael Weller <Michael.Weller@matsugov.us>; Sheila Armstrong <Sheila.Armstrong@matsugov.us>; Tracy McDaniel <Tracy.McDaniel@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Nicole Wilkins <Nicole.Wilkins@matsugov.us>; Eileen Probasco <Eileen.Probasco@matsugov.us>; Jessica Smith <Jessica.Smith@matsugov.us>; Frankie Barker <Frankie.Barker@matsugov.us>; Mark Whisenhunt <Mark.Whisenhunt@matsugov.us>; Permit Center <PermitCenter@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; MEA <mearow@matanuska.com>; Becky Glenn <rglenn@mta-telco.com>; Jessica Thompson <jthompson@mta-telco.com>; jennifer.diederich@enstarnaturalgas.com; Robin L. Leighty (Robin.Leighty@enstarnaturalgas.com) <Robin.Leighty@enstarnaturalgas.com>; row@enstarnaturalgas.com; 'ospdesign@gci.com' (ospdesign@gci.com) <ospdesign@gci.com>; 'dblehm@gci.com' (dblehm@gci.com) <dblehm@gci.com>
Cc: jay@valleymarket.com; lamarra05@gmail.com; stan.gillespie@gmail.com; jordan@alaskaplans.com; patrickjhnsn@hotmail.com; marty@valleymarket.com; [winforhim@aol.com](mailto:winforsim@aol.com)
Subject: FW: RFC Hilltop Est RSB

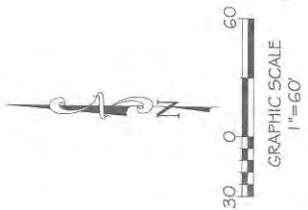
Be wary of unsolicited attachments, even from people you know - If something seems suspicious you may want to check with the person who supposedly sent the message to make sure it's legitimate before opening any attachments.

Attached is the Request for Comments (RFC) for Hilltop Est RSB Lots 1, 10 & 11, MSB Case #2016-142; the relocation of W. Lauren Drive (#2016-143) and the relocation of the utility easement (#2016-144), Tech AOB. Also attached is the



NOTES:

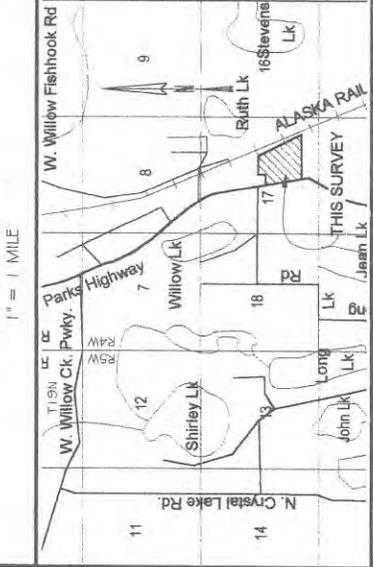
- THIS MAP DEPICTS THE CURRENT UNDERGROUND UTILITY LOCATIONS WITHIN A PORTION OF HILLTOP ESTATES SUBDIVISION.
- RECORD 60' ROW AND PROPERTY LINES PER PLAT 2005-164.



LEGEND

- UTILITY POLE
- TELEPHONE PEDESTAL
- ELECTRIC TRANSFORMER
- CENTERLINE
- UNDERGROUND MEA UTILITIES FROM LOCATES
- UNDERGROUND MTA UTILITIES FROM LOCATES

VICINITY MAP
1" = 1 MILE



HILLTOP ESTATES SUBDIVISION
LOTS 1A, 10A, AND 11A

UTILITY LOCATES MAP OF PROPOSED:
A RESUBDIVISION OF LOTS 1, 10, AND 11 OF HILLTOP ESTATES SUBDIVISION ACCORDING TO PLAT 2005-164 CONTAINING APPROXIMATELY 12.30 ACRES LOCATED WITHIN SECTION 17, T.19N., R.4W., S.4M., AK

FIELD BOOK:	DATE:	REVISION:
RKL5 2016-03	11/11/16	XXXX
DRAWN BY: RLW	SCALE:	SHEET: 1 OF 1
CHECKED BY: KEW	1" = 60'	

LOT 1
11-15-16 MEA COMMENT
OK as shown
Keith Quintard

SURVEYOR'S CERTIFICATE

I, RICHARD L. WENTWORTH, PLS# 11004, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS MAP REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

RICHARD L. WENTWORTH, PLS# 11004
DATE _____



R & K LAND SURVEYING

Amy Otto-Buchanan

From: Tammy L. Simmons <Tammy.Simmons@mea.coop>
Sent: Monday, October 31, 2016 2:47 PM
To: Amy Otto-Buchanan
Subject: RE: RFC Hilltop Est RSB

Hello,

Matanuska Electric Association, Inc. (MEA) has existing underground primary electric cable located in the existing easement along the SE side of the existing road right-of-way. MEA objects to relocation of the existing utility easement on the SE side of road right-of-way, or to the addition of a slope easement to the utility easement. MEA facilities should be located and added to the as-built to allow MEA to provide further comments on the proposed changes.

Thank you,

Tammy Simmons, RWP
Right of Way Technician
Matanuska Electric Association, Inc.
(907) 761-9276

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

From: Amy Otto-Buchanan [<mailto:Amy.Otto-Buchanan@matsugov.us>]
Sent: Monday, October 31, 2016 1:25 PM
To: Kemplen, Allen (DOT) (allen.kemplen@alaska.gov); kevin.vakalis@alaska.gov; melanie.nichols@alaska.gov; Hurn, John T (DOT) (tucker.hurn@alaska.gov); Zafian, Holly K (DFG) (holly.zafian@alaska.gov); mark.fink@alaska.gov; regpagemaster@usace.army.mil; John OConnor (johnconnorkx420@gmail.com); randallk_2@msn.com; chair@waco-ak.org; sec@waco-ak.org; debiebloom@gmail.com; willowseniors@yahoo.com; comet62@gci.net; trs@mtaonline.net; Richard Boothby; Elizabeth Derbonne; Eric Phillips; Michael Weller; Sheila Armstrong; Tracy McDaniel; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Eileen Probasco; Jessica Smith; Frankie Barker; Mark Whisenhunt; Permit Center; Andy Dean; MEA_ROW; MTA; Jessica Thompson (jthompson@mta-telco.com); jennifer.diederich@enstarnaturalgas.com; Robin L. Leighty (Robin.Leighty@enstarnaturalgas.com); row@enstarnaturalgas.com; 'ospdesign@gci.com' (ospdesign@gci.com); 'dblehm@gci.com' (dblehm@gci.com)
Cc: jay@valleymarket.com; lamarra05@gmail.com; stan.gillespie@gmail.com; jordan@alaskaplans.com; patrickjhnsn@hotmail.com; marty@valleymarket.com; winforhim@aol.com
Subject: FW: RFC Hilltop Est RSB

Attached is the Request for Comments (RFC) for Hilltop Est RSB Lots 1, 10 & 11, MSB Case #2016-142; the relocation of W. Lauren Drive (#2016-143) and the relocation of the utility easement (#2016-144), Tech AOB. Also attached is the Vicinity Map, the preliminary plat, topo information, the vacation requests and owners' statements. Comments are due by NOVEMBER 30, 2016. Please let me know if you have any questions. Thanks. A.

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

Amy Otto-Buchanan

From: OSP Design Group <ospdesign@gci.com>
Sent: Monday, October 31, 2016 4:00 PM
To: Amy Otto-Buchanan
Subject: RE: RFC Hilltop Est RSB

Hi Amy, no objections from us on this. Our facilities are on the west side going north/south and don't seem to be in the way.

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

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

From: Amy Otto-Buchanan [<mailto:Amy.Otto-Buchanan@matsugov.us>]
Sent: Monday, October 31, 2016 1:25 PM
To: Kemplen, Allen (DOT) (allen.kemplen@alaska.gov) <allen.kemplen@alaska.gov>; kevin.vakalis@alaska.gov; melanie.nichols@alaska.gov; Hurn, John T (DOT) (tucker.hurn@alaska.gov) <tucker.hurn@alaska.gov>; Zafian, Holly K (DFG) (holly.zafian@alaska.gov) <holly.zafian@alaska.gov>; mark.fink@alaska.gov; regpagemaster@usace.army.mil; John OConnor (johnoconnorkx420@gmail.com) <johnoconnorkx420@gmail.com>; randallk_2@msn.com; chair@waco-ak.org; sec@waco-ak.org; debiebloom@gmail.com; willowseniors@yahoo.com; comet62@gci.net; trs@mtaonline.net; Richard Boothby <Richard.Boothby@matsugov.us>; Elizabeth Derbonne <elizabeth.derbonne@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Michael Weller <Michael.Weller@matsugov.us>; Sheila Armstrong <Sheila.Armstrong@matsugov.us>; Tracy McDaniel <Tracy.McDaniel@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Nicole Wilkins <Nicole.Wilkins@matsugov.us>; Eileen Probasco <Eileen.Probasco@matsugov.us>; Jessica Smith <Jessica.Smith@matsugov.us>; Frankie Barker <Frankie.Barker@matsugov.us>; Mark Whisenhunt <Mark.Whisenhunt@matsugov.us>; Permit Center <PermitCenter@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; MEA <mearow@matanuska.com>; MTA <rglenn@mta-telco.com>; Jessica Thompson (jthompson@mta-telco.com) <jthompson@mta-telco.com>; jennifer.diederich@enstarnaturalgas.com; Robin L. Leighty (Robin.Leighty@enstarnaturalgas.com) <Robin.Leighty@enstarnaturalgas.com>; row@enstarnaturalgas.com; OSP Design Group <ospdesign@gci.com>; 'dblehm@gci.com' (dblehm@gci.com) <dblehm@gci.com>
Cc: jay@valleymarket.com; lamarra05@gmail.com; stan.gillespie@gmail.com; jordan@alaskaplans.com; patrickjhnsn@hotmail.com; marty@valleymarket.com; winforhim@aol.com
Subject: FW: RFC Hilltop Est RSB

[External Email]

Attached is the Request for Comments (RFC) for Hilltop Est RSB Lots 1, 10 & 11, MSB Case #2016-142; the relocation of W. Lauren Drive (#2016-143) and the relocation of the utility easement (#2016-144), Tech AOB. Also attached is the Vicinity Map, the preliminary plat, topo information, the vacation requests and owners' statements. Comments are due by NOVEMBER 30, 2016. Please let me know if you have any questions. Thanks. A.

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



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 28, 2016

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

Subject: **Preliminary Plat Request for Comments – Hilltop Estates, ROW Vac. & Utility
Esmt Mod.
(Case No. 2016-142, 143, 144)**

Dear Ms. Otto-Buchanan:

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

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

Sincerely,

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

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



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

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.

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 Kemplen, Mat-Su Area Planner

"Keep Alaska Moving through service and infrastructure."

EXHIBIT J

SITE VISIT REPORT

Case Name: Hilltop Est RSB	Date: 11/09/2016 Time: 11:49 pm
Owner: Newman & Moxley	Case Number: 2016-142
Surveyor/Engineer: R&K Land Surveying	Tax ID #:55774000L001/L010/L011
Subdivision: Hilltop Estates	Regarding: Realignment of ROW

SITE CONDITIONS

Weather: Overcast	Temperature: 35°F
Wind: None	
General Site Condition: Constructed	

Personnel on site: Amy Otto-Buchanan & Cheryl Scott, Platting Technicians

Equipment in use: Camera

Current phase of work: To be heard by the Platting Board, December 15, 2016

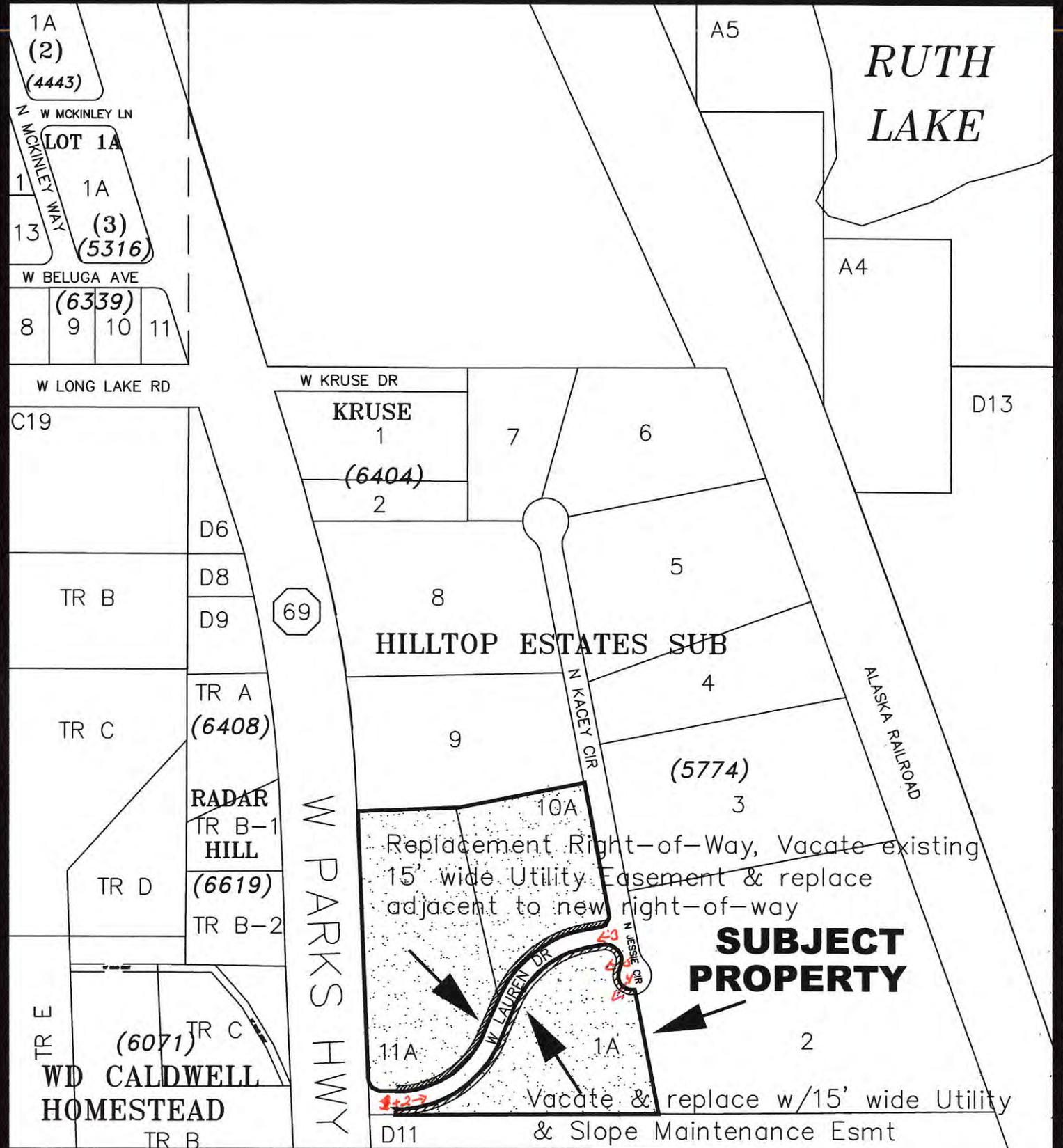
Reason for Visit/Remarks: Wanted visual of how close the structure is to the existing ROW & to the road. Also wanted to check the topography of proposed Lot 1A and reaffirm there were no structures on Lots 10A & 11A.

(See attached photos)

Signed By: Amy Otto-Buchanan, Platting Technician

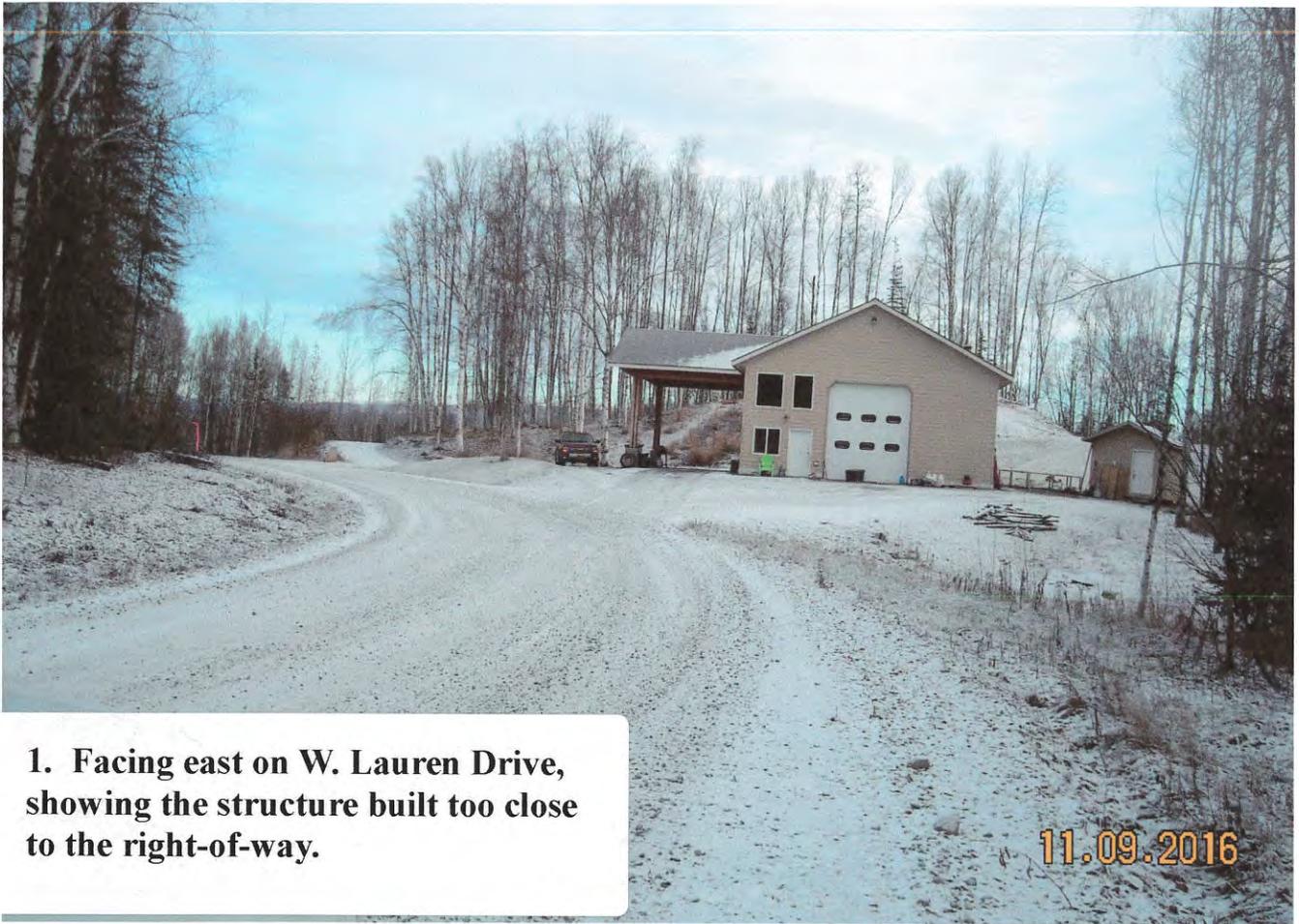
Aob

Date: 11/10/2016

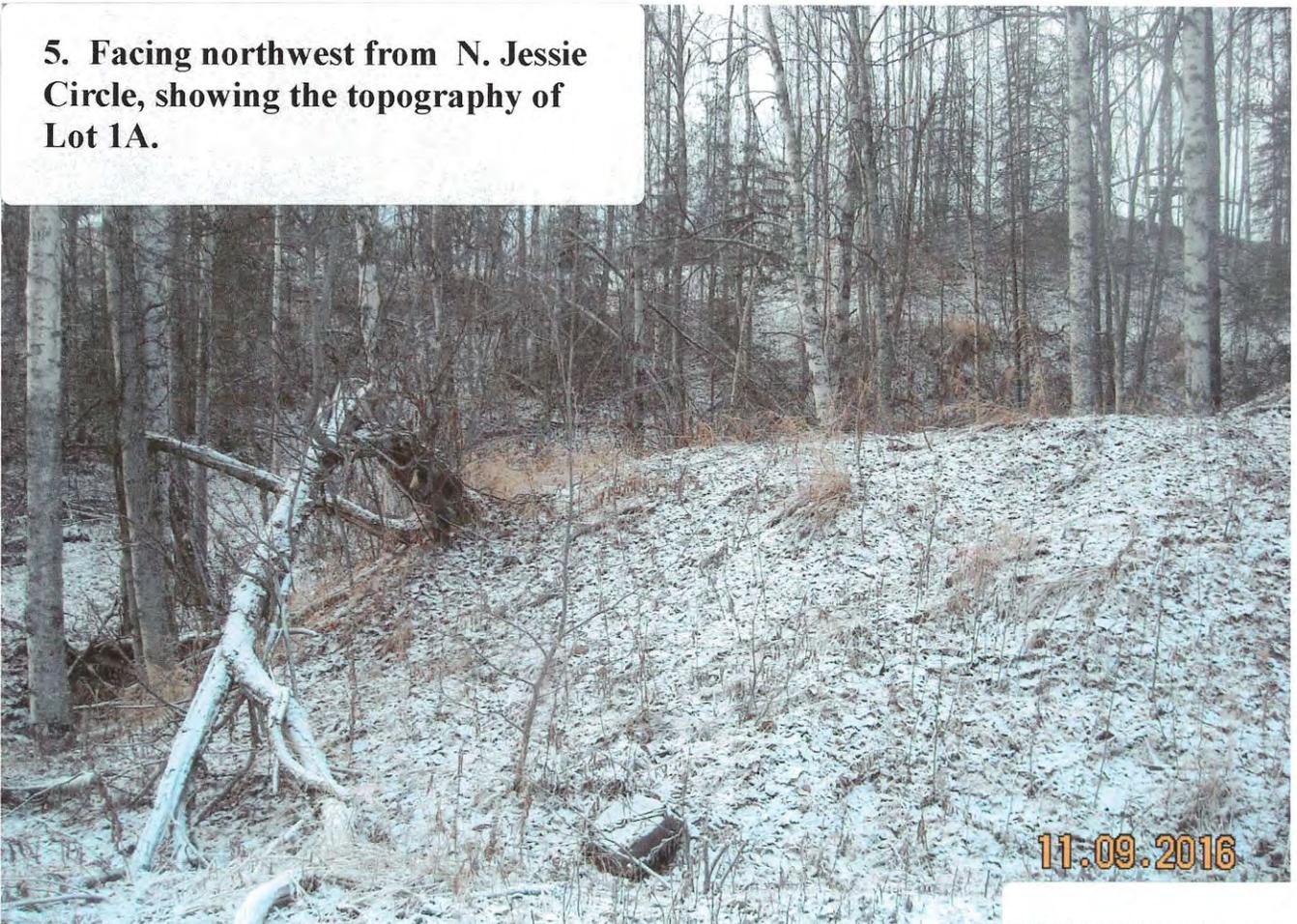


VICINITY MAP
 FOR HILLTOP EST RSB L/1, 10 & 11
 VACATION OF RIGHT-OF-WAY (PARTIAL) &
 UTILITY EASEMENT
 LOCATED WITHIN
 SECTION 17, T19N, R04W, SEWARD MERIDIAN,
 ALASKA
 WILLOW 10 MAP

EXHIBIT K-2



1. Facing east on W. Lauren Drive, showing the structure built too close to the right-of-way.



5. Facing northwest from N. Jessie Circle, showing the topography of Lot 1A.

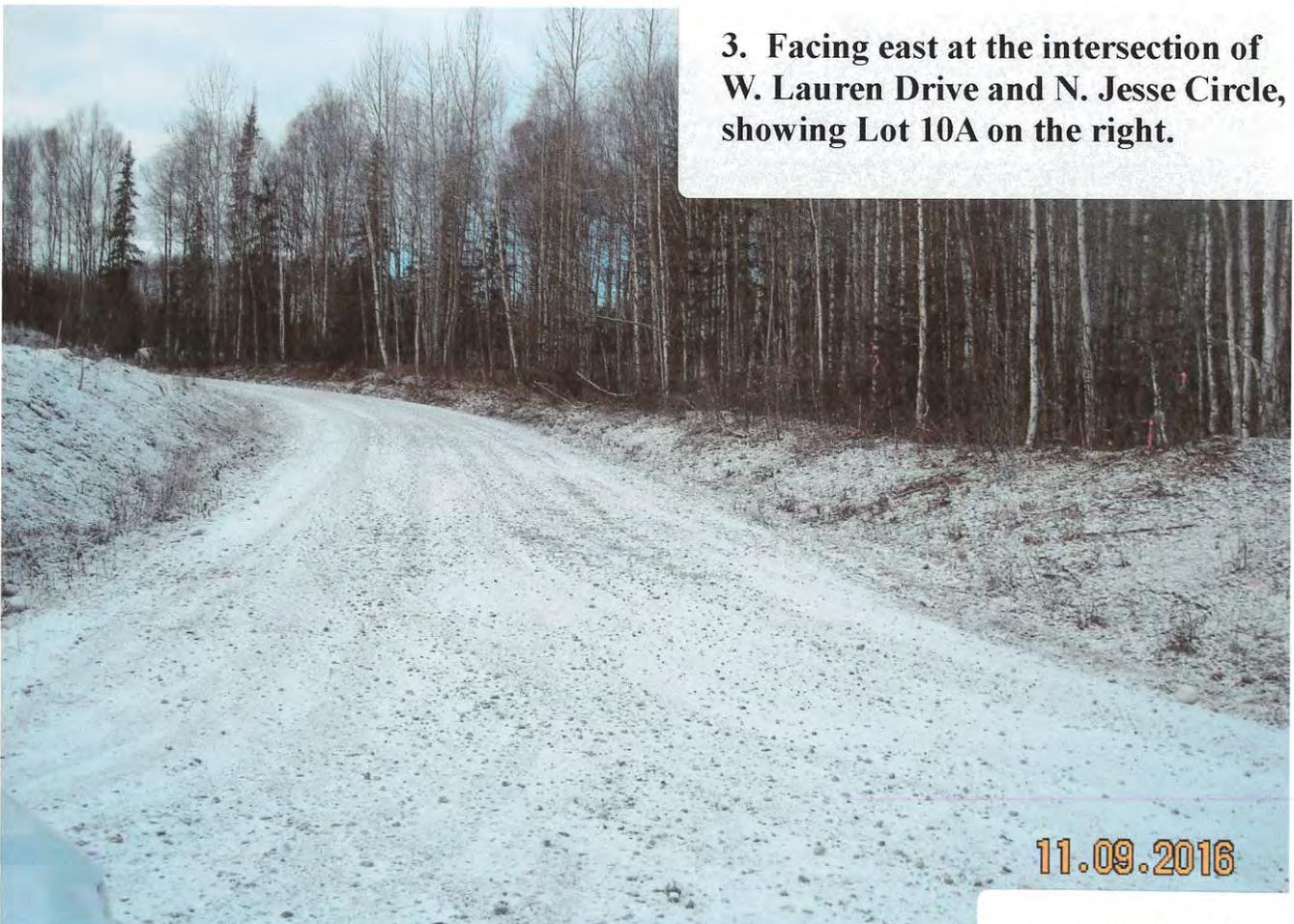


**2. Facing east on W. Lauren Drive,
showing the structure built too close
to the right-of-way.**

4. Facing west from the cul-de-sac of N. Jessie Circle, showing the topography of Lot 1A.

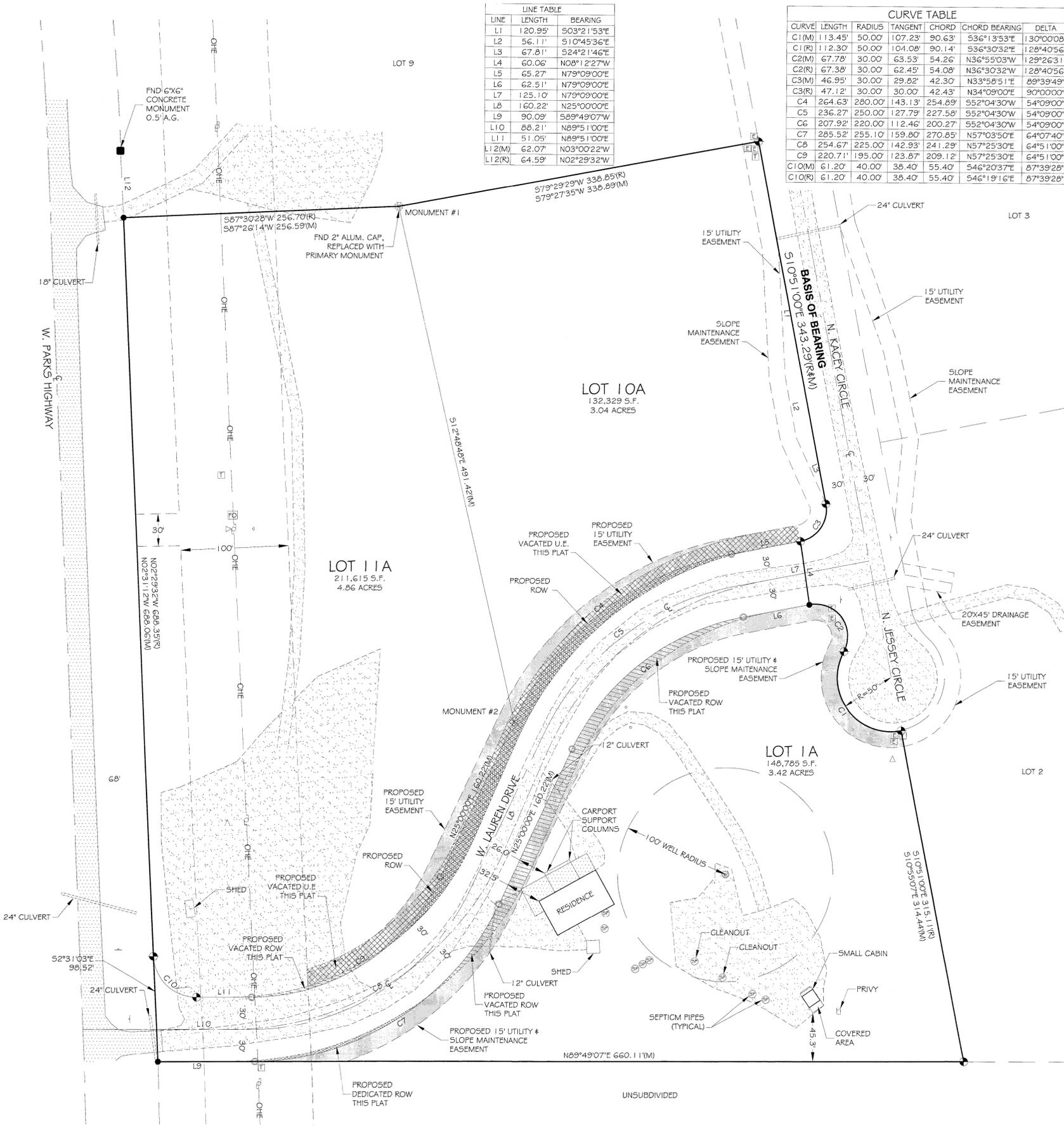


3. Facing east at the intersection of W. Lauren Drive and N. Jesse Circle, showing Lot 10A on the right.



LINE	LENGTH	BEARING
L1	120.95'	S03°21'53"E
L2	56.11'	S10°45'36"E
L3	67.81'	S24°21'46"E
L4	60.06'	N08°12'27"W
L5	65.27'	N79°09'00"E
L6	62.51'	N79°09'00"E
L7	125.10'	N79°09'00"E
L8	160.22'	N25°00'00"E
L9	90.09'	S89°49'07"W
L10	88.21'	N89°51'00"E
L11	51.05'	N89°51'00"E
L12(M)	62.07'	N03°00'22"W
L12(R)	64.59'	N02°29'32"W

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1(M)	113.45'	50.00'	107.23'	90.63'	S36°13'53"E	130°00'08"
C1(R)	112.30'	50.00'	104.08'	90.14'	S36°30'32"E	128°40'56"
C2(M)	67.78'	30.00'	63.53'	54.26'	N36°55'03"W	129°26'31"
C2(R)	67.38'	30.00'	62.45'	54.08'	N36°30'32"W	128°40'56"
C3(M)	46.95'	30.00'	29.82'	42.30'	N33°58'51"E	89°39'49"
C3(R)	47.12'	30.00'	30.00'	42.43'	N34°09'00"E	90°00'00"
C4	264.63'	280.00'	143.13'	254.89'	S52°04'30"W	54°09'00"
C5	236.27'	250.00'	127.79'	227.58'	S52°04'30"W	54°09'00"
C6	207.92'	220.00'	112.46'	200.27'	S52°04'30"W	54°09'00"
C7	285.52'	255.10'	159.80'	270.85'	N57°03'50"E	64°07'40"
C8	254.67'	225.00'	142.93'	241.29'	N57°25'30"E	64°51'00"
C9	220.71'	195.00'	123.87'	209.12'	N57°25'30"E	64°51'00"
C10(M)	61.20'	40.00'	38.40'	55.40'	S46°20'37"E	87°39'28"
C10(R)	61.20'	40.00'	38.40'	55.40'	S46°19'16"E	87°39'28"



CERTIFICATE OF OWNERSHIP - LOT 10A AND LOT 11A

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED IN THE 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.

WALTER E. NEWMAN
PO BOX 98
WILLOW, ALASKA 99688

NOTARY'S ACKNOWLEDGEMENT

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

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES: _____

CERTIFICATE OF OWNERSHIP - LOT 1A

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

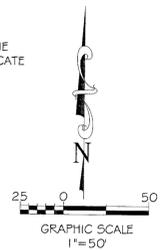
ERIC MOXLEY
PO BOX 1186
WILLOW, ALASKA 99688

KELLY MOXLEY
PO BOX 1186
WILLOW, ALASKA 99688

NOTARY'S ACKNOWLEDGEMENT

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

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES: _____



- LEGEND**
- FOUND 6" CONCRETE MONUMENT
 - FOUND 2" ALUMINUM CAP (LS 7576)
 - FOUND 5/8" REBAR
 - ⊗ SET 5/8"x30" REBAR WITH RED PLASTIC CAP
 - ⊗ SET 3-1/2"x30" ALUMINUM CAP PIPE MONUMENT
 - (R) COMPUTED LOCATION (NOT FOUND OR SET)
 - (R) RECORD PLAT 2005-164
 - (M) MEASURED THIS SURVEY
 - SEPTIC PIPE
 - SIGN
 - UTILITY POLE
 - GUY WIRE
 - GATE POST
 - △ ELECTRIC METER
 - ELECTRIC TRANSFORMER
 - TELEPHONE PEDESTAL
 - FIBER OPTIC VAULT
 - CENTERLINE
 - ⊙ WELL
 - CULVERT
 - OHE OVERHEAD ELECTRIC
 - U.E. UTILITY EASEMENT
 - ROW RIGHT-OF-WAY
 - PROPOSED VACATED ROW
 - PROPOSED VACATED U.E.
 - PROPOSED DEDICATED ROW
 - PROPOSED UTILITY EASMENT

TYPICAL RED PLASTIC CAP SET



MONUMENT DETAILS



PLANNING AND LAND USE DIRECTOR'S CERTIFICATE

I CERTIFY THAT THIS SUBDIVISION PLAN HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION NUMBER _____, DATED _____, 20____, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE _____ DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA IN WHICH THE PLAT IS LOCATED.

PLANNING AND LAND USE DIRECTOR
ATTEST: _____
PLATTING CLERK

CERTIFICATION OF PAYMENT OF TAXES

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

BOROUGH TAX COLLECTION OFFICIAL

NOTES:

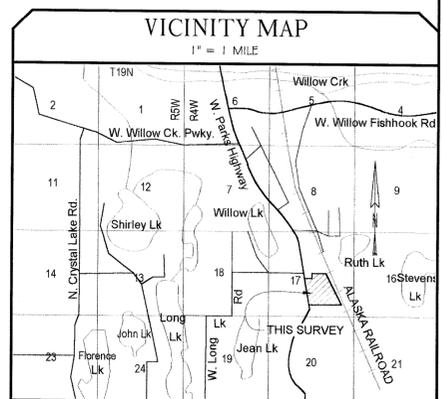
- THERE MAY BE FEDERAL, STATE, AND LOCAL REQUIREMENTS GOVERNING LAND USE. THE INDIVIDUAL PARCEL OWNER SHALL OBTAIN A DETERMINATION WHETHER THESE REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN ON THE PLAT TO BE RECORDED.
- NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS THE SYSTEM IS LOCATED, CONSTRUCTED, AND EQUIPPED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION, WHICH GOVERNS THOSE SYSTEMS.
- RESTRICTIVE COVENANTS WERE RECORDED IN THE PALMER RECORDING DISTRICT ON JULY 17, 2006, AS DOCUMENT NUMBER 2006-019666-0.
- MATANUSKA ELECTRIC ASSOCIATION BLANKET EASEMENT RECORDED AUGUST 18, 1961 IN BOOK 37, PAGE 288.
- MATANUSKA ELECTRIC ASSOCIATION BLANKET EASEMENT RECORDED APRIL 30, 1980 IN BOOK 211, PAGE 666.
- SEPTIC PIPE CLEANOUTS PER OWNER OF LOT 1.

SURVEYOR'S CERTIFICATE

I, RICHARD L. WENTWORTH, PL5#11004, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THE PLAT ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



RICHARD L. WENTWORTH, PL5#11004 DATE _____



R & K LAND SURVEYING
PO BOX 606
WILLOW, ALASKA 99688
(907) 495-0047

PRELIMINARY PLAT OF
HILLTOP ESTATES SUBDIVISION
LOTS 1A, 10A, AND 11A

A RESUBDIVISION OF LOTS 1, 10, AND 11 OF HILLTOP ESTATES SUBDIVISION ACCORDING TO PLAT 2005-164 CONTAINING APPROXIMATELY 12.30 ACRES LOCATED WITHIN SECTION 17, T19N, R4W, S.M., AK

PALMER RECORDING DISTRICT,
THIRD JUDICIAL DISTRICT,
STATE OF ALASKA

JOB NUMBER: 2016-008	CASE NUMBER: XXXX	MSB TAX MAP: W1 10
FIELD BOOK: RKL5 2016-01	DATE: 09/30/16	REVISION: XXXX
DRAWN BY: RLW CHECKED BY: KEW	SCALE: 1" = 50'	SHEET: 1 OF 1

4C

**STAFF REVIEW AND RECOMMENDATIONS
PUBLIC HEARING
December 15, 2016**

PRELIM PLAT w/ VAR: **CREEKSIDE HEIGHTS 2016**

LEGAL DESCRIPTION: **SECTION 17, T17N, R1E, S.M., AK**

PETITIONER: **AGIM DELOLLI**

SURVEYOR/ENGINEER: **DENALI NORTH**

ACRES: **8.44** **PARCELS: 2**

REVIEWED BY: **PEGGY HORTON** **CASE: 2016-159**

REQUEST

The request is to divide Tract A, Creekside Heights, plat #2007-49, into 2 lots, to be known as Lots 1 & 2, Creekside Heights 2016, containing 8.44 acres more or less. The petitioner is requesting a variance from MSB 43.20.300, Lot and Block Design, to allow for the creation of Lot 1 with a flag pole width of less than 30 feet. Lot 1 has 60' of road frontage on S. Creekside Circle, but the pole portion narrows to 25 feet. The petitioner is also requesting a variance from MSB 43.20.140, Physical Access, waiving construction of E. Brome Ave for access to Lot 2. If approved, Lot 2 would not have access to a constructed public road.

EXHIBITS

Vicinity Map	EXHIBIT A
Soils	EXHIBIT B
Surveyor's Letter	EXHIBIT C
Variance #2	EXHIBIT D
Variance #1	EXHIBIT E

COMMENTS

Public Works	EXHIBIT F
Code Compliance	EXHIBIT G
Land Mgmt	EXHIBIT H
Planning Director	EXHIBIT I
Emergency Svs	EXHIBIT J
MTA	EXHIBIT K
GCI	EXHIBIT L
Enstar	EXHIBIT M
MEA	EXHIBIT N
COW	EXHIBIT O
AK DNR Survey Sec	EXHIBIT P
Public	EXHIBIT Q

DISCUSSION

Soils: Jim Rowland, P.E. provided a useable area report (**Exhibit B**). Six test hole logs were provided. Ground water was encountered in three of the test holes, at 5 to 5.5 feet. The other three test holes were dug to 12 feet and ground water was not encountered. The engineer stated that the required eight feet depth to water table has been obtained on Lot 1 by adding approximately 2000 cubic yards of fill. On Lot 2, the required useable area is obtained by avoiding the area of shallow water found in TH B. He states each of the proposed lots contains at least 10,000 sq ft of usable building area and 10,000 sq ft of contiguous useable septic area, in conformance with MSB 43.20.281.

Surveyor's letter: Mr. Wayne Whaley submitted a letter in support of the variances (**Exhibit C**). In it he goes over the expense and difficulty of road construction, the fact that the petitioner has already installed 2 city water services within the flag portion and set up MEA and Enstar to go in the flag portion to service the both single family homes. He also explains his reasoning for not creating physical access to Lot 2. Staff notes that the public works engineer stated a road could be constructed within the ROW. The petitioner having already installed utility services is not a concern of platting, Title 43 does not require installation of utilities to subdivide land. Staff agrees that the 1991 Subdivision Construction Manual section A15.2 allows for shared residential driveway for multi-family development, but staff notes the Subdivision Construction Manual does not provide for the requirement of physical access, Title 43 does that. MSB 43.20.100(A), *Access Required*, states "There shall be legal and physical road access provided to all subdivisions and all lots within subdivisions..."

Variance #1: The petitioner requested a variance to MSB 43.20.300, *Lot and Block Design* to allow a flag lot width of 25' versus the current code requirement of 30 feet (**Exhibit D**). What follows is their request:

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

Will not affect the public or adjoining properties since it was approved under a previous title and the driveway is permitted & constructed. Today's code allows for 30' at the ROW the existing driveway is 18' to 20' of driving surface built to minimal grades 3%-5% in the neck portion. The flag is 25' wide on the narrow part and 60' wide on the R.O.W. which is what the Title 16 allowed in 2007. Mr. Delolli has already installed 2 city water services within the flag portion and set up MEA and Enstar to go in the flag portion to service both single family homes. We are requesting a shared driveway and utility easement on the flag lot which has an approved permitted driveway now. We will record a common access easement document and show recording numbers on final plat

B. The conditions upon which the variance application is based do not apply generally to properties for which the variance is sought because:

Adjoining properties are not flag lots and this would only affect flag lot designs. When this plat was done the code allowed narrower flagpole as long as it had 60' of frontage. Except for lot 10 which has one spot at about 25' but averages 40' & 45' on each end since it's on a cul-de-sac.

- C. Because of unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB Code 43.20 shall result in undue substantial hardship to the owner of the property.

The adjoining lots are 20,000 sq. ft. lots and already developed so to acquire 5' would not be an option since they are at minimum square footage and would not be compliant since 5' X 135' is 675 sq. ft. refer to letter and attachments.

Platting Staff understands that this lot was designed under Title 16 which was silent on the width of the flag pole other than the lot had to have 60 feet of frontage. Staff does not agree that Mr. Delolli having installed utilities within the pole portion shows that the flag lot is not detrimental to the public health, safety, welfare or injurious to adjacent property. In fact, the majority of the answer does not address public health, safety or welfare. Although staff agrees that the adjoining lots are not flag lots, the criteria says nothing about adjoining lots being a factor in determining the reason for granting the variance. Flag lots are lots, no matter where they are. Title 16 was silent on the design of flag lots, it did not state that lesser width of the flag pole was allowed, it was just silent on the whole issue of flag lots.

Variance #2: The petitioner requested a variance to MSB 43.20.140, *Physical Access* to allow a variance to physical access on Brome for proposed Lot 2 Creekside heights "2016" to access from a shared drive with Lot 1 on the existing driveway to S. Creekside Circle (**Exhibit E**). In other words, to allow for the creation of Lot 2 with no physical road frontage. What follows is their request:

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

The proposed common access on the existing driveway would only be for two single family homes on large lots limiting it to 6 to 8 trips per day when houses are constructed. The public would not be affected since the adjoining lots already have access off of paved roads and the future of this road being extended is highly unlikely for the reasons stated in (C). The shared access will be much safer due to the amount of traffic on E. Brome & s. Creekside Dr. intersection. In the 1991 Construction Manual under page 17, section A15.2 it allows for shared residential driveway for four or less dwelling units which may be built as a single family driveway standard. Emergency services should be able to use this access and fire hydrants are nearby making it easier to service both lots instead a steeper road on Brome just for one lot. We feel the proposed access would be much safer and better then creating a 4 way intersection just for one lot. E. Brome and S. Creekside Drive probably exceed their normal A.D.T. because of the Ranch Subdivision development. By adding the extra Lot 2 onto South Creekside Circle would only be 11 lots on the current road with a stop sign. The grade of that access is much better than on E. Brome. The fire hydrant is 68.6 feet from the proposed shared driveway. It would be approximately 320 L.F. via the Brome access.

B. The conditions upon which the variance application is based do not apply generally to properties for which the variance is sought because:

Surrounding Properties would not require an expensive access as 2 lot would require. Lot 1 has a flag access with a permitted driveway. The adjoining lots are ½ acres lots (20,000 min) with city water. All the adjoining properties are already developed. To create this property by code would require a minimum of 60' of frontage. This would require 270' more or less of construction & since it exceeds 200 L.F. (allowed by code) a turnaround is required. Due to steep topography to meet the minimum grades of 5% before a "t" turnaround and 7% thru turnaround would require 365' L.F. more or less to build a proper "t" turnaround and 50' for the "T" portion for a total of 415' to build a property "t" turnaround. A normal access road would only be about 60' to 125' of construction to service a normal lot with costs of \$3900 to \$8000. A normal 125' road would be about 225 C.Y. of gravel @ 2' deep. Using MSB numbers 415 L.F. @ \$65.00 a f.t. = \$26,975.00 for standard road. This road would take twice the gravel 1600 cy versus 700 cy, which could increase cost to 415 L.F. X 128 = \$49,800. It would be more expensive if we used the 3.75% grade option. The "T" stub would be 5' to 7' +/- above the existing grade requiring more gravel to transition to a building site.

C. Because of unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB Code 43.20 shall result in undue substantial hardship to the owner of the property.

The plat is too create 2 large lots out of 8.4 Acres. 4.88 acres and 3.56 acres. The current development is ½ acre lots which are served by city of Wasilla water. Build E. Brome Ave to residential standards would be expensive just to serve 1 house site. The future extension of E. Brome is very unlikely because it would involve flood plain, a bridge at Wasilla Creek, and then a permitted railroad crossing to properties that are already developed and access E. Fireweed. Construction of a road on Brome has topography as shown which requires cut & fill to build. The high water table flood plains and wetlands on Tract A would limit any additional development. (Refer to "b" on topographic restrictions for "t" turnarounds.) See attached plan & profile for grades and topographic information.

Staff objects to this variance on the grounds that it is based on the current owner having two single-family homes on the property and does not contemplate that further development may happen in the future. Platting code does not contemplate land use or development in the lot and block design, the physical and legal access, the soils, etc. The reason for this is we can't see into the future. Land can be used for one use now and several years later, could be developed very differently. Physical access to Lot 2 is essential to the continued development of the area, if it is to be developed. This property is over 8 acres, and fill could be added to create even more buildable area for increased housing, commercial operations, etc. which does not require subdividing and therefore may not come before this board again. Fill was placed to provide for useable septic area on Lot 1, fill could be placed to provide for other increased housing.

Again, like the previous variance, the developer's answer to Item B addresses surrounding parcels, when Item B does not contemplate surrounding parcels. All lots are required to have physical access per MSB 43.20.100, *Access Required*. In Item B and C, the developer is saying how expensive it would be to develop the road access to Lot 2; nowhere in platting code does it contemplate monetary factors in the platting of lots. As for Item C, the Public Works Engineer states there is sufficient ROW available to build a road. The legal access is there, the physical access needs to be constructed. Staff notes that road access could be constructed to pioneer road standard per MSB 43.20.055.

Comments: Public Works does not support the variance to physical access (**Exhibit F**). Private access easements have a tendency to become problematic decades later. Title 43 requires legal and physical access to every lot. There is sufficient ROW available to build a road. Code Compliance had an open case for "possible violation of MSB 17.29 development in a Special Flood Hazard Area (SFHA) without a permit" (**Exhibit G**). A site visit was conducted and the officer spoke to Mr. Delolli. The officer closed the case as the preliminary plat shows the structure is outside of the SFHA and in compliance with MSB 17.29 at this time. Land & Resource Management has no objection to the subdivision or the variance (**Exhibit H**).

The Planning Director does not believe the variances meet the legal requirements to be granted (**Exhibit I**). Clearly, the application shows that the only reason he wants the variances is so he does not have to build the residential road in the platted ROW. In reality, if granted the two resulting parcels could potentially be subdivided further, and worst case scenario, four-plexes could be built on each lot, and the already inadequate access would be totally overwhelmed, and would fail. If the flag lot were the only possible access, it may be an option, but there is plenty of frontage on E. Brome Ave. No objection to subdividing the parcels, but not in the proposed configuration with access through the existing flag lot. Access should be from the unconstructed E. Brome Ave. ROW. Emergency Service stated they have no objection to the division of land, but the existing water and fire hydrants should be extended into this development if the intended use will be residential (**Exhibit J**).

MTA has no objections (**Exhibit K**). GCI has no objections (**Exhibit L**). Enstar had no comments or objections (**Exhibit M**). MEA requested a recorded easement be shown on the plat (**Exhibit N**).

The City of Wasilla Planning and Public Works departments have no comments (**Exhibit O**). The Wasilla Public Works Clerk stated water service is available to Tract A. State of Alaska DNR, Survey Section has no comment (**Exhibit P**).

Emily & Jonathan Ramirez, owner of 1843 S. Bronco Circle, responded to the public noticing (**Exhibit Q-1**). They do not feel the owner should be granted a variance. Development in our neighborhoods should be completed following the standards of the rest of the subdivision. In other words, I feel that Lot 2 should only be developed after Brome Avenue is extended to provide adequate and safe road access.

Lance and Dana Chadwick, owners of 1725 S. Creekside Circle, object to the subdivision because it will turn the driveway for Tract A into a road between Lots 14 & 15 (**Exhibit Q-2**).

They stated there is no natural barrier to restrict lot 2 from accessing their lot from Creekside Circle and the driveway for lot 1 naturally leads right to lot 2.

CONCLUSION

The preliminary plat of Creekside Heights 2016 is consistent with AS 29.40.070, *Platting Regulations*, and MSB 43.15.016, *Preliminary Plat Submittal and Approval*. The plat is creating two lots, each over 40,000 sq ft. The engineer stated each lot has 10,000 sq ft of useable building area and 10,000 sq ft of contiguous useable septic area. Staff's opinion is that the answers to the variance criteria are not sufficient to warrant approval.

Platting Staff, Public Works, and the Planning Director object to the variance for physical access to Lot 2. Platting Staff does not support the variance to the flag lot width of Lot 1 as the answers do not fully address the criteria. The variances are written without contemplating that there may be a future use to the land and the fact that road construction is expensive. As a result of the public noticing, two objections were received, both having to do with access to Lot 2.

RECOMMENDATIONS:

Suggested Motion: "I move to approve the variance to 43.20.300, Lot and Block Design, for the plat of Creekside Heights 2016 located within Section 17, Township 17 North, Range 1 East, Seward Meridian."

FINDINGS for approval:

1. A variance request was submitted and presented to the Platting Board from MSB 43.20.300, *Lot and Block Design* to allow a flag lot width of 25' versus the current code requirement of 30 feet.

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

Will not affect the public or adjoining properties since it was approved under a previous title and the driveway is permitted & constructed. Today's code allows for 30' at the ROW the existing driveway is 18' to 20' of driving surface built to minimal grades 3%-5% in the neck portion. The flag is 25' wide on the narrow part and 60' wide on the R.O.W. which is what the Title 16 allowed in 2007. Mr. Delolli has already installed 2 city water services within the flag portion and set up MEA and Enstar to go in the flag portion to service both single family homes. We are requesting a shared driveway and utility easement on the flag lot which has an approved permitted driveway now. We will record a common access easement document and show recording numbers on final plat

B. The conditions upon which the variance application is based do not apply generally to properties for which the variance is sought because:

Adjoining properties are not flag lots and this would only affect flag lot designs. When this plat was done the code allowed narrower flagpole as long as it had 60' of frontage. Except for lot 10 which has one spot at about 25' but averages 40' & 45' on each end since it's on a cul-de-sac.

C. Because of unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB Code 43.20 shall result in undue substantial hardship to the owner of the property.

The adjoining lots are 20,000 sq. ft. lots and already developed so to acquire 5' would not be an option since they are at minimum square footage and would not be compliant since 5' X 135' is 675 sq. ft. refer to letter and attachments.

FINDINGS for denial of variance to MSB 43.20.300, Lot and Block Design:

1. The fact that utilities are installed or planned to be installed within the pole portion of Lot 1 does not demonstrate how the flag lot is not detrimental to the public health, safety, welfare or injurious to adjacent property.
2. The last three sentences in the answer to Item A have nothing to do with the pole portion width not being detrimental to public health, safety, welfare or injurious to adjacent property.
3. Title 43 does not require installation of utilities to subdivide land.
4. The answer to Item B suggests that only surrounding lots should be taken into account. Item B says nothing about adjoining lot configuration being a factor in determining the reason for granting the variance. Flag lots are lots, no matter where they are.
5. Tract A, Creekside Heights was created under Title 16, which was silent on the design of flag lots, it did not state that lesser width of the flag pole was allowed, it was silent on the whole issue of flag lots.
6. Answers to the three criteria are insufficient to warrant staff support of this variance.
7. A vote to deny this variance would be a denial of the plat, since the parent parcel design is not being changed.

Suggested Motion: "I move to approve the variance to MSB 43.20.140, Physical Access, for the plat of Creekside Heights 2016 located within Section 17, Township 17 North, Range 1 East, Seward Meridian."

FINDINGS for approval:

1. A variance request was submitted and presented to the Platting Board from MSB 43.20.140, *Physical Access*, to allow for proposed Lot 2 to be created without physical road frontage.
 - A. The granting of the variance shall not be detrimental to the public health, safety, welfare or injurious to adjacent property because:
The proposed common access on the existing driveway would only be for two single family homes on large lots limiting it to 6 to 8 trips per day when houses are

constructed. The public would not be affected since the adjoining lots already have access off of paved roads and the future of this road being extended is highly unlikely for the reasons stated in (C). The shared access will be much safer due to the amount of traffic on E. Brome & S. Creekside Dr. intersection. In the 1991 Construction Manual under page 17, section A15.2 it allows for shared residential driveway for four or less dwelling units which may be built as a single family driveway standard. Emergency services should be able to use this access and fire hydrants are nearby making it easier to service both lots instead a steeper road on Brome just for one lot. We feel the proposed access would be much safer and better than creating a 4 way intersection just for one lot. E. Brome and S. Creekside Drive probably exceed their normal A.D.T. because of the Ranch Subdivision development. By adding the extra Lot 2 onto South Creekside Circle would only be 11 lots on the current road with a stop sign. The grade of that access is much better than on E. Brome. The fire hydrant is 68.6 feet from the proposed shared driveway. It would be approximately 320 L.F. via the Brome access.

B. The conditions upon which the variance application is based do not apply generally to properties for which the variance is sought because:

Surrounding Properties would not require an expensive access as 2 lot would require. Lot 1 has a flag access with a permitted driveway. The adjoining lots are ½ acres lots (20,000 min) with city water. All the adjoining properties are already developed. To create this property by code would require a minimum of 60' of frontage. This would require 270' more or less of construction & since it exceeds 200 L.F. (allowed by code) a turnaround is required. Due to steep topography to meet the minimum grades of 5% before a "t" turnaround and 7% thru turnaround would require 365' L.F. more or less to build a proper "t" turnaround and 50' for the "T" portion for a total of 415' to build a property "t" turnaround. A normal access road would only be about 60' to 125' of construction to service a normal lot with costs of \$3900 to \$8000. A normal 125' road would be about 225 C.Y. of gravel @ 2' deep. Using MSB numbers 415 L.F. @ \$65.00 a f.t. = \$26,975.00 for standard road. This road would take twice the gravel 1600 cy versus 700 cy, which could increase cost to 415 L.F. X 128 = \$49,800. It would be more expensive if we used the 3.75% grade option. The "T" stub would be 5' to 7' +/- above the existing grade requiring more gravel to transition to a building site.

C. Because of unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB Code 43.20 shall result in undue substantial hardship to the owner of the property.

The plat is too create 2 large lots out of 8.4 Acres. 4.88 acres and 3.56 acres. The current development is ½ acre lots which are served by city of Wasilla water. Build E. Brome Ave to residential standards would be expensive just to serve 1 house site. The future extension of E. Brome is very unlikely because it would involve flood plain, a bridge at Wasilla Creek, and then a permitted railroad crossing to properties that are already developed and access E. Fireweed. Construction of a road on Brome has topography as shown which requires cut & fill to build. The high water table flood

plains and wetlands on Tract A would limit any additional development. (Refer to "b" on topographic restrictions for "t" turnarounds.) See attached plan & profile for grades and topographic information.

FINDINGS for denial of the variance to MSB 43.20.140, Physical Access:

1. The answers to Item A propose that the only future use of this property will be 2 single family homes.
2. Platting code does not contemplate land use or development in the lot and block design, the physical and legal access, the soils, etc. The future use of the land is unknown. Land can be used for one use now and several years later, could be developed very differently.
3. The answer to Item B suggests that only surrounding lots should be taken into account. Item B says nothing about surrounding lots being a factor in determining the reason for granting the variance.
4. The answer to Item B and C suggests the expense of constructing E. Brome Ave should be considered a reason for approval of a variance to physical road frontage to Lot 2. Platting code does not contemplate expense when subdividing.
5. Department of Public Works Engineer stated adequate Right-of Way exists to develop E. Brome Ave for access to Lot 2.
6. The answer to Item C states "*high water table flood plains and wetlands on Tract A would limit any additional development.*" Staff notes the current development brought in fill to create useable septic area and future development could also bring in fill to allow for future development.
7. Platting Staff, Planning and Land Use Director and Public Works Department object to the granting of this variance.
8. Two objections to the access planned for Lot 2 were received from nearby parcel owners.
9. A vote to deny this variance would not necessarily require denying the plat as road construction of E. Brome Ave. would provide physical road frontage to proposed Lot 2.

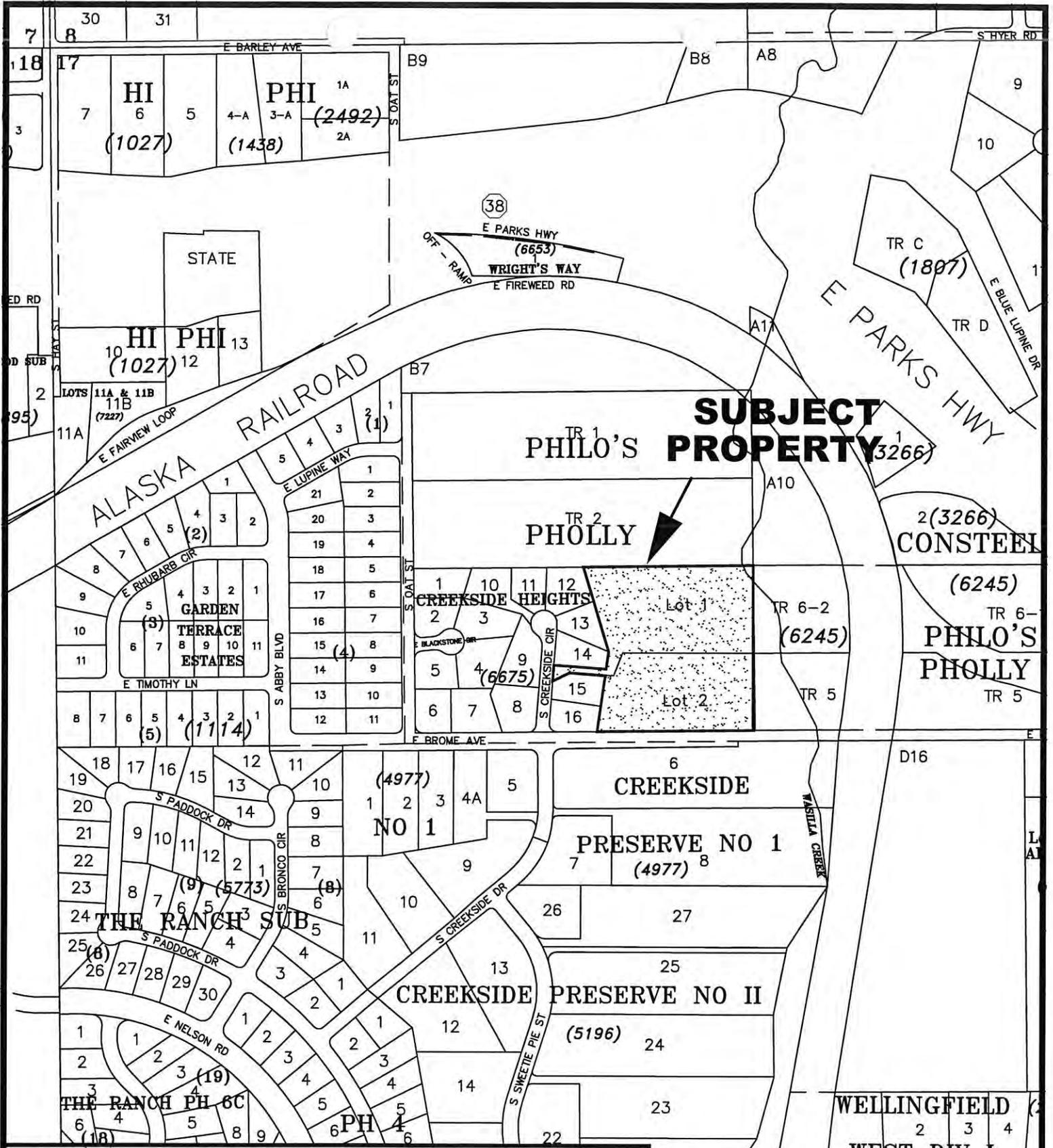
Suggested Motion: "I move to approve the preliminary plat of Creekside Heights 2016, located within Section 17, Township 17 North, Range 1 East, Seward Meridian, contingent on staff recommendations"

1. Pay mailing and advertising fees.
2. Submit construction cost estimate, schedule pre-construction meeting with Public Work's Engineer, pay inspection fee, and obtain Notice to Proceed in compliance with SCM, Section E.

3. Construct the E. Brome Ave to residential standards minimum ending in a temporary cul-de-sac which will provide Lot 2 with physical access.
4. 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 road signoff.
5. Dedicate a temporary turnaround on the final plat.
6. Show or list all easements of record on the final plat as required in MSB 43.15.051(P).
7. Submit final plat in full compliance with Title 43.
8. Submit recording fee for the plat, payable to the State of Alaska, DNR.
9. Provide updated Certificate to Plat executed within 90 days of plat recordation per MSB 43.15.053(E) and submit Beneficiary Acknowledgement, if applicable.
10. Taxes and special assessments must be current prior to recording, per MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.

FINDINGS for approval of the plat:

1. The preliminary plat of Creekside Heights 2016 is consistent with AS 29.40.070, *Platting Regulations*, and MSB 43.15.016, *Preliminary Plat Submittal and Approval* with a variance to MSB 43.20.300, *Lot and Block Design*.
2. E. Brome Ave was platted in 1969 with the plat of Philo's Pholly. It was not constructed previously because lots created with the plat of Creekside Heights had alternate access with the construction of S. Creekside Circle.
3. The engineer stated the lots have the required useable septic area and useable building area.
4. The soil types found in the 6 test holes conform to MSB 43.20.281.
5. Blanket utility easements are in place to provide utility access to each lot.
6. Lot 2 requires physical road frontage on E. Brome Ave.
7. Lot 1 contains a pole portion which is less than 30' wide. A variance to MSB 43.20.300, *Lot and Block Design*, was presented and approved by the Platting Board.



VICINITY MAP

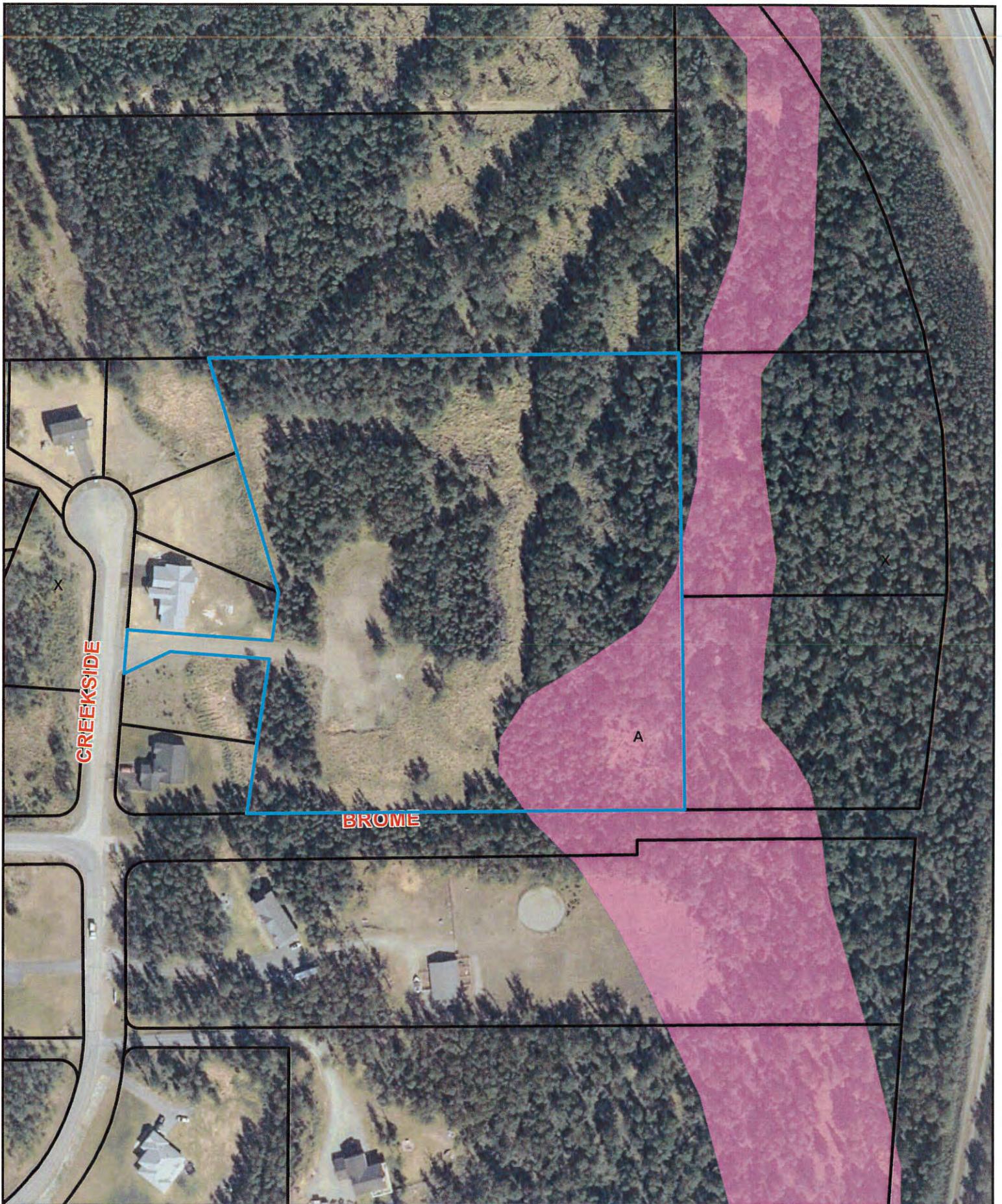
FOR PROPOSED CREEKSIDE HEIGHTS 2016
 LOCATED WITHIN
 SECTION 17, T17N, R1E
 SEWARD MERIDIAN, ALASKA

WASILLA 10 MAP

EXHIBIT A

TR 1
(7185)

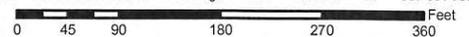
WELLINGFIELD
 WEST DIV III (2)



Matanuska Susitna Borough
 Platting Division
 Date: 12/9/2016

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.



DENALI NORTH

847 W. Evergreen Avenue
Palmer, Alaska 99645

October 25, 2016

Fred Wagner, PLS
Platting Officer
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, Alaska 99645

RECEIVED
OCT 27 2016
PLATTING

RE: Proposed Creekside Heights 2016 Subdivision
Soils and Usable Area Report

Dear Mr. Wagner,

A soils investigation for the referenced proposed subdivision was performed by Denali North in 2005 and 2016. The investigation was conducted, as per Matanuska-Susitna Borough Subdivision Code Title 43, to determine if sufficient usable area exists for installation of conventional on-site wastewater disposal systems. This project is proposed to create two lots as shown on the attached plat drawing. Both lots will be connected to the City of Wasilla public water system.

The investigation included logging six test holes located as shown on the attached topography map. Test hole logs have been prepared and included with this submittal, showing the soil classification and depth to water table. The soils within the proposed subdivision consist primarily of sandy gravel (GP/SP). Water tables of five feet were observed in TH's A, B & D and were verified in June 2016. The required eight feet depth to water table has been obtained on Lot 1 by adding approximately 2000 cubic yards of fill. On Lot 2 the required usable area is obtained by avoiding the area of shallow water found in TH 'B'. The subdivision site is relatively flat with about a one percent grade sloping in an easterly direction towards Wasilla Creek as shown on the topographic map.

Based on the test hole data and observations of topography each of the proposed lots contains at least 10,000 square feet of usable building area and 10,000 square feet of contiguous useable septic area, in conformance with the Matanuska-Susitna Borough Subdivision Code, Section 43.20.281.

If you have any questions feel free to give Denali North a call at (907) 376-9535.

Sincerely,



James Rowland, P.E.



EXHIBIT B-1

DENALI NORTH

847 W. Evergreen Avenue
Palmer, Alaska 99645,

SOIL LOG

PERCOLATION TEST

- SOIL LOG
- PERCOLATION TEST
- BEDROOMS

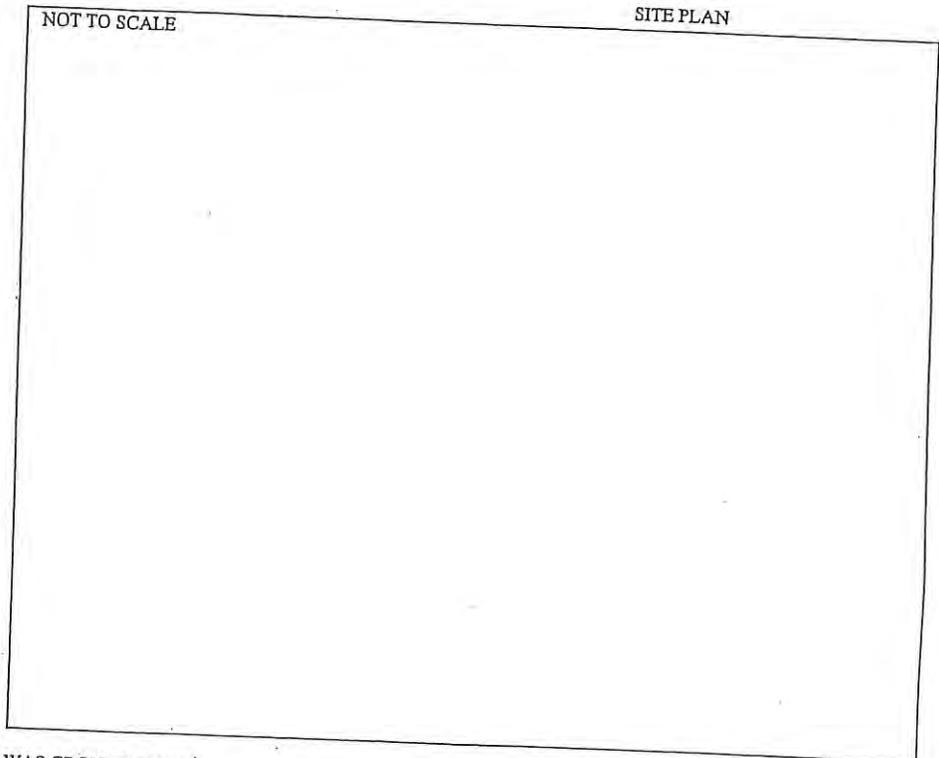
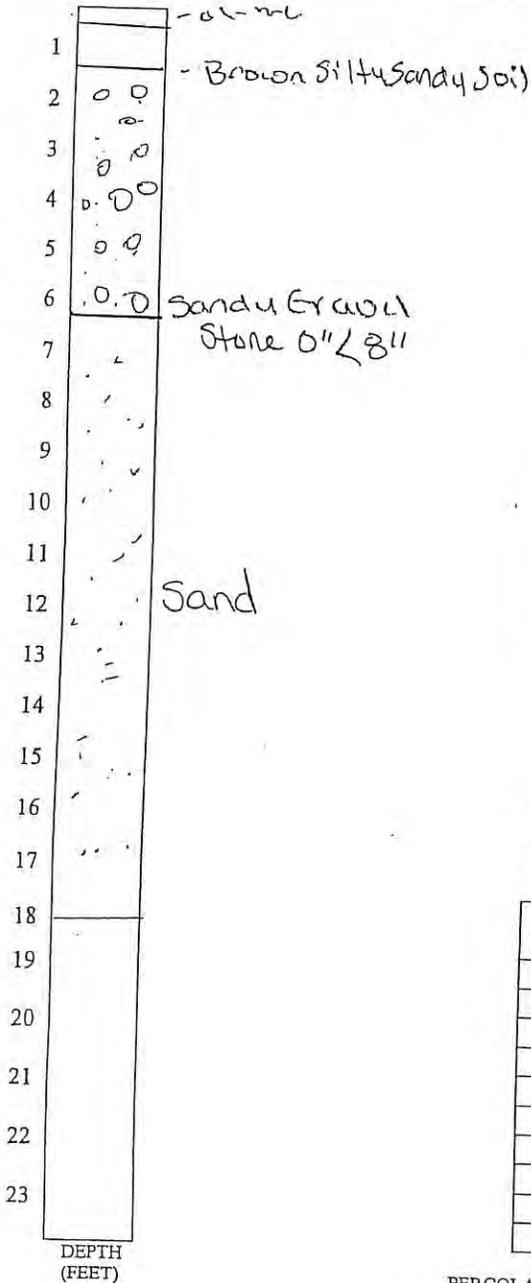
TEST HOLE 10

JOB NUMBER: 04-507

PERFORMED FOR: DAVE PFETTER

DATE PERFORMED: 6-22-05

LEGAL DESCRIPTION: PHILO'S PHOLLY



WAS GROUND WATER ENCOUNTERED? NO
 IF YES, AT WHAT DEPTH? _____

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

PERCOLATION RATE _____ (minutes/inches)
 TEST RUN BETWEEN _____ FT AND _____ FT

COMMENTS _____

EXHIBIT B-6

PERFORMED BY: W. W.

CERTIFIED BY: _____

DATE: J10

DENALI NORTH

847 W. Evergreen Avenue
Palmer, Alaska 99645

SOIL LOG

PERCOLATION TEST

- SOIL LOG
- PERCOLATION TEST

___ BEDROOMS

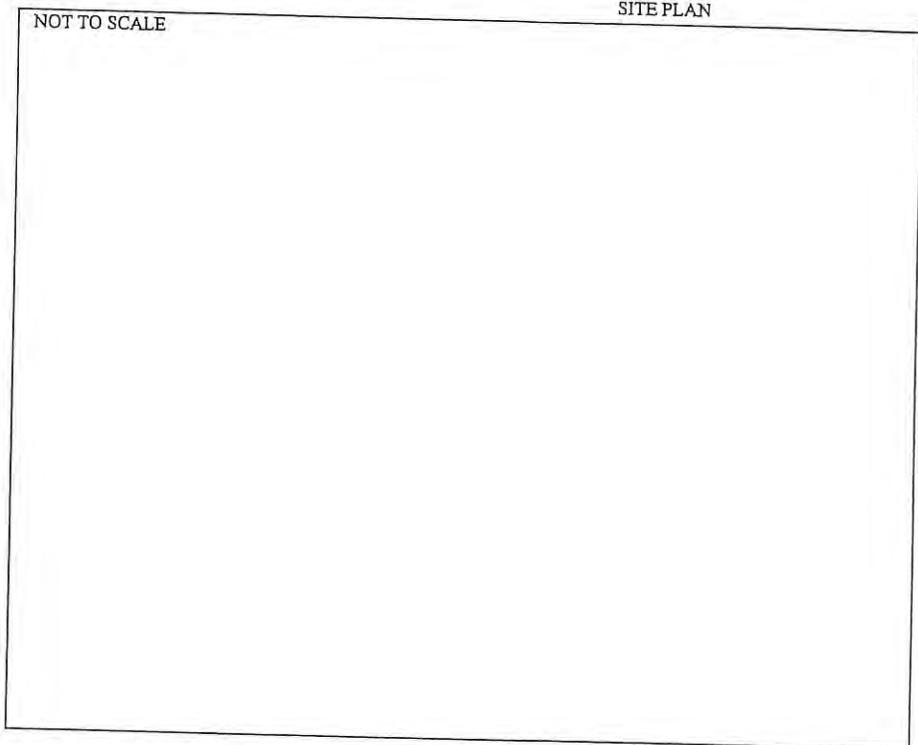
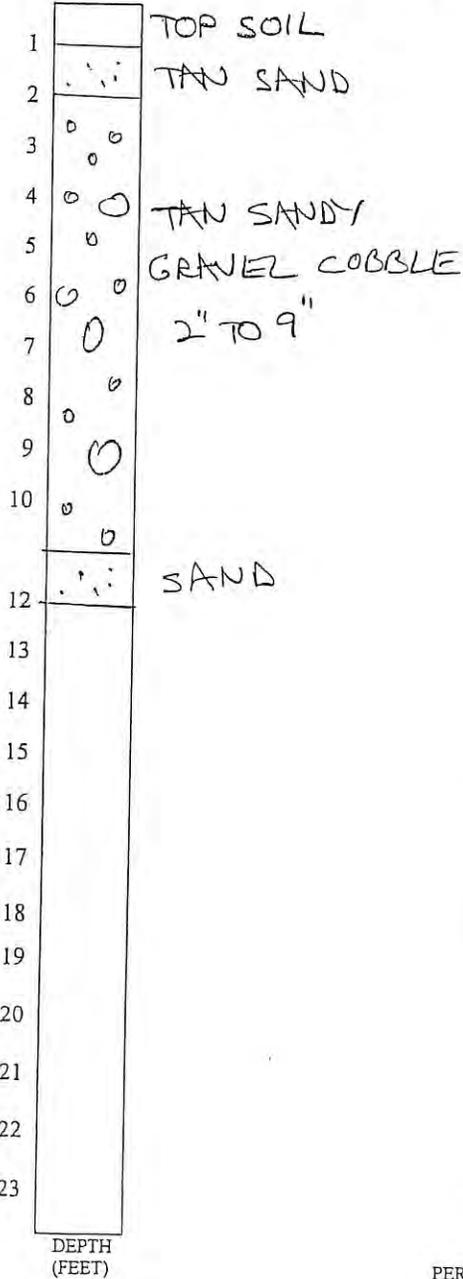
TEST HOLE II

JOB NUMBER: 4-507

PERFORMED FOR: DAVE PFEIFER

DATE PERFORMED: 6-22-05

LEGAL DESCRIPTION: PHLO'S PHOLLY



WAS GROUND WATER ENCOUNTERED? NO
 IF YES, AT WHAT DEPTH? _____

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

PERCOLATION RATE _____ (minutes/inches)

TEST RUN BETWEEN _____ FT AND _____

EXHIBIT B-7

PERFORMED BY: W.W. CERTIFIED BY: _____ DATE: Jill

RECEIVED

SEP 20 2016

PLATTING

September 13, 2016

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

ATTN: Fred Wagner

RE: Creekside Heights "2016"

Dear Mr. Wagner,

We are providing some new information to update this plat submittal. We performed additional test holes and monitored water table after May 15, 2016 and revised the soils report.

We have prepared 2 variances in regard to access and the flag lot. If the variances aren't approved then my client would be required to build the MSB residential road which may not be economical. After reviewing Mr. Delolli pre-app and doing a rough design of the residential physical road requirement would be difficult and very expensive due to actual lineal foot of the road required and a large fill to meet grade requirements of a "T" turnaround as shown on attached drawings. We have attached highlighted pages from 1991 MSB subdivision Construction Manual to show some of the design requirements.

A normal access road would only be about 60' to 125' of construction to service a normal lot with costs of \$3900 to \$8000. A normal 125' road would be about 225 C.Y. of gravel @ 2' deep. Using MSB numbers, 415 L.F. @ \$65.00 a f.t. = \$26,975.00 for standard road. This road would take twice the gravel 1600 cy versus 700 cy, which could increase cost to 415 L.F. X 128 = \$49,800. It would be more expensive if we used the 3.75 % grade option.

The flag is 25' wide on the narrow part and 60' wide on the R.O.W. which is what the Title 16 allowed in 2007. Mr. Delolli has already installed 2 city water services within the flag portion and set up MEA and Enstar to go in the flag portion to service both single family homes. We are requesting a shared driveway and utility easement on the flag lot which has an approved permitted driveway now. We will record a common access easement document and show recording numbers on final plat. Lot 1 will have 60 legal access to S. Creekside Circle and lot 2 will have legal access to E. Brome Ave., but physical access from the shared drive to S. Creekside Circle.

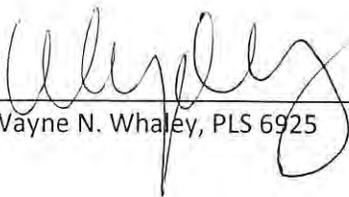
This will preserve a wooded buffer to Lot 6 of Creekside Preserve and avoid building a road along Lot 16 of Creekside Heights. The borough will not have to maintain 415 L.F. of road. Constructing a road would make this a 4 way intersection which is already overloaded with traffic. This road is the main access road to Creekside Preserve,, Garden Terrace and The Ranch Subdivision. In the 1991 Construction Manual under page 17, section A15.2 it allows for shared residential driveway for four or less dwelling units which may be built as a single family driveway standard. Emergency services should be able to use this access and the only fire hydrant is only

EXHIBIT C-1

68.6 ft. from our proposed common access driveway making it easier to service both lots instead a steeper road on Brome just for one lot.

We feel the proposed access would be much safer and better then creating a 4 way intersection just for one lot. E. Brome and S. Creekside Drive probably exceed their normal A.D.T. because of the Ranch Subdivision development. By adding the extra Lot 2 onto South Creekside Circle would only be 11 lots on to the current road with a stop sign. The grade of that access is much better than on E. Brome.

If you have any questions or comments please feel free to contact us at 907 376-9535 or 907 745-1110.



Wayne N. Whaley, PLS 6925

VARIANCE APPLICATION #2

JUL 28 2016

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

Legal description of property: Tract A, Creekside Heights Plat No. 2007-49

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

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

1. Aqim Delolli the owner (or owner's representative) of the above described property apply for a variance from Section 43.20.300 of the Borough Code in order to allow: to allow a variance to the flag lot width of 25' FT. versus the current code requirement of 30' FT. road frontage, is 60' FT. and now its 30' FT. minimum

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

APPLICANT
OR
OWNER

Name: Aqim Delolli Email: aqim67@yahoo.com
Mailing Address: 17675 E. Miners Ave. Sutton, AK Zip: 99674
Signature: [Signature] Phone: 360-0332

SURVEYOR

Name (FIRM): Denali North Email: denalnorth6925@gmail.com
Mailing Address: Po Box 874577 Wasilla, AK Zip: 99687
Contact Person: Wayne Phone: 376-9535

Question A:

Will not affect the public or adjoining properties since it was approved under a previous title and the driveway is permitted & constructed. Today's code allows for 30' at the ROW the existing driveway is 18' to 20' of driving surface built to minimal grades 3%-5% in the neck portion. The flag is 25' wide on the narrow part and 60' wide on the R.O.W. which is what the Title 16 allowed in 2007. Mr. Delolli has already installed 2 city water services within the flag portion and set up MEA and Enstar to go in the flag portion to service both single family homes. We are requesting a shared driveway and utility easement on the flag lot which has an approved permitted driveway now. We will record a common access easement document and show recording numbers on final plat.

Question B:

Adjoining properties are not flag lots and this would only affect flag lot designs. When this plat was done the code allowed narrower flagpole as long as it had 60' of frontage. Except for lot 10 which has one spot at about 25' but averages 40' & 45' on each end since it's a cul-de-sac.

Question C:

The adjoining lots are 20,000 sq. ft. lots and already developed so to acquire 5' would not be an option since they are at minimum square footage and would not be compliant since 5' x 135' is 675 sq. ft. refer to letter and attachments.

RECEIVED
SEP 20 2016
PLATTING

Matanuska-Susitna Borough
Telephone (907) 861-7874

350 East Dahlia Avenue
Palmer, Alaska 99645-6488

#1

VARIANCE APPLICATION

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

Legal description of property: Tract A, Creekside Heights Plat No 2001-49

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

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

I, Aqim Delolli the owner (or owner's representative) of the above described property apply for a variance from Section 43.20. 140 of the Borough Code in order to allow:

A. Variance to Physical access on Brome for Proposed lot 2 Creekside Heights "2016" to access from a shared drive with lot 1 on the existing driveway to S. Creekside Circle

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

APPLICANT
OR
OWNER

Name: Aqim Delolli Email: aqim67@yahoo.com
Mailing Address: 17675 E. Miners Ave. Sutton, AK Zip: 99674
Signature: [Signature] Phone: 360-0332

SURVEYOR

Name (FIRM): Denali North Email: denalinorth6925@gmail.com
Mailing Address: P.O. Box 87577 Wasilla, AK Zip: 99687
Contact Person: Wayne Phone: 376-9535

EXHIBIT E-1

Question A:

The proposed common access on the existing driveway would only be for two single family homes on large lots limiting it to 6 to 8 trips per day when houses are constructed. The public would not be affected since the adjoining lots already have access off of paved roads and the future of this road being extended is highly unlikely for the reasons stated in (C). The shared access will be much safer due to the amount of traffic on E. Brome & s. Creekside Dr. intersection. In the 1991 Construction Manual under page 17, section A15.2 it allows for shared residential driveway for four or less dwelling units which may be built as a single family driveway standard. Emergency services should be able to use this access and fire hydrants are nearby making it easier to service both lots instead a steeper road on Brome just for one lot.

We feel the proposed access would be much safer and better then creating a 4 way intersection just for one lot. E. Brome and S. Creekside Drive probably exceed their normal A.D.T. because of the Ranch Subdivision development. By adding the extra Lot 2 onto South Creekside Circle would only be 11 lots on to the current road with a stop sign. The grade of that access is much better than on E. Brome. The fire hydrant is 68.6 feet from the proposed shared driveway. It would be approximately 320 L.F. via the Brome access.

Question B:

Surrounding Properties would not require an expensive access as 2 lot would require. Lot 1 has a flag access with a permitted driveway. The adjoining lots are ½ acres lots (20,000 min) with city water. All the adjoining properties are already developed. To create this property by code would require a minimum of 60' of frontage. This would require 270' more or less of construction & since it exceeds 200 L.F. (allowed by code) a turnaround is required. Due to steep topography to meet the minimum grades of 5% before a "t" turnaround and 7% thru turnaround would require 365' L.F. more or less to build a proper "t" turnaround and 50' for the "T" portion for a total of 415' to build a proper "t" turnaround. A normal access road would only be about 60' to 125' of construction to service a normal lot with costs of \$3900 to \$8000. A normal 125' road would be about 225 C.Y. of gravel @ 2' deep. Using MSB numbers, 415 L.F. @\$65.00 a f.t. = \$\$26,975.00 for standard road. This road would take twice the gravel 1600 cy versus 700 cy, which could increase cost to 415 L.F. X 128 = \$49,800. It would be more expensive if we used the 3.75 % grade option. The "T" stub would be 5' to 7' +- above the existing grade requiring more gravel to transition to a building site.

Question C:

The plat is too create 2 large lots out of 8.4 Acres. 4.88 acres and 3.56 acres. The current development is ½ acre lots which are served by city of Wasilla water. Building E. Brome Ave to residential standards would be expensive just to serve 1 house site. The future extension of E. Brome is very unlikely because it would involve flood plain, a bridge at Wasilla Creek, and then a permitted railroad crossing to properties that are already developed and access E. Fireweed. Construction of a road on Brome has topography as shown which requires cut & fill to build. The high water table flood plains and wetlands on Tract A would limit any additional development. (Refer to "b" on topographic restrictions for "t" turnarounds.) See attached plan & profile for grades and topographic information.

A14.2 INCREASE IN RIGHT-OF-WAY WIDTH.

- a) If proposed lots are large enough for further subdivision or the road provides access to unsubdivided parcels, which, if subdivided, may change the street classification in the future to a higher class of street, the Public Works Department may recommend to the Platting Board that the right-of-way width for a higher classification street be provided.
- b) If terrain dictates, right-of-way widths in excess of the minimum established in Section A14.1 may be required to contain all cut and fill slopes plus at least 5 feet outside the cut or fill catches.

A15 DRIVEWAYS

A15.1 DRIVEWAYS TO SINGLE-FAMILY LOTS.

- a) Driveways shall be located not less than 40 feet from the tangent point of the radius return of any intersection. Driveways to corner lots shall gain access from the street of lower classification when a corner lot is bounded by streets of two different classification.
- b) The standards which shall apply to the driveway apron at the edge of the trafficway are: Minimum curb cut or driveway width at the trafficway edge shall be 10 feet with 6 foot radius which equals 22 feet total.
- c) Driveways are not usually required to be constructed within the rights of way at time of road construction. However, if a developer chooses to construct driveways, driveway permits are required, a sample copy is attached in Appendix A.

A15.2 SHARED RESIDENTIAL DRIVEWAYS FOR MULTI-FAMILY DEVELOPMENT.

- a) All entrance drives serving 4 or fewer dwelling units may be designed to single family driveway standards above.

may be necessary to carry traffic from one neighborhood to another or from the neighborhood to other areas in the community. Residential Collectors are unsuitable for providing direct access to residences.

d) Special Purpose Streets: The Platting Board may require the development to include a Frontage Street or divided street if the circumstances set forth in item 1 and 2 below exist.

(1) Frontage Street: A Frontage Street is a street parallel and adjacent to a residential collector or higher level street which provides access to abutting properties and separation from through traffic. It may be designed using residential street or a residential subcollector standards as anticipated traffic volumes dictate.

(2) Divided Streets: For the purpose of protecting environmental features or avoiding excessive grading, the borough may allow a street to be divided. In such a case, the design standards shall be applied to the appropriate street classification and the single lane width.

A03.3 EXISTING STREETS. Each street abutting or affecting the design of a subdivision or land development, which is not already classified shall be classified according to its function, design and use by the borough at the request of the applicant or during plan review. The classification of existing streets shall include those categories of Section A03.1 and A03.2 above, or higher category as determined by either the adopted borough's street classification system, or current use.

A04 RESIDENTIAL STREETS

A04.1 SERVICE RESTRICTIONS. A residential street is a street which provides access to abutting properties. It shall be designed to carry no more traffic than that which is generated on the street itself but in no case an average daily traffic (ADT) volume greater than 200. Each half of a loop street may be regarded as a single Residential Street. The total calculated traffic volume generated on a loop Residential street shall not exceed 400 ADT, see figure in A05.2.

A04.2 STREET ACCESS. Residential streets may intersect or take access from any equal or higher street type. Both ends of a loop residential street are

MUTCD. Contact Matanuska-Susitna Borough, Public Works Department for details.

A17 TRIP GENERATION RATES. Streets will be designed for specific traffic volumes. The following formula can be used for residential land use traffic determination to determining average daily trips (ADT):

ADT = Number of dwelling units (potential) x 6 for single-family residential use.

A18 "T" TURNAROUNDS. The trafficway is to be at least 22 feet wide with 30 foot radius. "T" turnarounds are only allowed on Residential Streets. The length of the "T" portion will be at least 100 feet.

A19 DEFINITIONS

A19.1 AVERAGE DAILY TRAFFIC (ADT). Average Daily Traffic is the total volume during a given time period (in whole days greater than one day and less than one year) divided by the number of days in that time period. For new residential streets and driveways, the expected ADT is determined by using the Trip Generation Rates found in Section A17.

A19.2 DRIVEWAY. A private minor vehicular access way between a street and a parking area within a lot or property.

A19.3 STREET. A public thoroughfare used, or intended to be used, for passage or travel by motor vehicles. Streets are further classified according to their intended or actual function or use.

any equal or higher street type. Both ends of a loop residential street are encouraged to intersect the same collecting street and be designed to discourage through traffic.

A04.3 SHOULDERS. A two foot wide shoulder on each side will be provided on paved streets.

A04.4 ENGINEERING CRITERIA. The design criteria for residential streets are set forth below. Any unspecified design shall meet or exceed the design criteria for a roadway design speed of 25 miles per hour.

- a) Minimum ditch grade: 0.5%
- b) Maximum centerline grade: 10%
- c) Horizontal curvature: Minimum centerline radius 225 feet (190 ft. min. with Public Works Department's approval)
- d) Minimum tangent length between curves: 100 feet
- e) Stopping sight distances: 150 feet minimum
- f) Maximum grade within 50 feet of "T" intersection: 5% and through intersection 7%
- g) Vertical curves where the algebraic difference in grades exceeds 2.0%

A04.5 CUL-DE-SAC TURNAROUNDS.

- a) A drivable surface diameter of 80 feet centered in a R-O-W diameter of 100 feet shall be provided at the terminus of all cul-de-sacs.
- b) Cul-de-sac are to access 20 lots or less, and not exceed 1000 feet in length.
- c) The grade throughout the turnaround surface of a cul-de-sac shall not exceed 4%.

Peggy Horton

From: Jamie Taylor
Sent: Monday, December 05, 2016 4:02 PM
To: Platting
Cc: Peggy Horton
Subject: FW: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

From: Jamie Taylor
Sent: Thursday, December 01, 2016 4:14 PM
To: Platting
Cc: Peggy Horton
Subject: RE: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

DPW does not support the variance to physical access. Private access easements have a tendency to become problematic decades later. Title 43 requires legal and physical access to every lot. There is sufficient ROW available to build a road.

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

From: Peggy Horton **On Behalf Of** Platting
Sent: Monday, October 31, 2016 1:42 PM
To: Eric A Moore (DNR) (eric.moore@alaska.gov); George C Horton (DNR) (george.horton@alaska.gov); Wilber, Sarah E (DFG); Holly Zafian - ADF&G (holly.zafian@alaska.gov); Mark Fink (mark.fink@alaska.gov); planning@ci.wasilla.ak.us; publicworks@ci.wasilla.ak.us; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Enstar ROW (row@enstarnaturalgas.com); 'ospdesign@gci.com' (ospdesign@gci.com); dblehm@gci.com; Richard Boothby; Elizabeth Derbonne; Eric Phillips; regpagemaster@usace.army.mil; Michael Weller; Sheila Armstrong; Tracy McDaniel; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Mark Whisenhunt; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; George McKee; brian.young@usps.gov; ken@slauson.us; dmelliott@mtaonline.net; Stan Gillespie (stan.gillespie@gmail.com)
Cc: Jay Van Diest (jay@valleymarket.com); LaMarr Anderson (lamarra05@gmail.com); Jordan Rausa (jordan@alaskaplans.com); Patrick Johnson (patrickjhnsn@hotmail.com); Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); Gregory Pugh (winforhim@aol.com)
Subject: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

Attached is a request for comments for a two-lot plat near Wasilla Creek, south of the Parks Hwy. Please review and provide your comments by December 2, 2016.

Thank you,

Peggy Horton

Peggy Horton

From: Kendra Johnson
Sent: Wednesday, November 02, 2016 10:42 AM
To: Peggy Horton
Subject: FW: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

Peggy,

Case #2016-159 Creekside Heights –

Code Compliance had an open case (G2016-0100) for “possible violation of MSB 17.29 development in a SFHA w/out a permit” A site visit was conducted on 8/19/2016 where photos were taken of grading, and a foundation being installed. I spoke with the property owner on 8/19/2016 and he stated the foundation is outside the SFHA and the engineer is drawing up the asbuilt/site plan to submit for sub-dividing the property.

Per the preliminary plat your office received on 10/26/2016 (stamped by the engineer) the foundation is in fact out side the SFHA and in compliance with MSB 17.29 at this time. MSB Code Compliance Case G2016-0100) is now closed, as the asbuilt/preliminary plat shows the structure meeting MSB 17.55 & 17.29 ordinances. Please let me know if you have any further questions.

Kendra Johnson, CFM
Code Compliance Officer
Matanuska Susitna Borough
(907)861-7861

From: Theresa Taranto
Sent: Wednesday, November 02, 2016 8:59 AM
To: Kendra Johnson
Subject: FW: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

Theresa Taranto
Development Services
Administrative Specialist

Mat-Su Borough
350 E Dahlia Ave.
Palmer, Alaska 99645
907-861-8574

From: Theresa Taranto
Sent: Wednesday, November 02, 2016 8:58 AM
To: Platting
Subject: RE: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

Open Case # G20160100 since 8/15/16
CCO Kendra Johnson

EXHIBIT G



MATANUSKA-SUSITNA BOROUGH

Community Development

Land & Resource Management

350 East Dahlia Avenue • Palmer, AK 99645

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

RECEIVED

MEMORANDUM

DATE: November 21, 2016
TO: Fred Wagner, Platting Officer
FROM: Land & Resource Management *USC*
SUBJECT: Preliminary Plat Comments / Case #2016-159

Platting Tech: Peggy Horton
Public Hearing: December 15, 2016
Applicant / Petitioner: Delolli
TRS: 17N01E17
Tax ID: 6675000T00A
Subd: Creekside Heights 2016
Tax Map: WA 10

Comments:

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

EXHIBIT H

Peggy Horton

From: Eileen Probasco
Sent: Monday, October 31, 2016 3:32 PM
To: Platting; Peggy Horton; Fred Wagner; Jude Bilafer; Brad Sworts; Jessica Smith
Subject: RE: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH
Signed By: Eileen.Probasco@matsugov.us

I don't believe the variances meet the legal requirements to be granted. Clearly, the application shows that the only reason he wants the variances is so he does not have to build the residential road in the platted ROW. In reality, if granted, the two resulting parcels could potentially be subdivided further, and worst case scenario, four-plexes could be built on each lot, and the already inadequate access would be totally overwhelmed, and would fail. If the flat lot were the only possible access, it may be an option, but there is plenty of frontage on E Brome Ave.

No objection to subdividing the parcels, but not in the proposed configuration with access through the existing flag lot. Access should be from the unconstructed E Brome Ave. ROW.

Eileen

From: Peggy Horton **On Behalf Of** Platting

Sent: Monday, October 31, 2016 1:42 PM

To: Eric A Moore (DNR) (eric.moore@alaska.gov); George C Horton (DNR) (george.horton@alaska.gov); Wilber, Sarah E E (DFG); Holly Zafian - ADF&G (holly.zafian@alaska.gov); Mark Fink (mark.fink@alaska.gov); planning@ci.wasilla.ak.us; publicworks@ci.wasilla.ak.us; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Enstar ROW (row@enstarnaturalgas.com); 'ospdesign@gci.com' (ospdesign@gci.com); dblehm@gci.com; Richard Boothby; Elizabeth Derbonne; Eric Phillips; regpagemaster@usace.army.mil; Michael Weller; Sheila Armstrong; Tracy McDaniel; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Mark Whisenhunt; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; George McKee; brian.young@usps.gov; ken@slauson.us; dmelliott@mtaonline.net; Stan Gillespie (stan.gillespie@gmail.com)
Cc: Jay Van Diest (jay@valleymarket.com); LaMarr Anderson (lamarra05@gmail.com); Jordan Rausa (jordan@alaskaplans.com); Patrick Johnson (patrickjhnsn@hotmail.com); Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); Gregory Pugh (winforhim@aol.com)

Subject: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

Attached is a request for comments for a two-lot plat near Wasilla Creek, south of the Parks Hwy. Please review and provide your comments by December 2, 2016.

Thank you,

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

EXHIBIT I

Cheryl Scott

From: Richard Boothby
Sent: Thursday, January 07, 2016 9:18 AM
To: Platting
Cc: James Steele; Ken Barkley; Lisa Behrens; Bill Gamble
Subject: RE: Pre-Ap Delolli 1/18/2016 @ 11am

The Central Mat-SU FSA and DES has no objections to the subdivide but the existing water and fire hydrants should be extended into this development if the intended use will be residential. The water and fire hydrants main is located on Creekside Circle at the easement access for tract A. Also the newly constructed road must meet the minimum requirements of the International Fire Code for a fire department access road. I have included the applicable code sites.

IFC[®]

INTERNATIONAL FIRE CODE[®]

CHAPTER 5 FIRE SERVICE FEATURES

SECTION 502 DEFINITIONS

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

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

SECTION 503 FIRE APPARATUS ACCESS ROADS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

From: Cheryl Scott **On Behalf Of** Platting

Sent: Thursday, January 07, 2016 8:24 AM

To: Andy Dean; Anne Dollard; Bob Walden; Brad Sworts; Capital Projects; Cindy Corey; Eileen Probasco; Elizabeth Weiant; Eric Phillips; Frankie Barker; Jennifer Ballinger; Jessica Smith; Jill Irsik; Jim Jenson; John Aschenbrenner; Marcia vonEhr; Michael Weller; Mike Campfield; Nicole Wilkins; Permit Center; Richard Boothby; Sandra Cook; Sheila Armstrong; Susan Lee; Terry Dolan; Theresa Taranto; Tracy McDaniel

Peggy Horton

From: Becky Glenn <rglenn@mta-telco.com>
Sent: Wednesday, November 02, 2016 1:36 PM
To: Platting
Cc: Jessica Thompson
Subject: RE: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

Peggy,

MTA has reviewed the preliminary plat for Creekside Heights 2016.
MTA has no objections.

Thank you for the opportunity to review and comment.
Becky Glenn
MTA

From: Peggy Horton [mailto:Peggy.Horton@matsugov.us] **On Behalf Of** Platting
Sent: Monday, October 31, 2016 1:42 PM
To: Eric A Moore (DNR) (eric.moore@alaska.gov) <eric.moore@alaska.gov>; George C Horton (DNR) (george.horton@alaska.gov) <george.horton@alaska.gov>; Wilber, Sarah E E (DFG) <sarah.wilber@alaska.gov>; Holly Zafian - ADF&G (holly.zafian@alaska.gov) <holly.zafian@alaska.gov>; Mark Fink (mark.fink@alaska.gov) <mark.fink@alaska.gov>; planning@ci.wasilla.ak.us; publicworks@ci.wasilla.ak.us; mearow@matanuska.com; Becky Glenn <rglenn@mta-telco.com>; Jessica Thompson <jthompson@mta-telco.com>; Enstar ROW (row@enstarnaturalgas.com) <row@enstarnaturalgas.com>; 'ospdesign@gci.com' (ospdesign@gci.com) <ospdesign@gci.com>; dblehm@gci.com; Richard Boothby <Richard.Boothby@matsugov.us>; Elizabeth Derbonne <elizabeth.derbonne@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; regpagemaster@usace.army.mil; Michael Weller <Michael.Weller@matsugov.us>; Sheila Armstrong <Sheila.Armstrong@matsugov.us>; Tracy McDaniel <Tracy.McDaniel@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Nicole Wilkins <Nicole.Wilkins@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Mark Whisenhunt <Mark.Whisenhunt@matsugov.us>; Eileen Probasco <Eileen.Probasco@matsugov.us>; Jessica Smith <Jessica.Smith@matsugov.us>; Frankie Barker <Frankie.Barker@matsugov.us>; Permit Center <PermitCenter@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; George McKee <George.McKee@matsugov.us>; brian.young@usps.gov; ken@slauson.us; dmelliott@mtaonline.net; Stan Gillespie (stan.gillespie@gmail.com) <stan.gillespie@gmail.com>
Cc: Jay Van Diest (jay@valleymarket.com) <jay@valleymarket.com>; LaMarr Anderson (lamarra05@gmail.com) <lamarra05@gmail.com>; Jordan Rausa (jordan@alaskaplans.com) <jordan@alaskaplans.com>; Patrick Johnson (patrickjhnsn@hotmail.com) <patrickjhnsn@hotmail.com>; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com) <marty@valleymarket.com>; Gregory Pugh (winforhim@aol.com) <winforhim@aol.com>
Subject: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

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

Attached is a request for comments for a two-lot plat near Wasilla Creek, south of the Parks Hwy. Please review and provide your comments by December 2, 2016.

Peggy Horton

From: OSP Design Group <ospdesign@gci.com>
Sent: Tuesday, November 01, 2016 7:54 AM
To: Platting
Subject: RE: Request for Comments for Creekside Heights 2016 Case #2016-159 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: Monday, October 31, 2016 1:42 PM
To: Eric A Moore (DNR) (eric.moore@alaska.gov) <eric.moore@alaska.gov>; George C Horton (DNR) (george.horton@alaska.gov) <george.horton@alaska.gov>; Wilber, Sarah E E (DFG) <sarah.wilber@alaska.gov>; Holly Zafian - ADF&G (holly.zafian@alaska.gov) <holly.zafian@alaska.gov>; Mark Fink (mark.fink@alaska.gov) <mark.fink@alaska.gov>; planning@ci.wasilla.ak.us; publicworks@ci.wasilla.ak.us; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com) <rglenn@mta-telco.com>; J Thompson (jthompson@mta-telco.com) <jthompson@mta-telco.com>; Enstar ROW (row@enstarnaturalgas.com) <row@enstarnaturalgas.com>; OSP Design Group <ospdesign@gci.com>; dblehm@gci.com; Richard Boothby <Richard.Boothby@matsugov.us>; Elizabeth Derbonne <elizabeth.derbonne@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; regpagemaster@usace.army.mil; Michael Weller <Michael.Weller@matsugov.us>; Sheila Armstrong <Sheila.Armstrong@matsugov.us>; Tracy McDaniel <Tracy.McDaniel@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Nicole Wilkins <Nicole.Wilkins@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Mark Whisenhunt <Mark.Whisenhunt@matsugov.us>; Eileen Probasco <Eileen.Probasco@matsugov.us>; Jessica Smith <Jessica.Smith@matsugov.us>; Frankie Barker <Frankie.Barker@matsugov.us>; Permit Center <PermitCenter@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; George McKee <George.McKee@matsugov.us>; brian.young@usps.gov; ken@slauson.us; dmelliott@mtaonline.net; Stan Gillespie (stan.gillespie@gmail.com) <stan.gillespie@gmail.com>
Cc: Jay Van Diest (jay@valleymarket.com) <jay@valleymarket.com>; LaMarr Anderson (lamarra05@gmail.com) <lamarra05@gmail.com>; Jordan Rausa (jordan@alaskaplans.com) <jordan@alaskaplans.com>; Patrick Johnson (patrickjhnsn@hotmail.com) <patrickjhnsn@hotmail.com>; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com) <marty@valleymarket.com>; Gregory Pugh (winforhim@aol.com) <winforhim@aol.com>
Subject: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

[External Email]

Attached is a request for comments for a two-lot plat near Wasilla Creek, south of the Parks Hwy. Please review and provide your comments by December 2, 2016.

Thank you,

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

EXHIBIT L



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 28, 2016

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

Subject: **Preliminary Plat Request for Comments – Creekside Heights 2016**
(Case No. 2016-159)

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 334-7944 or by email at cassie.wohlgemuth@enstarnaturalgas.com.

Sincerely,

A handwritten signature in black ink that reads "Cassie Wohlgemuth". The signature is fluid and cursive, with a long horizontal line extending to the right.

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

EXHIBIT M

Amy Otto-Buchanan

From: Tammy L. Simmons <Tammy.Simmons@mea.coop>
Sent: Friday, November 11, 2016 2:46 PM
To: Platting
Subject: RE: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH
Attachments: SKMBT_C36016111115430.pdf

MEA comments are:

Add the attached easement to the plat notes.

Tammy Simmons, RWP
Right of Way Technician
Matanuska Electric Association, Inc.
(907) 761-9276

From: Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting
Sent: Monday, October 31, 2016 1:42 PM
To: Eric A Moore (DNR) (eric.moore@alaska.gov); George C Horton (DNR) (george.horton@alaska.gov); Wilber, Sarah E (DFG); Holly Zafian - ADF&G (holly.zafian@alaska.gov); Mark Fink (mark.fink@alaska.gov); planning@ci.wasilla.ak.us; publicworks@ci.wasilla.ak.us; MEA_ROW; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Enstar ROW (row@enstarnaturalgas.com); 'ospdesign@gci.com' (ospdesign@gci.com); dblehm@gci.com; Richard Boothby; Elizabeth Derbonne; Eric Phillips; regpagemaster@usace.army.mil; Michael Weller; Sheila Armstrong; Tracy McDaniel; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Mark Whisenhunt; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; George McKee; brian.young@usps.gov; ken@slauson.us; dmelliott@mtaonline.net; Stan Gillespie (stan.gillespie@gmail.com)
Cc: Jay Van Diest (jay@valleymarket.com); LaMarr Anderson (lamarra05@gmail.com); Jordan Rausa (jordan@alaskaplans.com); Patrick Johnson (patrickjhnsn@hotmail.com); Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); Gregory Pugh (winforhim@aol.com)
Subject: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

Attached is a request for comments for a two-lot plat near Wasilla Creek, south of the Parks Hwy. Please review and provide your comments by **December 2, 2016**.

Thank you,

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

EXHIBIT N - (



MATANUSKA ELECTRIC ASSOCIATION, INC.
RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned (whether one or more),

Agrim Deloili

whose address is 17675 E Minors Ave Sutton Ave 99674 ^{S 4th AC}
for a good valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto MATANUSKA ELECTRIC ASSOCIATION, INC., a cooperative corporation (hereinafter called the "Grantee") whose post office address is Box 2929 Palmer, Alaska 99645, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the Palmer Recording District, State of Alaska, and more particularly described as follows:

Creekside Hts Track #
(2007-49)

being in Section 17, Township 17 N, Range 1E, S.M., and to construct, reconstruct, rephase, repair, operate and maintain on, over or under the above described lands and/or in, upon or under all streets, roads or highways abutting said lands, an electric (or telecommunication) transmission and/or distribution line or system; to inspect and make such repairs, changes, alterations, improvements, removals from, substitutions and additions to its facilities as the Grantee may from time to time deem advisable, including, by way of example and not by the way of limitation: the right to increase or decrease the number of conduits, wires, cables, hand holes, manholes, connection boxes, pedestals, transformer enclosures; to cut, trim and control the growth by machinery or otherwise of trees and shrubbery located within 15 feet of the center line of said line or system, or that may interfere with or threaten to endanger the operation and maintenance of said line or system; (including any control of the growth of other vegetation in the right of way which may incidentally and necessarily result from the means of control employed); to keep the easement clear of all buildings, structures or other obstructions.

The undersigned agree that all poles, wires and other facilities including any main service entrance equipment, installed in, upon or under the above described lands at the Grantee's expense shall remain the property of the Grantee, removable at the option of the Grantee.

The Grantee, its successors or assigns, is hereby expressly given and granted the right to assign said right-of-way and easement herein granted and conveyed, or any part thereof, or interest therein.

TO HAVE AND TO HOLD unto the GRANTEE, its successors or assigns, together with the right of ingress to and egress from the premises for the purpose herein granted.

The undersigned covenant that they are the owners of the above described lands, and that the said lands are free and clear of encumbrances and liens of whatsoever character except as may appear of record as of the date set forth below, and those held by the following persons:

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 29th day of

June, 2016
[Signature]

Grantor

Grantor

STATE OF ALASKA)SS-

THIS IS TO CERTIFY that on this 29th day of June, 2016 before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared

Agrim Deloili

Known to me and to me known to be the individual(s) named in and who executed the foregoing instrument and acknowledged to me that he/she/they signed and sealed the same as a voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written

[Signature]

Notary Public in and of Alaska

My commission expires

SEAL

4-15-16

W/O 163485 Subd 6675 Plat 07-49
P/S Misc Map 17 K 4 Quad
Pole F5-T-A-112N Easement 20161227



Return to: MEA, PO Box 2929, Palmer, AK 99645

Rev. 2/08

Peggy Horton

From: Tina Crawford <tcrawford@ci.wasilla.ak.us>
Sent: Tuesday, November 01, 2016 9:55 AM
To: Peggy Horton
Subject: RE: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

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

Tina Crawford, AICP

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

From: Planning
Sent: Monday, October 31, 2016 1:54 PM
To: Tina Crawford
Subject: FW: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

From: Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] **On Behalf Of** Platting
Sent: Monday, October 31, 2016 1:42 PM
To: Eric A Moore (DNR) (eric.moore@alaska.gov); George C Horton (DNR) (george.horton@alaska.gov); Wilber, Sarah E E (DFG); Holly Zafian - ADF&G (holly.zafian@alaska.gov); Mark Fink (mark.fink@alaska.gov); Planning; publicworks; meadow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); J Thompson (jthompson@mta-telco.com); Enstar ROW (row@enstarnaturalgas.com); 'ospdesign@gci.com' (ospdesign@gci.com); dblehm@gci.com; Richard Boothby; Elizabeth Derbonne; Eric Phillips; regpagemaster@usace.army.mil; Michael Weller; Sheila Armstrong; Tracy McDaniel; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Theresa Taranto; Mark Whisenhunt; Eileen Probasco; Jessica Smith; Frankie Barker; Permit Center; Andy Dean; John Aschenbrenner; George McKee; brian.young@usps.gov; ken@slauson.us; dmelliott@mtaonline.net; Stan Gillespie (stan.gillespie@gmail.com)
Cc: Jay Van Diest (jay@valleymarket.com); LaMarr Anderson (lamarra05@gmail.com); Jordan Rausa (jordan@alaskaplans.com); Patrick Johnson (patrickjhnsn@hotmail.com); Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com); Gregory Pugh (winforhim@aol.com)
Subject: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

Attached is a request for comments for a two-lot plat near Wasilla Creek, south of the Parks Hwy. Please review and provide your comments by December 2, 2016.

Thank you,

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

EXHIBIT O -1

Peggy Horton

From: Sandi Connolly <SConnolly@ci.wasilla.ak.us>
Sent: Monday, July 11, 2016 11:40 AM
To: Peggy Horton; 'agin67@yahoo.com'

Peggy Horton, Platting, Mat Su Borough,

Tract A located in the Creekside Heights Subdivision, Plat No. 2007-49 has City of Wasilla Water Utility service available.
If you have any questions or require more information, Please Contact me at 373-9017.

Sincerely,
Sandra Connolly
Public Works Clerk

Amy Otto-Buchanan

From: Horton, George C (DNR) <george.horton@alaska.gov>
Sent: Wednesday, November 09, 2016 8:25 AM
To: Platting
Subject: RE: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

Hi Peggy,

The DNR, DML&W Survey Section has no comment on the plat of Creekside Heights 2016 dated 10/31/16
Thank you for the opportunity to comment.

George

George Horton, PLS, CFedS

Land Surveyor I

(907) 269-8610

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: Monday, October 31, 2016 1:42 PM

To: Moore, Eric A (DNR) <eric.moore@alaska.gov>; Horton, George C (DNR) <george.horton@alaska.gov>; Wilber, Sarah E E (DFG) <sarah.wilber@alaska.gov>; Zafian, Holly K (DFG) <holly.zafian@alaska.gov>; Fink, Mark J (DFG) <mark.fink@alaska.gov>; planning@ci.wasilla.ak.us; publicworks@ci.wasilla.ak.us; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com) <rglenn@mta-telco.com>; J Thompson (ithompson@mta-telco.com) <jthompson@mta-telco.com>; Enstar ROW (row@enstarnaturalgas.com) <row@enstarnaturalgas.com>; 'ospdesign@gci.com' (ospdesign@gci.com) <ospdesign@gci.com>; dblehm@gci.com; Richard Boothby <Richard.Boothby@matsugov.us>; Elizabeth Derbonne <elizabeth.derbonne@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; regpagemaster@usace.army.mil; Michael Weller <Michael.Weller@matsugov.us>; O'Donnell-Armstrong, Sheila (DNR sponsored) <sheila.armstrong@matsugov.us>; McDaniel, Tracy (DNR sponsored) <tracy.mcdaniel@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Wilkins, Nicole (DNR sponsored) <nicole.wilkins@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Mark Whisenhunt <Mark.Whisenhunt@matsugov.us>; Eileen Probasco <Eileen.Probasco@matsugov.us>; Jessica Smith <Jessica.Smith@matsugov.us>; Frankie Barker <Frankie.Barker@matsugov.us>; Permit Center <PermitCenter@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; George McKee <George.McKee@matsugov.us>; brian.young@usps.gov; ken@slauson.us; dmelliott@mtaonline.net; Stan Gillespie (stan.gillespie@gmail.com) <stan.gillespie@gmail.com>

Cc: Jay Van Diest (jay@valleymarket.com) <jay@valleymarket.com>; LaMarr Anderson (lamarra05@gmail.com) <lamarra05@gmail.com>; Jordan Rausa (jordan@alaskaplans.com) <jordan@alaskaplans.com>; Patrick Johnson (patrickjhnsn@hotmail.com) <patrickjhnsn@hotmail.com>; Marty Van Diest - Valley Market Real Estate (marty@valleymarket.com) <marty@valleymarket.com>; Gregory Pugh (winforhim@aol.com) <winforhim@aol.com>

Subject: Request for Comments for Creekside Heights 2016 Case #2016-159 Tech: PH

Peggy Horton

From: Jonathan Ramirez, DC <doctorramirez@gmail.com>
Sent: Saturday, November 26, 2016 8:22 PM
To: Platting
Subject: Division of Creekside Heights, Plat # 2007-49 into 2 lots

Dear Platting Board,

I am writing to comment on the proposed division of Plat #2007-49 into 2 lots. I feel that the owner should not be granted a variance to the rule requiring access to a public road for Lot 2. All lots in our neighborhood should have access to a road if there would ever be permission granted for a dwelling to be constructed on Lot 2. If a home was ever constructed on Lot 2, access might be through the woods using a trail or self constructed driveway. This intersection is already a very busy location at the bottom of a steep and sometimes slippery hill. Development in our neighborhood should be completed following the standards of the rest of the subdivision. In other words, I feel that Lot 2 should only be developed after Brome Avenue is extended to provide adequate and safe road access.

I am writing as a property owner of 1843 S Bronco Circle. My access in and out of the subdivision requires that I drive through the intersection of S Creekside Dr. and Brome Avenue several times daily. .

Please think of the safety of our entire neighborhood before granting this variance. The developer of the 2 lots does not deserve to make a profit at the expense of the neighborhood's safety. Please require them to invest in a road extension before developing their land.

Emily & Jonathan Ramirez
1843 S Bronco Cir.
Wasilla, AK 99654

(907) 376-3064

EXHIBIT Q - 1

Peggy Horton

From: Lance Chadwick <lanceanddana@gci.net>
Sent: Wednesday, December 07, 2016 2:46 PM
To: Platting
Subject: Platting Board case #16-159 Plat #2007-49

To: Mat-Su Platting Board

Concerning Case #16-159 Plat #2007-49 request for Tract A to be subdivided into Lots 1 and 2 by Petitioner Agim Delolli.

My name is Lance Chadwick, and together with my wife Dana Chadwick, we own the house on Lot 14 1725 S Creekside Circle Wasilla, AK 99564.

Here are my questions regarding the subdivision of Tract A behind our house:

-What assurance does the Platting Board have that the driveway accessed by Creekside Circle for proposed lot 1 will not become a de facto road utilized by lot 2 as well?

There is no natural barrier to restrict lot 2 from accessing their lot from Creekside Circle.

The driveway for lot 1 naturally leads right to lot 2.

Depending on where the house will be located, it very well could be the shortest distance between two points.

-What will limit Lot 2 from accessing their home using the S. Creekside Driveway?

We are against the subdividing of Tract A into Lots 1 and 2 because it will turn the driveway for Tract A into a road between Lots 14 and 15.

I will not be able to attend the Public Hearing being held on December 15, 2016 at 1300.

However, if you would like to contact me for further comment my number phone number is 907-688-4039.

Thank you for your consideration.

Lance Chadwick

NOTES:

1. THERE MAY BE FEDERAL STATE AND LOCAL REQUIREMENTS GOVERNING LAND USE. THE INDIVIDUAL PARCEL OWNERS SHALL OBTAIN A DETERMINATION WHETHER THESE REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN ON THE PLAT TO BE RECORDED.
2. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS THE SYSTEM IS LOCATED, CONSTRUCTED, AND EQUIPPED IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS, AND RECOMMENDATIONS OF THE ALASKA STATE DEPARTMENT OF THE ENVIRONMENTAL CONSERVATION.
3. PARCEL IS SUBJECT TO MATANUSKA TELEPHONE ASSOCIATION INCORPORATION. BLANKET EASEMENT RECORDED DECEMBER 9, 1976 IN BOOK 128, PAGE 865.

PLANNING & LAND USE DIRECTOR'S CERTIFICATE

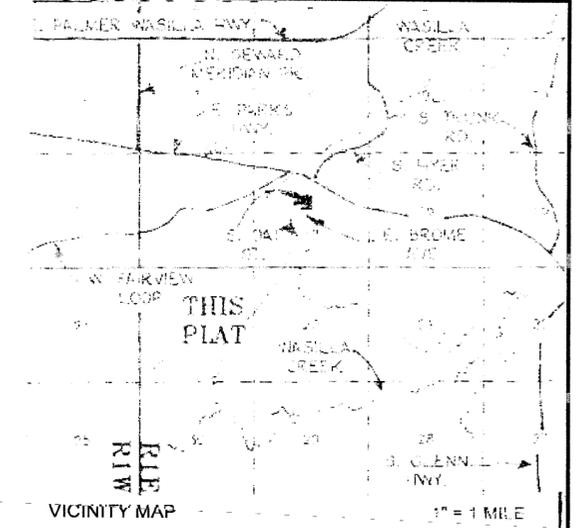
I CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THIS PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT

RESOLUTION NO. _____

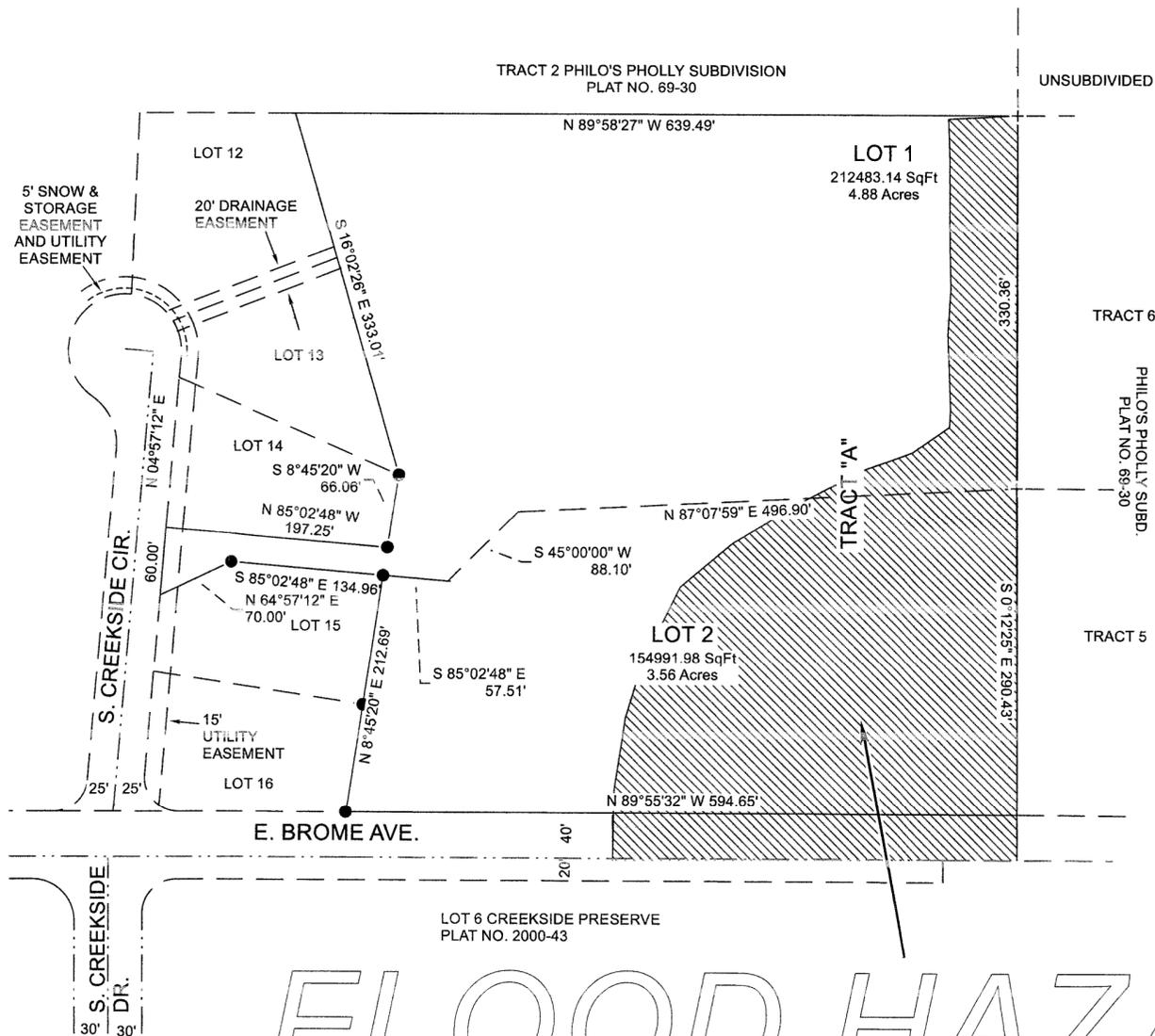
DATED _____, 20____, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, IN WHICH THE PLAT IS LOCATED.

PLANNING AND LAND USE DIRECTOR _____ DATE _____

ATTEST: _____
PLATTING CLERK



1" = 100'



FLOOD HAZARD
AREA

CERTIFICATE OF OWNERSHIP

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.

OWNERS AGIM BELLOLI DATE _____
17675 E. MINERS AVE.
SUTTON, AK 99674

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME
THIS _____ DAY OF _____, 20____
FOR _____
NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES _____

CERTIFICATION OF PAYMENT OF TAXES

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

TAX COLLECTION OFFICIAL (BOROUGH) _____ DATE _____
PRELIMINARY PLAT *Agenda Copy*

A PLAT OF
CREEKSIDE HEIGHTS
"2016"
Agenda Copy

A SUBDIVISION OF
TRACT A CREEKSIDE HEIGHTS PLAT NO. 2007-49

LOCATED WITHIN:
SECTION 17, TOWNSHIP 17 NORTH, RANGE 1 EAST,
SEWARD MERIDIAN, ALASKA
PALMER RECORDING DISTRICT
CONTAINING 8.44 ACRES MORE OR LESS

DENALI NORTH
230 E. PAULSON AVE. SUITE 68 WASILLA, AK 99654
PHONE: 907-376-9535

JOB 16084	SCALE 1" = 100'	DWN HW CKD WW
DATE 10/31/16	FB/PG(S) N/A	SHEET 1 OF 1

SURVEYOR'S CERTIFICATE

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

DATE _____
6925-S
REGISTRATION NO.
WAYNE N. WHALEY
REGISTERED LAND SURVEYOR

NOTES:

1. THERE MAY BE FEDERAL STATE AND LOCAL REQUIREMENTS GOVERNING LAND USE. THE INDIVIDUAL PARCEL OWNERS SHALL OBTAIN A DETERMINATION WHETHER THESE REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN ON THE PLAT TO BE RECORDED.
2. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS THE SYSTEM IS LOCATED, CONSTRUCTED, AND EQUIPPED IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS, AND RECOMMENDATIONS OF THE ALASKA STATE DEPARTMENT OF THE ENVIRONMENTAL CONSERVATION.
3. PARCEL IS SUBJECT TO MATANUSKA TELEPHONE ASSOCIATION INCORPORATION. BLANKET EASEMENT RECORDED DECEMBER 9, 1976 IN BOOK 128, PAGE 865.

PLANNING & LAND USE DIRECTOR'S CERTIFICATE

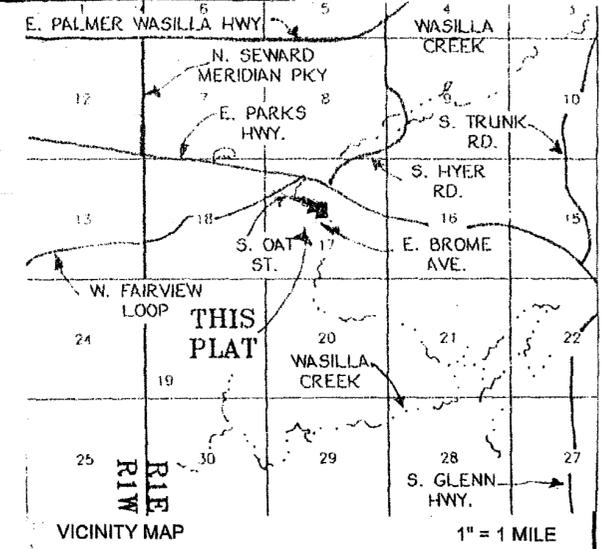
I CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THIS PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT

RESOLUTION NO. _____

DATED _____, 20____, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, IN WHICH THE PLAT IS LOCATED.

PLANNING AND LAND USE DIRECTOR _____ DATE _____

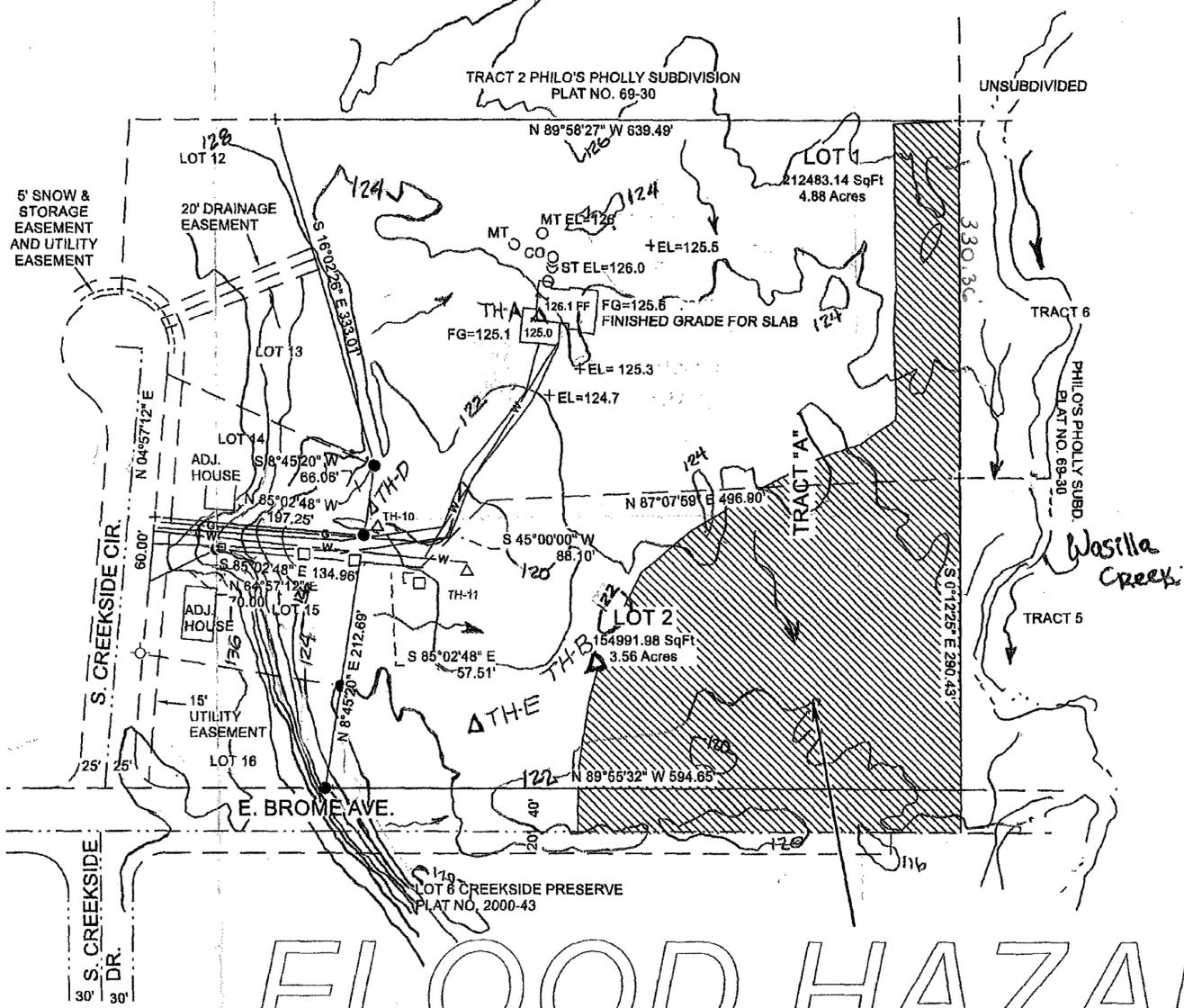
ATTEST: _____
PLATTING CLERK



1" = 100'

LEGEND

- △ TEST HOLE
- × FOUND SPIKE
- FOUND 5/8" REBAR
- ⊕ FIRE HYDRANT
- U.G. MEA/MTA
- G- U.G. GAS
- W- U.G. WATER



FLOOD HAZARD AREA

SURVEYOR'S CERTIFICATE

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

DATE _____
6925-S
REGISTRATION NO.
WAYNE N. WHALEY
REGISTERED LAND SURVEYOR



ASBUILT & TOPD INFO 9/18/16
SPOT ELEVATIONS REPRESENT NEW FILL ON LOT 1.

CERTIFICATE OF OWNERSHIP

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.

OWNERS AGIM DELLOLI DATE _____
17675 E. MINERS AVE.
SUTTON, AK 99674

NOTARY'S ACKNOWLEDGEMENT

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

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES _____

CERTIFICATION OF PAYMENT OF TAXES

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

TAX COLLECTION OFFICIAL (BOROUGH) _____ DATE _____
PRELIMINARY PLAT

A PLAT OF
CREEKSIDE HEIGHTS "2016"
A SUBDIVISION OF
TRACT A CREEKSIDE HEIGHTS PLAT NO. 2007-49
LOCATED WITHIN:
SECTION 17, TOWNSHIP 17 NORTH, RANGE 1 EAST
SEWARD MERIDIAN, ALASKA
PALMER RECORDING DISTRICT
CONTAINING 8.44 ACRES MORE OR LESS

DENALI NORTH
230 E. PAULSON AVE. SUITE 68 WASILLA, AK 99654
PHONE: 907-376-9535

JOB 16084	SCALE 1" = 100'	DWN HW CKD WW
DATE 7/18/16	FB/PG(S) N/A	SHEET 1 OF 1