

**STAFF REVIEW AND RECOMMENDATIONS
PUBLIC HEARING
FEBRUARY 8, 2017**

PRELIM PLAT: MONTAGNE MOUNTONS RSB L/1A & 2A

LEGAL DESCRIPTION: SECTION 25, T20N, R10E, S.M., AK

PETITIONER: DALE CLEMENS DIETRICH

SURVEYOR: HANSON SURVEYING & MAPPING

ACRES: 39.70 PARCELS: 2

REVIEWED BY: PEGGY HORTON CASE: 2017-006

REQUEST

The request is to resubdivide Lots 1 & 2, Montagne Moutons, Plat 2016-60, into two new lots to be known as Lots 1A & 2A, Montagne Moutons, containing 39.70 acres more or less. Located within south of mile 111.2 W. Glenn Hwy, within the E½ NE¼ Section 25, Township 20 North, Range 10 East, Seward Meridian, Alaska.

EXHIBITS

Vicinity Map	EXHIBIT A
Plat 2016-60	EXHIBIT B
As-Built	EXHIBIT C
Topographic Contours	EXHIBIT D
Section Line Esmt Research	EXHIBIT E
Aerial Photo	EXHIBIT F

COMMENTS

Public Works	EXHIBIT G
Cultural Resources	EXHIBIT H
Enstar	EXHIBIT I
GCI	EXHIBIT J
Public	EXHIBIT K

DISCUSSION

This subdivision is adjusting the common lot line of two recently platted lots within Montagne Moutons Subdivision, plat #2016-60 (**Exhibit B**). This adjustment will allow for an existing cabin to be on Lot 1A instead of on Lot 2A (**Exhibit C**). This subdivision is outside of any Road Service Area or Fire Service Area.

The lots are greater than 400,000 sq ft, and the surveyor provided a topographic contours of the parent parcels (**Exhibit D**); therefore no useable area report is necessary per MSB 43.20.281(A)(1)(i)(i).

The original Montagne Moutons Subdivision Plat was approved under MSB 43.20.055(A)(3)(a), which allows for a plat of four lots or less outside of a road service area with no physical access as long as legal access exists, provided a plat note is placed on the plat which states, "If any of the lots or parcels are further subdivided which would create more than the three original lots created, a road must be constructed to pioneer standards and until accepted by the borough, no borough maintenance will be provided nor any borough funds shall be spent on upgrades." This subdivision is adjusting the lot line between two of the lots, so it is not creating more lots than the original plat did.

Access: Access to the parcels is via the Glenn Hwy across a Section Line Easement to a 50' wide Public Use Easement ending at a 60' x 120' Public Use Easement granted on the plat of Montagne Moutons, plat 2016-60. Section Line Easement research was provided for the Montagne Moutons Subdivision case (**Exhibit E**). There is an existing driveway within those public right-of-ways; the petitioner is not required to provide the construction standard of that driveway.

Comments: Dept of Public Works Engineer had no comment (**Exhibit G**). Cultural Resources had no objection (**Exhibit H**). Enstar had no objection (**Exhibit I**). GCI had no objection (**Exhibit J**). Richard Wood, a nearby land owner, supported Mr. Dietrich's request to adjust the common lot line (**Exhibit K**).

CONCLUSION

The preliminary plat of Montagne Moutons Lot 1A & 2A is consistent with AS 29.40.090, *Abbreviated Plats and Waivers*, and MSB 43.15.090, *Abbreviated Plats*. Pursuant to MSB 43.20.055(A)(3)(a), road construction is not a requirement as the property is outside of a Road Service Area, legal access to the lots is available, and the plat does not create more than the original lots created on the Montagne Moutons Subdivision, Plat #2016-60. The lots are all greater than 400,000 sq ft, and the surveyor provided topographic contours of the lots; therefore no useable area report is necessary per MSB 43.20.281(A)(1)(i)(i).

There were no objections to the proposed plat from borough departments, outside agencies, or the public.

RECOMMENDATIONS

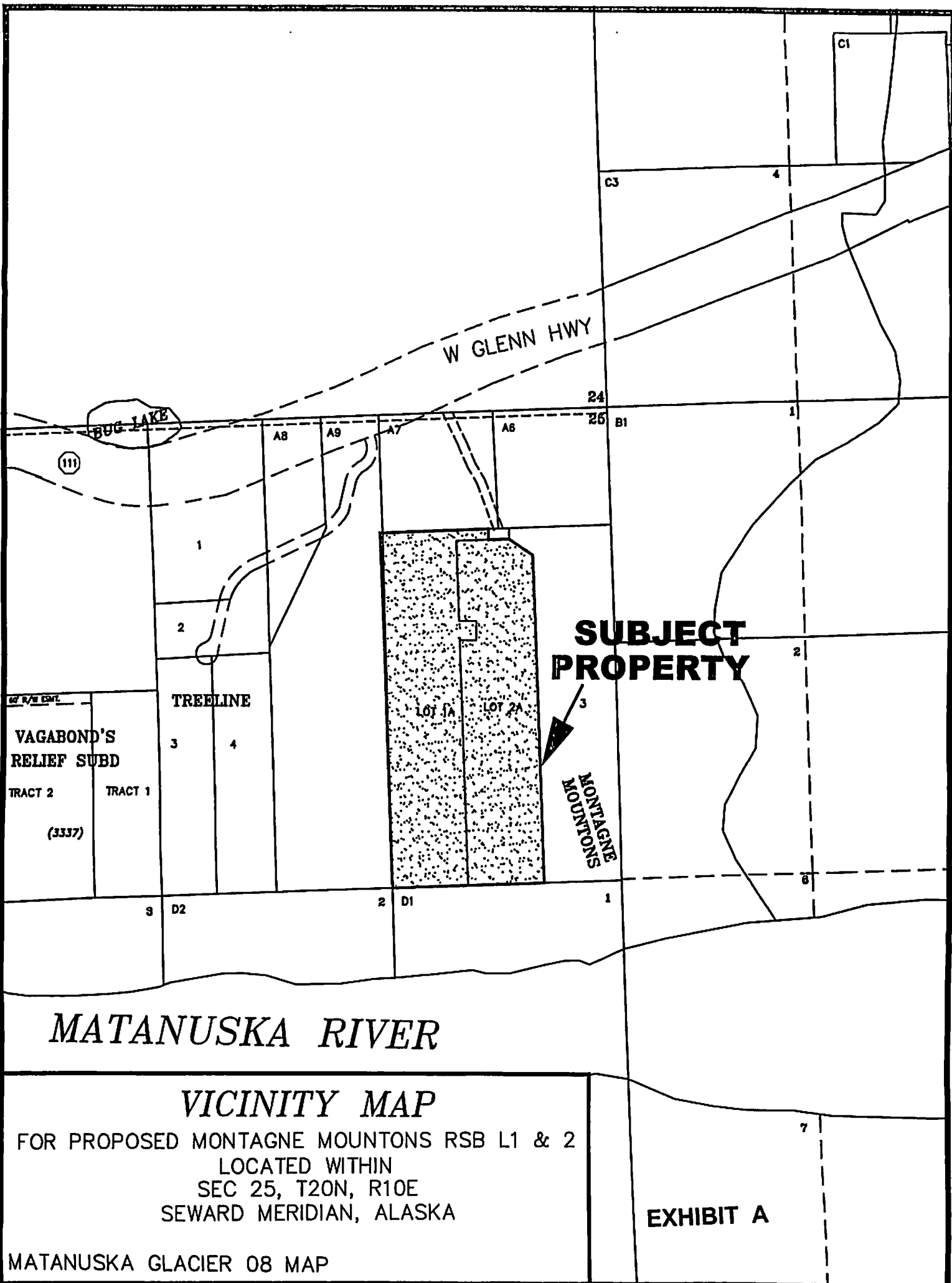
Staff recommends approval of the plat of Montagne Moutons L/1A & 2A contingent on the following recommendations:

1. Pay mailing and advertising fees.

2. Provide updated Certificate to Plat executed within 90 days of plat recordation per MSB 43.15.053(E) and submit Beneficiary Acknowledgement, if applicable.
3. Carry forward the Plat Note 3 from #2016-60.
4. Taxes and special assessments must be current prior to recording, per to MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.
5. Submit final plat in full compliance to Title 43.

FINDINGS

1. The preliminary plat of Montagne Moutons L/1A & 2A is consistent with AS 29.40.090, *Abbreviated Plats and Waivers*, and MSB 43.15.090, *Abbreviated Plats*.
2. Legal access to the subdivision exists via the Glenn Hwy to a Section Line Easement to a 50' wide Public Use Easement to a 60' x 120' Public Use Easement granted on the original Montagne Moutons plat.
3. This subdivision is adjusting a common lot line between two lots created on Montagne Moutons, Plat 2016-60 which was approved under MSB 43.20.055(A)(3)(a). No additional lots are being created than were created on the original plat, therefore the road does not need to be constructed to pioneer standard.
4. A plat note concerning access is required per MSB 43.20.055(A)(3)(a)(i).
5. This subdivision is not in a Fire Service Area and or a Road Service Area.
6. The lots are all greater than 400,000 sq ft, and the surveyor provided a topographic contours; therefore no useable area report is necessary per MSB 43.20.281(A)(1)(i)(i).
7. There were no objections to the plat from any borough department, outside agency, or the public.
8. Richard Wood, a nearby land owner, supported Mr. Dietrich's request to adjust the common lot line.



N0° 00' 00"E

1832.74'

PARCEL 1
MSB WAYER
80-3-PWD
(80-12W)

LOT 2A
19.16 ACRES ±

LEGEND

- ⊕ SET MONUMENT
- ⊙ RECOVERED ALUMINUM POST MONUMENT
- ⊙ RECOVERED PLASTIC CAP ON #5 REBAR
- ⊙ UTILITY POLE
- OVERHEAD ELECTRIC
- ▭ DECK/PORCH
- ▨ BUILDING
- ▨ GRAVEL ROAD/DRIVEWAY

PARCEL 2
MSB WAYER
80-3-PWD
(80-12W)

LOT 1A
20.54 ACRES ±

20' UTILITY EASEMENT
(PLAT 2016-60)



PARCEL 2
MSB WAYER RESOLUTION
80-67-PWm
(80-120W)

N0° 04' 03"E

1986.02'

N89° 35' 35"W

439.42'

N89° 35' 35"W

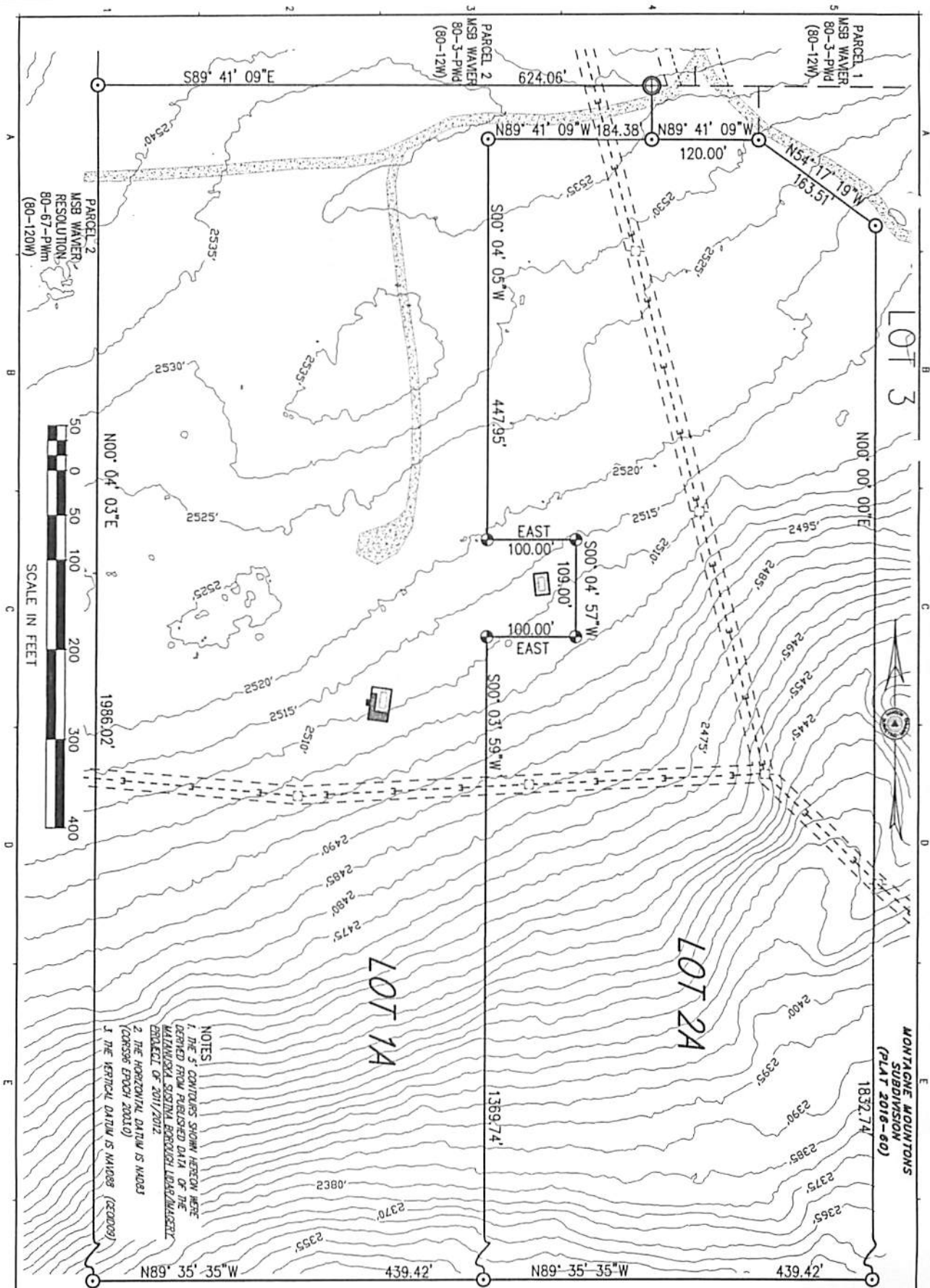
439.42'

FILED 16-168
DESIGN: CEH
DRAWN BY: ELF
CHECKED: CEH
DATE: 10-24-16
SCALE: 1:100
LOCATION: 120N.R.10E.S.25SW
SHEET 2 OF 3

RECEIVED
PALMER, ALASKA
MONTAGNE MOUNTONS
LOTS 1A & 2A
JAN 11 2017
AS-BUILT-PROPOSED SUBDIVISION



EXHIBIT C



FILE: 16-166
DESIGN: CCH
DRAWN BY: ELF
CHECKED: CCH
DATE: 10-24-16
SCALE: 1:100
LOCATION: T20N R10E S23SW
SHEET 3 OF 3

RECEIVED
JAN 11 2017
PALMER, ALASKA
MONTAGNE MOUNTAINS
LOTS 1A & 2A SUBDIVISION
EXISTING GROUND CONTOURS



EXHIBIT D

RECEIVED

DEC 16 2015

PLATTING

HANSON SURVEYING & MAPPING LLC
305 EAST FIREWEED AVENUE PALMER, ALASKA 99645



12-14-15

Mat-Su Borough Platting Department

Re: Section Line Easement Verification

To whom it may concern,

In support of the Proposed Subdivision of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25 in Township 20 North, Range 10 East, Seward Meridian, (Parcel 4 of Waiver 78-42W), I have researched the status of the assumed Section Line Easement along the easterly boundary of said parcel and note the following:

- Section 25 was originally surveyed in August and September of 1957. The associated Rectangular Township Plat was accepted on February 8, 1960.
- Section 25 was unreserved subsequent to that survey acceptance.
- Dale Dietrich, the present owner, filed a Homestead application for unreserved land on June 5th, 1972 and obtained Entry Authorization on December 6th, 1972. A patent was issued to Mr. Dietrich on May 20th of 1977.
- Assessment of the Public Land Records has shown nothing to contradict the determination that the Section Line in question was surveyed and in unreserved status at the time of Mr. Dietrich's application and acceptance.

In light of these facts it is my determination that a Section Line Easement does in fact exist along the east boundary of the property presently being subdivided. Given the timeframe during which this land was surveyed and unreserved, the width of this portion of Section Line Easement is 33 feet.

Respectfully,

Craig Hanson RLS

Hanson Surveying & Mapping, LLC

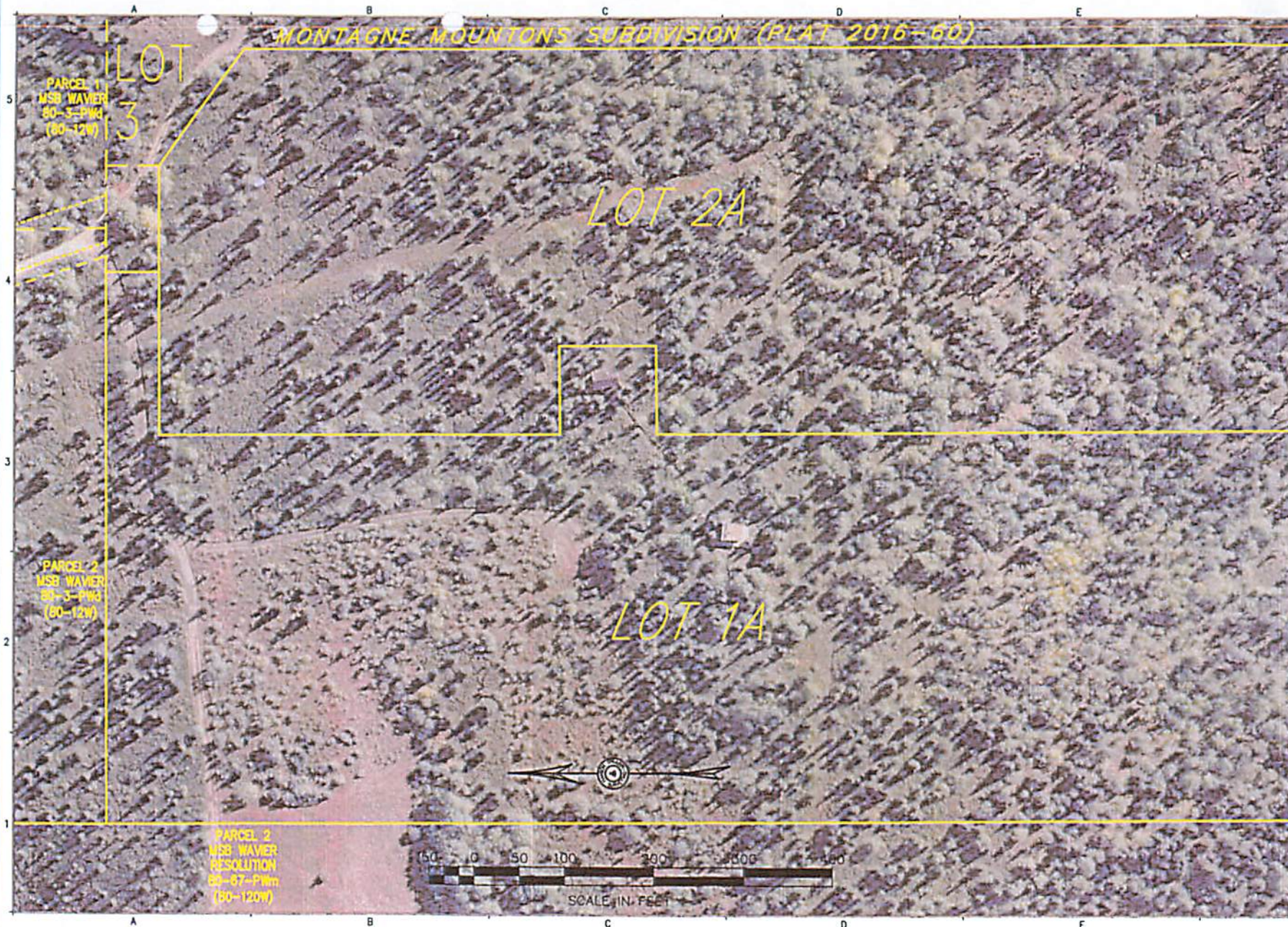
305 E. Fireweed Ave

Palmer, AK 99645



(907)746-7738

EXHIBIT E



HANSON SURVEY
305 E. F
PALMER,
(907)

EXHIBIT F

No. 1. THE IMAGERY SHOWN
HEREON IS DERIVED FROM
PUBLISHED DATA OF THE
MATANUSKA SUSITNA
BOROUGH LIDAR/IMAGERY
PROJECT OF 2011/2012.

RECEIVED
PALMER, ALASKA
MONTAGNE MOUNTONS
LOTS 1A & 2A SUBDIVISION
PROJECT OVERVIEW
DATE: 10-24-16
SCALE: 1:100
LOCATION: T.20N.R.10E.S.25SW

FILE: 16-160
DESIGN: CEH
DRAWN BY: ELF
CHECKED: CEH
DWG.#: 16-166CS
DATE: 10-24-16
SCALE: 1:100
LOCATION: T.20N.R.10E.S.25SW

SHEET 1 OF 3

Peggy Horton

From: Jamie Taylor
Sent: Monday, January 16, 2017 9:59 AM
To: Platting
Cc: Peggy Horton
Subject: RE: Request for Comments for Montagne Mountons RSB L/1 & 2 Case #2017-006 Tech: PH

No comment

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

From: Peggy Horton On Behalf Of Platting
Sent: Friday, January 13, 2017 11:28 AM
To: Holly Zafian - ADF&G (holly.zafian@alaska.gov); Mark Fink (mark.fink@alaska.gov); regpagemaster@usace.army.mil; Joseph Davis (josephdavisak@mac.com); John Aschenbrenner; Richard Boothby; Elizabeth Derbonne; Eric Phillips; Jude Bilafer; Cindy Corey; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Pam Graham; Mark Whisenhunt; Eileen Probasco; Jessica Smith; Frankie Barker; Taunnie Boothby; Permit Center; Alex Strawn; Theresa Taranto; Andy Dean; Jim Sykes (jimsykesdistrict1@gmail.com); mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com); Jessica Thompson (jthompson@mta-telco.com); Enstar ROW (row@enstarnaturalgas.com); 'ospdesign@gci.com' (ospdesign@gci.com)
Subject: Request for Comments for Montagne Mountons RSB L/1 & 2 Case #2017-006 Tech: PH

Good Morning,

Attached is a request for comments for a 2-lot plat in the Glacier View area. Please review and provide any comments by January 30, 2017.

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

EXHIBIT G



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Cultural Resources Division

350 East Dahlia Avenue • Palmer, AK 99645

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

MEMORANDUM

DATE: January 18, 2017
TO: Peggy Horton, Platting Technician
FROM: Pamela Graham, Grants & Projects Coordinator
SUBJECT: Abbreviated Plat
TITLE: Montage Mountons RSB L/1 & 2
LEGAL: Section 25, T20N, R10E, SM
TAX MAP: MG 08

NO OBJECTION

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

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

Recording of cultural resources or other remains does not change ownership status of materials found, they belong to the property owner, nor does it prohibit your activity request. If cultural remains are located please contact this office at (907) 861-8525 for a list of professionals that can assist you in documenting them. Thank you for your cooperation. We appreciate you helping us learn more about our past.

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

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

(3) If a person knowingly

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

EXHIBIT H



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

January 19, 2017

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

Subject: Abbreviated Plat Request for Comments – **Montagne Mountons RSB, Lots 1 & 2**
(Case No. 2017-006)

Dear Ms. Horton:

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

If you have any questions, please feel free to contact me at 907-334-7944 or by email at cassie.wohlgemuth@enstarnaturalgas.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Cassie Wohlgemuth". The signature is fluid and cursive, with a long horizontal stroke at the end.

Cassie Wohlgemuth
Right-of-Way and Compliance Technician

EXHIBIT I

Sent via e-mail to Mat-Su Borough Platting Division

Peggy Horton

From: OSP Design Group <ospdesign@gci.com>
Sent: Monday, January 16, 2017 9:44 AM
To: Platting
Subject: RE: Request for Comments for Montagne Mountons RSB L/1 & 2 Case #2017-006 Tech: PH

Hi Peggy, no objections from us on this one.

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

From: Peggy Horton [<mailto:Peggy.Horton@matsugov.us>] On Behalf Of Platting
Sent: Friday, January 13, 2017 11:28 AM
To: Holly Zafian - ADF&G (holly.zafian@alaska.gov) <holly.zafian@alaska.gov>; Mark Fink (mark.fink@alaska.gov) <mark.fink@alaska.gov>; regpagemaster@usace.army.mil; Joseph Davis (josephdavisak@mac.com) <josephdavisak@mac.com>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Richard Boothby <Richard.Boothby@matsugov.us>; Elizabeth Derbonne <elizabeth.derbonne@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Jude Bilafer <Jude.Bilafer@matsugov.us>; Cindy Corey <Cindy.Corey@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>; Pam Graham <Pam.Graham@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>; Taunnie Boothby <Taunnie.Boothby@matsugov.us>; Permit Center <PermitCenter@matsugov.us>; Alex Strawn <Alex.Strawn@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; Jim Sykes (jimsykesdistrict1@gmail.com) <jimsykesdistrict1@gmail.com>; mearow@matanuska.com; Becky Glenn (rglenn@mta-telco.com) <rglenn@mta-telco.com>; Jessica Thompson (jthompson@mta-telco.com) <jthompson@mta-telco.com>; Enstar ROW (row@enstarnaturalgas.com) <row@enstarnaturalgas.com>; OSP Design Group <ospdesign@gci.com>
Subject: Request for Comments for Montagne Mountons RSB L/1 & 2 Case #2017-006 Tech: PH

[External Email]

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

EXHIBIT J

Peggy Horton

From: richard wood <alaskawoodshed@gmail.com>
Sent: Thursday, January 26, 2017 4:36 PM
To: Platting
Subject: Montagne Mountons RSB Lot 1 & 2 (PH)

Re: Montagne Mountons Lots 1A and 2A, replat.

As a nearby property owner (120N10E25A008), I support this request for re-subdivision.

Thank you,

Richard Wood
20405 Glenn Hwy., Sutton, Ak. 99674