MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD AGENDA

MARCH 19, 2020

1. CALL TO ORDER
   A. Roll Call and Determination of Quorum (by Secretary)
   B. Pledge of Allegiance
   C. Approval of Agenda

2. APPROVAL OF MINUTES
   A. February 20, 2020

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

4. UNFINISHED BUSINESS
   (There is no Unfinished Business)

5. RECONSIDERATIONS/APPEALS
   (There is no Reconsideration/Appeals)

6. PUBLIC HEARINGS

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

   A. HOWARD ALLEN & VICKI LOU JANNECK: The request is create an offset cul-de-sac Public Use Easement adjacent to the 83’ wide Section Line Easement and on Tax Parcel B16, to be known as JANNECK PUE, containing 5,500 sf +/- . The proposed Public Use Easement is located south of W. Beverly Lake Road and N. Fine Road intersection (Tax ID #118N02W35B016); within the S ½ SW ¼ and SW ¼ NW ¼ Section 35, Township 18 North, Range 02 West, Seward Meridian, Alaska. Community Council Meadow Lakes and in Assembly District #7 Tam Boeve.
• 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. **Does any board member need to disclose ex-parte contact or financial gain conflict for this case.**

B. RANDALL MARTIN: The request is revise Martin Heights Master Plan and Phase 1, Plat 2017-64, to eliminate all but one lot and one tract, vacate the platted rights-of-way and eliminate a 15' wide utility easement to be known as **MARTIN HEIGHTS PHASE 2**, containing 16.96 acres +/- . The property is located east of N. Pittman Road, and south of W. Spence Lane (Tax ID #'s 7652000T00A, 7652000L001, 7652000L003, 7652000L004); within the NW ¼ Section 19, Township 18 North, Range 01 West, Seward Meridian, Alaska. In Community Council: Meadow Lakes and in Assembly District #7 Tam Boeve

C. Resolution 2020-003: The Request is to update and revise changes to the Platting Board Policy & Procedure Manual.

7. ITEMS OF BUSINESS & MISCELLANEOUS
*(There is no Items of Business & Miscellaneous)*

8. PLATTING STAFF & OFFICER COMMENTS
A. Adjudicatory (if needed)
   • Definition: Law. To hear and settle an issue or a question regarding code.
B. Upcoming Platting Board Agenda Items (Staff: Fred Wagner & Clerk: Sloan Von Gunten)
   • Introduction for the April 2, 2020 Platting Board Hearing *(Informational Only – Subject to change)*
     • Hideaway Heights, Case 2020-032/033

9. BOARD COMMENTS

10. ADJOURNMENT

THE PLATTING BOARD WILL CONVENE AT **1:00 P.M.** on **March 19, 2020** in the Assembly Chambers of the Dorothy Swanda Jones Building, 350 E. Dahlia Avenue, Palmer, Alaska. If you would like to send comments regarding the proposed action, please mail to MSB, Platting Division, 350 E. Dahlia Ave, Palmer, AK 99645 or E-mail to: platting@matsugov.us. Comments received from the public after the platting board packet has been written and sent to the board, will be given to the Platting Board in a “Hand Out” the day of the meeting. All public comments are due one (1) day prior, by 5:00 p.m.
MINUTES
The regular meeting of the Matanuska-Susitna Borough Platting Board was held on February 20, 2020, 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 Chair Jordan Rausa.

1. CALL TO ORDER

A. ROLL CALL AND DETERMINATION OF QUORUM (by Administrative Specialist)
   Platting Board members present and establishing a quorum:
   - Mr. LaMarr Anderson, Assembly District #2
   - Mr. Jordan Rausa, Assembly District #4, Chair
   - Mr. Dennis Vau Dell, Assembly District #5
   - Mr. John Shadrach, Alternate
   - Mr. Justin Hatley, Alternate

   Platting Board members absent and excused were:
   - Mr. Pio Cottini, Assembly District #1
   - Mr. Wilfred Fernandez, Assembly District #6, Vice Chair
   - Mr. George Thompson, Assembly District #7
   - VACANT, District #3

   Staff in attendance:
   - Mr. Fred Wagner, Platting Officer
   - Ms. Sloan Von Gunten, Platting Administrative Specialist
   - Ms. Amy Otto-Buchanan, Platting Technician
   - Ms. Peggy Horton, Platting Technician

B. THE PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Platting Board Member John Shadrach.

C. APPROVAL OF THE AGENDA

Chair Rausa inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

2. APPROVAL OF MINUTES

Chair Rausa inquired if there were any changes to the minutes for January 16, 2020.

GENERAL CONSENT: The minutes for January 16, 2020 were approved without objection.

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

The following person commented on the states senate bill 204, the removal of platting regulations: Mr. Gary LoRusso.
MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES

REGULAR MEETING
FEBRUARY 20, 2020

4. UNFINISHED BUSINESS: Quasi-Judicial Matters
   (There is no Unfinished Business)

5. RECONSIDERATIONS/APPEALS
   (There is no Reconsiderations/Appeals at this time)

6. PUBLIC HEARINGS: Quasi-Judicial Matters

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

A. OSTERMILLER PUE: The request is create a t-turnaround Public Use Easement at the western terminus of E. Wagonwheel Drive, in Tax Parcel A7, to be known as OSTERMILLER PUE, containing 13,286 sf +/- . The proposed Public Use Easement is located west of E. Wagonwheel Drive, parcel is located west of N. Britchenstrap Drive and north of N. Farm Loop, (Tax ID #118N02E18A007); within the E ½ W ½ NE ¼ Section 18, Township 18 North, Range 02 East, Seward Meridian. Community Council Farm Loop and in Assembly District #1 Tim Hale (Owner/Petitioner: Lanikai Estates, LLC; Surveyor: Keystone; Staff: Amy Otto-Buchanan)

Chair Rausa:
- read the memorandum regarding quasi-judicial actions into the record;
- queried platting board members to determine if any of them have a financial interest in the proposed case;
- have had any ex parte contact with the applicant, members of the public, or interested parties in the proposed case; and
- if all platting board members are able to be impartial in a decision.

Chair Rausa commented that he did work for the Ostermiller’s. Does not have an current contracts with the owners. Has no financial interest and states he can be impartial on the case.

There was no objection from the platting board members.

Chair Rausa read the case title and description into the record.

Ms. Von Gunten provided the mailing report.
- Stating that 37 public hearing notices were mailed out on January 29, 2020.

Ms. Otto-Buchanan provided a staff report
- Gave an overview of the case, #2020-003.
- Answered questions from the Platting Board.
- Staff recommend approval of the Platting Board with findings of fact and conditions.

Chair Rausa invited the petitioner for a brief overview.
MATANUSKA-SUSITNA BOROUGH
REGULAR MEETING
FEBRUARY 20, 2020

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Mr. Gary LoRusso, the petitioner’s representative, gave a brief overview.

Chair Rausa opened the public hearing for public testimony.

There being no one to be heard, Chair Rausa closed the public hearing.

Chair Rausa invited the petitioner or their representative to provide their comments.

Mr. Gary LoRusso, the petitioner’s representative, answered questions from the platting board.

Chair Rausa closed the petitioner’s comments and discussion moved to the Platting Board.

MAIN
MOTION: Platting Member Shadrach moved to approve the public use easement for Ostermiller PUE. With 6 recommendations and modification to recommendation #4. The motion was seconded by Platting Member Hatley.

Ms. Otto-Buchanan, the platting technician gave an explanation on the word changes added to recommendation #4.

RECOMMENDATION:
- Modify #4: Apply for a driveway permit or construction permit from right-of-way and provide a copy of the application to Platting staff.

MAIN MOTION
VOTE: The main motion passed with all in favor. There are 4 findings of fact.

TIME: 1:23 P.M.
CD: 0:23:05
BREAK
TIME: 1:33 P.M.
CD: 0:33:34

B. GOODWIND ESTATES MASTER PLAN: The request is to create a 58-lot, 2-phase master plan known as Goodwin Estates, containing 80 acres +/- . The property is located west of N. Palmer-Fishhook Road and north of E. Tex-Al Drive (Tax ID #18N01E10C007 & 18N01E10D006); within the S ½ Section 10, Township 18 North, Range 01 East, Seward Meridian. Community Council: Fishhook and in Assembly District #6 Jesse Sumner (Owner/Petitioner: Mary Susanne Goodwin; Surveyor: Hanson; Staff: Peggy Horton)

Chair Rausa:
- read the memorandum regarding quasi-judicial actions into the record;
- queried platting board members to determine if any of them have a financial interest in the proposed case;
- have had any ex parte contact with the applicant, members of the public, or interested parties in the proposed case; and
Matanuska-Susitna Borough
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February 20, 2020

REGULAR MEETING
FEBRUARY 20, 2020

- if all platting board members are able to be impartial in a decision.

There was no objection noted.

Chair Rausa read the case title and description into the record.

Ms. Von Gunten provided the mailing report.
- Stating that 67 public hearing notices were mailed out on January 29, 2020.

Ms. Horton provided a staff report
- Gave an overview of the case, #2020-005.
- Answered questions from the Platting Board.
- Staff recommend approval of the case with findings of fact and conditions.

Chair Rausa invited the petitioner for a brief overview.

The petitioner and/or the petitioner’s representative did not want to give a brief overview.

Chair Rausa opened the public hearing for public testimony.

The following person spoke regarding their concerns about the Fishhook comprehensive plans and the impact of the master plan with lots that are less than an acre. Concerned out the development with 1 acres lots: Ms. Jenna Deason.

The following person spoke regarding their concerns about the development of the master plan with 1 acres lots. Would like to keep the property area more as a recreational land instead of turning it into a small city: Ms. Dawn Brettrager.

There being no one else to be heard, Chair Rausa closed the public hearing.

Chair Rausa invited the petitioner or their representative to provide their comments.

Mr. Craig Hanson, the petitioner’s representative, and Mr. Curt Holler, Engineer, answered questions from the platting board.

Chair Rausa closed the petitioner’s comments and discussion moved to the Platting Board.

Main Motion: Platting Member Anderson moved to approve the preliminary plat for Goodwin Estates Master Plan. The motion was seconded by Platting Member Hatley.

Primary Amended Motion: Platting Member Anderson moved to amend the motion to modify finding #11 and add finding #12. The amended motion was seconded by Platting Member Hatley.
FINDINGS:

- Modify #11: There were no borough or outside agency objections to this plat.
- Add #12: Six public comments were received concerning putting additional traffic on Tex-Al and Palmer Fishhook lot size.

Discussion ensued by the platting board on the proposed Goodwin Master Plan and other adjacent subdivision actions being done at the same time.

SECONDARY AMENDED
MOTION: Platting Member Vau Dell moved to amend the motion to add a finding stating: "When the 31st residential unit is constructed this subdivision will be in violation of the international fire code if there is no additional egress points provided." The amended motion was seconded by Platting Member Anderson.

Discussion took place on Platting Member Vau Dell's finding and if it is correct to add the finding this to the case.

SECONDARY AMENDMENT
VOTE: The secondary amended motion failed with 4 against (Shadrach, Hatley, Anderson, Rausa) and 1 in favor (Vau Dell).

PRIMARY AMENDMENT
VOTE: The primary amended motion passed with all in favor.

Discussion between the platting board members continued on future road transportation and the impact regarding this subdivision will make.

MAIN MOTION
VOTE: The main motion passed with 4 in favor (Shadrach, Hatley, Anderson, Rausa) and 1 against (Vau Dell). There are 12 findings of fact.

TIME: 2:39 P.M.
CD: 01:39:06

C. RESOLUTION 2020-004: Adoption of the Subdivision Construction Manual.

Ms. Eileen Probasco introduced the resolution for the Subdivision Construction Manual and answered questions from the platting board.

Chair Rausa opened the public hearing for public testimony.

The following person spoke regarding the subdivision construction manual on the purpose statement on page, Bicycle & sidewalks on page 13 and road service area tax with mil rate: Ms. Cindy Bettine.
The following person spoke regarding the work that has already been completed by the work group: Mr. Cottini.

The Following person spoke regarding the subdivision construction manual work that has been completed and is very thankful for the changes being made: Ms. Jenna Deason

There being no one else to be heard, Chair Rausa closed the public hearing.

Chair Rausa invited Ms. Probasco, as the Resolution holder, to provide their comments.

Ms. Probasco, the Planning Director, answered questions from the platting board.

Chair Rausa closed the comments and discussion moved to the Platting Board.

MOTION: Platting Member Anderson moved to approve the platting board resolution 2020-004. The motion was seconded by Platting Member Hatley.

Discussion by the platting board ensured regarding grand fathering the manual.

PRIMARY AMENDED
MOTION: Platting Member Hatley moved to amend the motion to add to resolution 2020-004 a clause stating the effective date of the manual and public notice. The amended motion was seconded by Platting Member Anderson.

RESOLUTION:
- Added Clause: Be it further resolved that the platting board recommends that the effective date of the manual be adequate to provide notification to the public and that a rigorous public outreach effort should occur.

Discussion on the addition to the resolution ensued by the platting.

PRIMARY AMENDMENT
VOTE: The primary amended motion to add a clause to resolution 2020-004 failed with 3 in favor (Hatley, Anderson, Rausa) and 2 against (Shadrach and Vau Dell).

Discussion
- Chair Rausa was concerned about getting more standards regarding bicycle and pedestrian paths.
- More Discussion on separated paths and who maintains them.

MAIN MOTION
VOTE: The Main Motion to approve the platting board resolution 2020-004 passed with 4 in favor (Shadrach, Hatley, Anderson, Rausa) and 1 against (Vau Dell).

TIME: 3:52 P.M.
CD: 02:52:54
7. ITEMS OF BUSINESS & MISCELLANEOUS

8. PLATTING STAFF & OFFICER COMMENTS
   A. Adjudicatory (if needed)
   B. Upcoming Platting Board Agenda Items

Mr. Wagner provided a brief update on cases that will be coming before the Platting Board on March 5, 2020. Commented on the State proposed Senate Bill 204.

Ms. Von Gunten reminded the board on the Policy & Procedure Manual and the December 19, 2019 minutes to be on the upcoming agenda items.

9. BOARD COMMENTS

Platting Member Vau Dell would like the platting officer to make schedule a presentation from the fire marshal.

Platting Member Hatley thanked those who have been working on the construction manual.

Platting Member Anderson commented on when voting no on a case the board member does have a choice in explaining their actions.

Platting Member Shadrach had no comments.

Platting Member Rausa had commented on voting no and the board’s option to give an explanation.

10. ADJOURNMENT

With no further business to come before the Platting Board, Chair Jordan Rausa adjourned the meeting at 4:00 p.m. (CD: 3:00:59)

ATTEST:

JORDAN RAUSA, Platting Board Chair

SLOAN VON GUNTEN,
Platting Board Clerk

Minutes approved: _________________________
STAFF REVIEW AND RECOMMENDATIONS
PUBLIC HEARING
MARCH 19, 2020

PRELIMINARY PLAT: JANNECK PUBLIC USE EASEMENT
LEGAL DESCRIPTION: SEC 35, T18N, R02W
PETITIONER: HOWARD A. & VICKI LOU JANNECK
SURVEYOR: KEYSTONE SURVEYING
REVIEWED BY: AMY OTTO-BUCHANAN CASE: 2020-017

REQUEST: The request is create an offset cul-de-sac Public Use Easement adjacent to the 83' wide Section Line Easement and on Tax Parcel B16 (Tax ID #118N02W35B016), to be known as JANNECK PUE, containing 5,500 sf +/- . The proposed Public Use Easement is located south of W. Beverly Lake Road and N. Fine Road intersection, within the S ½ SW ¼ and SW ¼ NW ¼ Section 35, Township 18 North, Range 02 West, Seward Meridian.

EXHIBITS:
Vicinity Map, Aerial Maps
PUE Application
Public Use Easement Document
Proof of Constructability

COMMENTS:
Department of Public Works
Department of Emergency Services
Utilities

DISCUSSION: The parcel is located south and southeast of the intersection of W. Beverly Lake Road and N. Fine Road intersection. The purpose of the Public Use Easement (PUE) is to create a constructible access for any future subdivision. The Public Use Easement itself is a small portion (5,500 sf) within Tax Parcel B16 to create an offset cul-de-sac within the 83' wide Section Line Easement and the portion being granted as the PUE. Howard A. and Vicki Lou Janneck, owners of Tax Parcel B16, have submitted an Application for Public Use Easement (PUE) Acceptance (Exhibit B), the proposed Public Use Easement document (Exhibit C) and proof of constructability of the proposed PUE (Exhibit D.)

COMMENTS:
Department of Public Works (Exhibit E) has no comments. Department of Emergency Services Fire Marshal (Exhibit F) has no issues.

Utilities: (Exhibit G) GCI has no objections. MTA has no objections. Enstar has no comments or recommendations. MEA did not respond.
CONCLUSION:
The proposed Janneck Public Use Easement is a cul-de-sac on private property that the petitioner is requesting the borough accept as public right-of-way. The proposed Public Use Easement is unconstructed at this time; surveyor has provided proof of constructability. The Public Use Easement Application was submitted in accordance with MSB 43.15.021, Public Use Easement Acceptance Procedure. Borough Staff recommends approval of this Public Use Easement application. No road construction is required.

FINDINGS OF FACT:
1. Public Use Easement Application has been submitted pursuant to MSB 43.15.021.
2. Surveyor has provided a certified drawing and legal description of the public use easement.
3. The public use easement is constructible and surveyor has provided proof of constructability.
4. Construction of the Public Use Easement is not required.

RECOMMENDATION FOR APPROVAL OF PUBLIC USE EASEMENT: Suggested motion: "I move to approve the Janneck Public Use Easement, Section 35, Township 18 North, Range 02 West, Seward Meridian, Alaska, contingent on staff recommendations:"
1. Pay mailing and advertising fee.
2. Provide updated Certificate to Plat executed within seven days prior to recording and provide beneficiary affidavits from holders of beneficial interest, if any.
3. Submit a public use easement document, signed by all owners of record with the legal description and a drawing showing monumentation in accordance with MSB 43.15.021(E). The document must comply with State of Alaska, Department of Natural Resources standards.
4. Submit recording fee payable to the Dept. of Natural Resources.
PUBLIC USE EASEMENT TO BE GRANTED

SUBJECT PROPERTY

VICINITY MAP FOR JANNECK PUBLIC USE EASEMENT LOCATED WITHIN
SECTION 35, T18N, R02W, SEWARD MERIDIAN, ALASKA
HOUSTON 08 MAP

EXHIBIT A
APPLICATION FOR PUBLIC USE EASEMENT ACCEPTANCE

LOCATED IN THE (aliquot part) NW¼ of Section 35 Township 18 NORTH Range 02 WEST
SEWARD Meridian, Alaska.

SUPPORTIVE DATA

REQUIRED AT TIME OF SUBMITTAL:

_____ LEGAL DESCRIPTION OF PROPOSED EASEMENT
(by Registered Land Surveyor if description is by metes and bounds)

_____ SCALED DRAWING OF EASEMENT DEPICTING LOCATION

_____ PROOF OF CONSTRUCTIBILITY

_____ FEE $500.00

_____ CERTIFICATE TO PLAT (provided by a local title company)

APPLICANT

Name: HOWARD ALLEN JANNECK, JR. & VICKI LOU JANNECK
Email: cturtle@mtaonline.net

OR

Mailing Address: P.O. BOX 298373, WASILLA, ALASKA 99629-8373

OWNER

Contact Person: J.R. OR VICKI Phone: 355-0847

SURVEYOR

Name (FIRM): KEYSSTONE SURVEYING & MAPPING
Mailing Address: P.O. BOX 2216, PALMER, ALASKA Zip: 99645
Contact Person: GARY LoRUSSO Phone: 376-7811

ENGINEER

Name (FIRM): HOLLER ENGINEERING
Mailing Address: HC 32, BOX 3380, WASILLA, ALASKA Zip: 99654
Contact Person: CURT HOLLER Phone: 376-0410

APPLICANTS SIGNATURE

DATE 01/06/20

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

2/3/2020

DATE

PLATTING DIVISION REPRESENTATIVE

SCHEDULED FOR PLATTING BOARD MEETING OF: 3/9/2020

EXHIBIT B-1
KEYSTONE SURVEYING & MAPPING, INC.

Gary LoRusso
P.O. Box 2216
Palmer, Alaska 99645

garyl@mtaonline.net
Work 376–7811

Amy Otto– Buchanan
Platting Dept.
Matanuska–Susitna Borough
RE: JANNECK PUBLIC USE EASEMENT

Mr. Wagner,

Attached are the forms and documents needed to create a Public Use Easement on land owned by J.R. and Vicki Janneck. They wish to create this easement as part of preparing for future division of property for their children at the time of their demise. There are no current plans to utilize this PUE for separating the subject parcel or to construct. The thinking currently is that they would separate a 20–30 acre parcel on the north side of Baptist Pond to transfer to a family member and would use this for access as it is the only viable access to the northerly portion of their property due to Baptist Pond and it associated wetlands occupying the center portion of their 100 plus acres. The applicants recognize that codes change over time and wish to be prepared for future transfer to their heirs without putting their heirs through the struggles of creating a Public Use Easement after they are gone. We should all be this wise.

Please contact me if you have any questions.

Respectfully,

Gary LoRusso

EXHIBIT B - 2
PUBLIC USE EASEMENT

THIS AGREEMENT, made this ___ day of __________, 2020, by and between HOWARD ALLEN JANNECK, JR. & VICKI LOU JANNECK, ADDRESS: P.O. BOX 298373, WASILLA, ALASKA 99629-8373, hereinafter called the GRANTOR(s), and the MATANUSKA-SUSITNA BOROUGH, a Municipal Corporation under the laws of the State of Alaska, hereinafter called the GRANTEE whose mailing address is 350 East Dahlia Avenue, Palmer, Alaska 99645.

WITNESSETH:

That for and in consideration of -$1.00- (one) dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, the GRANTOR(s) does/do hereby grant, bargain, sell, convey and warrant to the GRANTEE, its successors and assigns forever, a right-of-way and easement, with the right, privilege, and authority to the GRANTEE, its successors and assigns, for use as a public right-of-way, including the right to construct, operate and maintain public improvements of all kinds within said right-of-way, and to grant encroachment permits and grant public utilities and other utilities the right to place their facilities within said right-of-way, described as follows to wit:

WITHIN PARCEL NO. 4, MATANUSKA-SUSITNA BOROUGH WAIVER RESOLUTION SERIAL NO. 84-77-PWm RECORDED AS 84-175W WITHIN SECTION 35, TOWNSHIP 18 NORTH, RANGE 02 WEST, SEWARD MERIDIAN; AS SHOWN ON ATTACHED EXHIBIT A, SHEETS 1 AND 2; AND AS DESCRIBED IN THE ATTACHED LEGAL DESCRIPTION.

together with the rights, easements, privileges and appurtenances in or to said lands which may be required for the full enjoyment of the rights herein granted located within the PALMER Recording District.

IN WITNESS WHEREOF, the GRANTOR(s) has/have hereunto set my/our hand(s) and seal(s) the day and year first above written.

______________________________

EXHIBIT C/
STATE OF ALASKA )
) ss:
THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this __ day of ____________, 20__, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared _______________, to me known to be the person(s) described in and that they executed the foregoing EASEMENT, and acknowledged the said instrument to be a free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this day and year herein above written.

(SEAL)

NOTARY PUBLIC in and for the State of Alaska
My commission expires: __________________

This easement has been accepted by the Matanuska-Susitna Borough and approved for recording.

EILEEN PROBASCO Date
Planning and Land Use Director

Attest

RETURN TO:
MATANUSKA-SUSITNA BOROUGH
PLATTING DIVISION
350 EAST DAHLIA AVENUE
PALMER, ALASKA 99645-6488

EXHIBIT C-\lambda

said described tract containing 5500 Square Feet, more or less.

EXHIBIT C-3
EXHIBIT A
JANNECK PUBLIC USE EASEMENT
WITHIN PARCEL NO.4 MSB WAIVER RESOLUTION SERIAL #84-77-PWm RECORDED AS 84-175W
T 18N, R02W, SECTION 35 SEWARD MERIDIAN, ALASKA

SHEET #1
SCALE: 1" = 125'

EXHIBIT C
EXHIBIT A

JANNECK
PUBLIC USE EASEMENT

WITHIN
PARCEL NO.4
MSB WAIVER RESOLUTION
SERIAL #84-77-PWm
RECORDED AS 84-175W
T 18N, R02W, SECTION 35
SEWARD MERIDIAN, ALASKA

SHEET #2

SCALE: 1" = 40'

EXHIBIT C-5
Janneck Rd Centerline Profile - proposed 12-12-19
Amy Otto-Buchanan

From: Jamie Taylor
Sent: Tuesday, March 3, 2020 11:42 AM
To: Amy Otto-Buchanan
Subject: RE: RFC Janneck PUE #20-017

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: Amy Otto-Buchanan <Amy.Otto-Buchanan@matsugov.us>
Sent: Friday, January 31, 2020 8:47 AM
To: Dubour, Adam J (DFG) <adam.dubour@alaska.gov>; regpagemaster@usace.army.mil; brian.young@usps.gov; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Tam Boeve <Tamboevedistrict7@gmail.com>; tim.swezey@mllcak.org; psfisher@gci.net; browne@mtaonline.net; lana@mtaonline.net; John Fairchild <John.Fairchild@matsugov.us>; Fire Code <Fire.Code@matsugov.us>; Jill Irsik <Jill.Irsik@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>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; MSB Farmers <MSB.Farmers@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Joseph Metzger <Joseph.Metzger@matsugov.us>; Eileen Probasco <Eileen.Probasco@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Permit Center <Permit.Center@matsugov.us>; Alex Strawn <Alex.Strawn@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; mearrow@matanuska.com; row@mtasolutions.com; andrew.fraiser@enstarnaturalgas.com; Cassie Acres <Cassie.Acres@enstarnaturalgas.com>; row@enstarnaturalgas.com; OSP Design Group <ospdesign@gci.com>
Subject: RFC Janneck PUE #20-017

The attached link contains a Request for Comment (RFC) for Janneck PUE, MSB Case #2020-017. Comments are due by March 3, 2020. Please let me know if you have any questions. Thanks, A.

https://matsugovus-my.sharepoint.com/:f:/g/personal/ammyOtto-buchanan_matsugov_us/EGcYjitCAOriGiZpPj_101TcBO8IYx7BmgUK0wiCe3ODog?e=VfXbQ1

Please open the link in Chrome or copy and paste the link to your browser. Using Microsoft Edge seems to cause viewing problems.

Amy Otto-Buchanan
Platting Technician

EXHIBIT E
amy.otto-buchanan@matsugov.us
861-7872
Amy Otto-Buchanan

From: Fire Code
Sent: Friday, February 7, 2020 11:59 AM
To: Amy Otto-Buchanan
Subject: RE: RFC Janneck PUE #20-017

Amy,
Fire Code has no issue with this.

 Donald Cuthbert
Fire Marshal
Fire & Life Safety Division
Central Mat-Su Fire Department
(907) 861-8030
FireCode@matsugov.us

From: Amy Otto-Buchanan <Amy.Otto-Buchanan@matsugov.us>
Sent: Friday, January 31, 2020 8:47 AM
To: Dubour, Adam J (DFG) <adam.dubour@alaska.gov>; regpagemaster@usace.army.mil; brian.young@usps.gov; John Aschenbrenner <john.Aschenbrenner@matsugov.us>; Tam Boeve <Tamboevedistrict7@gmail.com>; tim.swezey@mlccak.org; psfisher@gci.net; browne@mtaonline.net; lana@mtaonline.net; John Fairchild <John.Fairchild@matsugov.us>; Fire Code <Fire.Code@matsugov.us>; Jill Irsik <Jill.Irsik@matsugov.us>; Eric Phillips <Eric.Philips@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>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; MSB Farmers <MSB.Farmers@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Joseph Metzger <Joseph.Metzger@matsugov.us>; Eileen Probasco <Eileen.Probasco@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Permit Center <Permit.Center@matsugov.us>; Alex Strawn <Alex.Strawn@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; mearow@matanuska.com; row@mtasolutions.com; andrew.fraser@enstarnaturalgas.com; Cassie Acres <Cassie.Acres@enstarnaturalgas.com>; row@enstarnaturalgas.com; OSP Design Group <ospdesign@gci.com>
Subject: RFC Janneck PUE #20-017

The attached link contains a Request for Comment (RFC) for Janneck PUE, MSB Case #2020-017. Comments are due by March 3, 2020. Please let me know if you have any questions. Thanks, A.

https://matsugovus-my.sharepoint.com/:f:/g/personal/amy_otto-buchanan_matsugov_us/EgCyujtCAORjIzpI_101TcBjOBJyx7Bmgpk0wiCe3ODog?e=VfxbQ1

Please open the link in Chrome or copy and paste the link to your browser. Using Microsoft Edge seems to cause viewing problems.

Amy Otto-Buchanan
Platting Technician
amy.otto-buchanan@matsugov.us
861-7872

EXHIBIT F
Hello,

MTA has reviewed the plat for Janneck PUE. MTA has no comments.

Thank you for the opportunity to comment.

Holly Sparrow, Right of Way Agent
MTA | 1740 S. Chugach Street | Palmer, Alaska 99645
office: 907-761-2599 | www.mtasolutions.com

From: Amy Otto-Buchanan <Amy.Otto-Buchanan@matsugov.us>
Sent: Friday, January 31, 2020 8:47 AM
To: Dubour, Adam J (DFG) <adam.dubour@alaska.gov>; regpagemaster@usace.army.mil; brian.young@usps.gov; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Tam Boeve <Tamboevedistrict7@gmail.com>; tim.swezey@mlccak.org; psfisher@gci.net; browne@mtaonline.net; lana@mtaonline.net; John Fairchild <John.Fairchild@matsugov.us>; Fire Code <Fire.Code@matsugov.us>; Jill Irsik <Jill.Irsik@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>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; MSB Farmers <MSB.Farmers@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Joseph Metzger <Joseph.Metzger@matsugov.us>; Eileen Probasco <Eileen.Probasco@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Permit Center <Permit.Center@matsugov.us>; Alex Strawn <Alex.Strawn@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; mearow@matanuska.com; Right of Way Dept. <row@mtasolutions.com>; andrew.fraser@enstarnaturalgas.com; Cassie Acres <Cassie.Acles@enstarnaturalgas.com>; row@enstarnaturalgas.com; OSP Design Group <ospdesign@gci.com>
Subject: RFC Janneck PUE #20-017

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.
The attached link contains a Request for Comment (RFC) for Janneck PUE, MSB Case #2020-017. Comments are due by March 3, 2020. Please let me know if you have any questions. Thanks, A.

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Please open the link in Chrome or copy and paste the link to your browser. Using Microsoft Edge seems to cause viewing problems.

Amy Otto-Buchanan
Platting Technician
amyotto-buchanan@matsugov.us
861-7872
February 11, 2020

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

To whom it may concern:

ENSTAR Natural Gas Company has reviewed Stringfield (MSB Case # 2020-016) and advises that there is an existing natural gas service line which appear to cross proposed Lot 1 to serve proposed Lot 2. Attached is an approximate ENSTAR as-built for your reference. ENSTAR objects to this plat unless one of the following scenarios is met:

1. Add a ten foot (10 FT) wide natural gas easement, centered on the existing natural gas service line as they cross Lot 1 to serve Lot 2.
2. Add a note which says, “There is a ten foot (10 FT) wide natural gas easement centered on the existing service line.” And draw in the approximate location of the service line on the map and add, “Approximate location of natural gas service line and centerline of ten foot (10 FT) wide natural gas easement”.
3. Owner signs an ENSTAR Natural Gas Easement document for a ten foot (10 FT) wide natural gas easement, centered on the service line at this location.

ENSTAR Natural gas company has reviewed the following Abbreviated and Preliminary plats and has no comments or recommendations.

- Stars and Stripes (MSB Case # 2020-020)
- Jar Subdivision (MSB Case # 2020-007)
- Janneck Public Use Easement (MSB Case # 2020-017)
- Brookwood Commercial Park (MSB Case # 2020-010)
- New Hope Estates Master Plan (MSB Case # 2020-012)
- Martin Heights MSP & Ph 1 Revision, Vacation (MSB Case # 2006-169)
- Dewy’s Garden Addition 8 (MSB Case # 2020-024)

If you have any questions, or if this line is or is going to be abandoned, please feel free to contact me at 334-7944 or by email at cassie.acres@enstarnaturalgas.com.

Sincerely,

[Signature]

EXHIBIT G-2
Amy Otto-Buchanan

From: OSP Design Group <ospdesign@gci.com>
Sent: Monday, February 17, 2020 9:07 AM
To: Amy Otto-Buchanan
Subject: RE: RFC Jannec PUE #20-017

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]
Hello,

We have no comments.

Thank you,

JACQUELINE HALL
GCI | Technician I, GIS Mapping
w: www.gci.com

From: Amy Otto-Buchanan <Amy.Otto-Buchanan@matsugov.us>
Sent: Friday, January 31, 2020 8:47 AM
To: Dubour, Adam J (DFG) <adam.dubour@alaska.gov>; regpagemaster@usace.army.mil; brian.young@usps.gov; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Tam Boeve <Tamboevedistrict7@gmail.com>; tim.swezey@mlccak.org; psfisher@gci.net; browne@mtaonline.net; lana@mtaonline.net; John Fairchild <John.Fairchild@matsugov.us>; Fire Code <Fire.Code@matsugov.us>; Jill Irsik <Jill.Irsik@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 Jensen <James.Jensen@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; MSB Farmers <MSB.Farmers@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Joseph Metzger <Joseph.Metzger@matsugov.us>; Eileen Probasco <Eileen.Probasco@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Permit Center <Permit.Center@matsugov.us>; Alex Strawn <Alex.Strawn@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; mearow@matanuska.com; row@mtasolutions.com; andrew.fraiser@enstarnaturalgas.com; Cassie Acres <Cassie.Acres@enstarnaturalgas.com>; row@enstarnaturalgas.com; OSP Design Group <ospdesign@gci.com>
Subject: RFC Jannec PUE #20-017

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Please open the link in Chrome or copy and paste the link to your browser. Using Microsoft Edge seems to cause viewing problems.
Amy Otto-Buchanan
Platting Technician
amy.otto-buchanan@matsugov.us
861-7872
MEMORANDUM

Date: March 19, 2020

To: Platting Board

To: Fred Wagner, Platting Officer

From: Peggy Horton, Platting Technician

RE: Martin Heights Master Plan Revision, ROW Vacation and Utility Easement Elimination
Case #s: 2006-169, 2020-025 & 026

Platting Staff recommends a continuance until April 16, 2020 to address multiple issues including road design, useable area, as-built information, an objection to the vacation, and others.

Suggested motion: “I move to continue the public hearing for Martin Heights Master Plan Revision, ROW Vacation and Utility Easement Elimination to April 16, 2020 to allow for posting the ROW Vacation on the property.”
Hi Peggy,

I don't remember receiving the posting notices, and did not know we had to post, although I probably should have. I was on the phone with Randy Martin just before I found your email, and we had decided to ask for a continuance to 4/2, so we'll plan on the 16th, instead.

It looks as though I should come over and pick the notices up. I'm leaving the state Sunday and will not return until the 24th, too late to post for the 16th meeting. I'll pick them up tomorrow or Friday, if that'll work.

js

JOHN SHADRACH, RLS
POB 871497
Wasilla, Alaska 99687
907-841-0706

On 3/4/2020 11:22 AM, Peggy Horton wrote:

John, I think I goofed up. I don't believe I sent you the posting notices for the ROW Vacation. The notices are required to be posted for 30 days prior to the public hearing. I said this in my October 2019 email, but I don't have any evidence that I provided to notices to you.

If the ROW Vacations were not posted in the field, we will need to continue the case until the ROW Vacation is posted for 30 days. We could continue the case until April 16, 2020.

The Master Plan is still under Title 16 which did not require posting, but the vacation and elimination are under Title 43, which require it. We will need the signed and notarized posting affidavit submitted to us prior to the public hearing.

Peggy Horton
Platting Technician
907-861-7881
MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD RESOLUTION No. 2020-003

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLATTING BOARD ADOPTING THE POLICIES AND PROCEDURES MANUAL, SECOND EDITION.

WHEREAS, the Platting Board wishes to ensure consistent processes and decisions on actions before them; and

WHEREAS, a policies and procedures manual has been compiled to provide a resource for platting board members and the platting officer to located policies and procedures affecting Platting Board Meetings and actions. This document shall be used as a guide in conjunction with MSB Title 43 and Roberts Rules of Order and other applicable documents; and

WHEREAS, MSB 43.10.045 RULE OF PROCEDURE states:

(A) The board may, by resolution, adopt its own written rules of procedure, consistent with this title, governing the conduct of its proceedings. In all matters of procedure not governed by such rules or this title, the current edition of Robert’s Rules of Order, Newly Revised, shall govern.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Platting Board does hereby adopt the Platting Board Policies and Procedures Manual, Second Edition, dated _____ _____, 2020; and
BE IT FURTHER RESOLVED that adoption of this manual repeals and replaces all policies previously adopted by the Platting Board.

ADOPTED by the Matanuska-Situs Borough Platting Board this _____ day of __________, 2020.

JORDAN RAUSA,
Platting Board Chair

ATTEST:

SLOAN VON GUNTEN,
Platting Board Clerk

(SEAL)
MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD
POLICIES AND PROCEDURES MANUAL

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APPENDIX A: POLICY 18-01 FINDINGS OF FACTS FOR PLATTING ACTIONS
SECTION I
PURPOSE

The purpose of this manual is to provide a resource for Platting Board members and the platting officer to locate policies and procedures affecting Platting Board meetings and actions. This document shall be used as a guide in conjunction with MSB Title 43 and Roberts Rules of Order and other applicable documents. No policy or procedure herein shall alter or conflict with any borough code.

SECTION II
QUASI-JUDICIAL, LEGISLATIVE, & ADMINISTRATIVE DEFINITIONS

(1) QUASI-JUDICIAL
The Platting authority administers Title 43, Subdivisions. It issues decisions on requests for variances, preliminary plats, master plan approvals and other requests within Title 43. The platting board or platting officer act in a quasi-judicial role, which means they have powers resembling those of a judge, insofar as it makes official decision on the respective rights or claims of parties appearing before it.

(2) LEGISLATIVE
While the MSB Assembly has broad executive powers, the Platting Board is limited to an advisory role to the Assembly with legislative matters. Legislative actions can vary greatly and address a broad range of issues. Examples of legislative type of actions include ordinance changes, ROW vacations and easement eliminations and modifications.

(3) ADMINISTRATIVE
This can include items such as approval of agenda items, meeting schedule dates, elections, and changes to policies and procedures of the Platting Board.

SECTION III
SPECIAL RULES OF ORDER; POLICIES AND PROCEDURES

Borough code specifies that the Platting Board shall conduct meetings under the current edition of Robert’s Rules of Order Newly Revised, and such modified or amended rules as may be adopted by the Board.

Robert’s Rules of Order Newly Revised, provides for the adoption of special rules of order amending the rules of order contained within its specified parliamentary manual. The Platting Board, with the adoption by resolution of this manual, hereby adopts the following special rules of order, policies and procedures.
(1) **ELECTIONS**

(A) The officers of the Platting Board shall be elected annually from and by the members of the Platting Board on the first meeting after January 1, according to the requirements of MSB 4.05.110 Officers.

(B) Nominations for Chair and Vice-Chair shall be made from the floor. The Platting Clerk shall be the Platting Division Administrative Specialist.

(C) A separate vote shall be taken for each office.

(2) **ATTENDANCE REQUIREMENTS**

Notwithstanding the removal and vacancy guidelines in MSB 4.05.030, all Platting Board members are expected to attend all regular and special meetings. If a member cannot attend a meeting, the member must make every effort to contact the Platting Clerk at a minimum 48 hours prior to the start of the scheduled meeting.

(3) **VOTING REQUIREMENTS**

Platting Board members are appointed by the Mayor and confirmed by the Assembly to perform specific tasks. Board members are expected to vote on items before them for consideration. The right of abstention shall be used sparingly, particularly on quasi-judicial actions, and generally only when other board members find that a conflict of interest or ex parte contact is applicable, according to MSB 43.10.055. An affirmative vote of 4 is required to take positive action on a motion. If a board member deems more information is necessary to make a decision on an item, that member should make a motion to postpone action and request staff to provide the specific information needed. If the motion to postpone fails, the board shall proceed with the vote and each board member should vote yes or no. [If a board member abstains, by borough code, it is a no vote.]

(4) **DUTIES AND RESPONSIBILITIES**

The duties of all parties are as follows:

(A) Board members shall:

   (1) Prepare for all meetings by reading the packet thoroughly.
   (2) Contact the platting clerk with questions prior to the meeting.
   (3) Avoid self-investigation.
   (4) Examine all the given facts on issues and make the best decisions possible.

(B) The Chair shall:

   (1) preside over all meetings of the Board
   (2) **sign necessary documents.**
   (3) act as parliamentarian according to Roberts Rules of Order and this manual, and may consult with the clerk.

(C) The Chair can speak in discussion and vote on all questions. However, in order to prevent the possible influencing of the other members the Chair should wait until all other members have spoken.

(D) The Vice-Chair shall act as Chair in the absence of the Chair.

(E) The Platting Officer shall act as secretary to the board (MSB 43.10.035).

(F) The Platting Board Clerk shall:

   (1) Take, sign, and keep record of the minutes and proceedings of the Platting Board.
   (2) **act as parliamentarian according to Roberts Rules of Order and this manual.**
(3) Assist the Chair during meetings by keeping a record of motions, tallying votes, and other such means.

(4) Keep attendance records and notify the Chair of absences and vacancies.

(5) Keep a record of meeting attendance, travel and other reimbursable expenses of the Board, and submit bills for payment.

(6) Maintain and have available at meetings a copy of the applicable version of Robert’s Rules of Order Newly Revised, and such Special Rules of Order and Standing Orders as may be adopted by the Board.

(5) **REGULAR MEETING PROCEDURES**

Regular Platting Board meetings are held on the 1st and 3rd Thursdays of each month, unless otherwise approved. The Platting Clerk will draft and distribute a schedule of Platting Board meetings in January of each year for review and approval by the Board.

(A) Regular meetings begin at 1:00 pm.

(B) The agenda for each regular meeting will follow the order of business as follows:

1. Call to Order
   a. Roll Call and Determination of Quorum
   b. Pledge of Allegiance
   c. Approval of Agenda (*This places agenda items on the floor for discussion*)
2. Approval of Minutes
3. Audience Participation
4. Unfinished Business
5. Reconsiderations/Appeals
6. Public Hearings
7. Items of Business & Miscellaneous
8. Platting Staff & Officer Comments
9. Board Comments
10. Adjournment

(C) All Platting Board meetings, including special meetings, have a mandatory adjournment time of 12:00 am (Midnight).

(D) Members are required to obtain the floor before making motions or speaking.

(E) Informal discussion of a subject is permitted while no motion is pending, subject to approved suspension of the rules.

(F) There is no limit on the number of times a member can speak to a question, however, the member can only speak again after all other members have been given the opportunity to speak to the questions first.

(6) **PUBLIC HEARING PROCEDURES**

Platting Board meetings begin promptly at 1:00 pm. The following occurs for each public hearing on the agenda:

(A) Chair reads the agenda item to be addressed.

(B) The number of Public Notices are stated by the Clerk.

(C) Staff presents their report. This report includes findings of fact and staff recommendation. The Board may ask staff questions about the application
or staff recommendations.

(D) The Applicant(s) or their representative shall be provided the opportunity to come before the Board to give an overview of their application and are limited to three (3) minutes. The Board may not question the applicant at this time.

(E) Chair opens the floor for public testimony.

(F) Members of the public are invited to testify on the item before the Board in the order that they signed the Public Testimony Hearing Sign-In Sheet located on the table in the back of the Assembly Chambers. Testimony is limited to three (3) minutes per person, except in the case of a representative of a state agency or officials of a city or borough recognized community council, who shall be allowed five (5) minutes.

- Each person should move to the testimony table in the front of the room facing the Board when their name is called, clearly pronounce and spell their last name for the record, and then begin their statement. No one is allowed to speak from the audience without signing in and coming forward when their name is called.

- The Board may question members of the public who testify, however, questions should be brief and limited to the specific case being considered, and should not occur in a manner that causes opportunity for one person to have an unfair advantage over another individual who testifies.

(G) The Public Testimony is closed by the Chair.

(H) The Applicant(s) or their representative shall be allowed five (5) minutes to speak to provide their verbal testimony and answer questions that may have been raised during previous public testimony. The board may ask the applicant questions at this time.

(I) A motion is made to take action on the application and seconded by another member of the Board. This allows discussion of the motion.

(J) The Board discusses the motion(s), the chair restates the motion, and then the platting board votes, and then votes. Four affirmative votes are necessary for approval of the proposed action.

(K) Platting Board actions are final unless appealed to the Board of Adjustments and Appeals per MSB 15.39.

(7) FINDINGS OF FACT

(A) The planning department adopts official policies to clarify or expand on certain issues or to standardize certain procedures within the department. This procedures manual incorporates by reference Planning Department Policy 018-01 (Appendix A), or the most recent version, which formalizes the Findings of Fact that platting staff will use to review, evaluate and recommend actions and conditions of approval on quasi-judicial requests.

(B) If the board fails to garner enough votes to approve an application, or if they should disagree with staff’s recommendation, they should craft and adopt findings of fact supporting the decision. Regardless of voting in the positive or the negative, all board members should vote on the findings that support the reason for the decision.
8) **APPEALS OF PLATTING OFFICER DECISIONS**

This appeal is filed from an Abbreviated Plat Hearing that the Platting Officer presided over. Definitions of words within these procedures can be found within MSB 15.39.010.

The process and procedure shall be subject to the following order and time limitations:

1. Staff overview of the appeal for platting board and public limited to ten (10) minutes.
2. Appellant and/or Representative testimony limited to fifteen (15) minutes.
3. Entitlement Applicant, if not the appellant testimony limited to fifteen (15) minutes.
4. Borough, if not the appellant testimony limited to fifteen (15) minutes.
5. Interested parties testimony limited to five (5) minutes each.
6. Appellant and/or Representative for rebuttal limited to five (5) minutes.

PB Approval: 12/4/2008 and 1/16/2020

9) **RECONSIDERATION**

(applicable to Quasi-Judicial)

Reconsiderations pertaining to Quasi-judicial acts are outlined in MSB Title 43.35.005

(applicable to legislative acts.)

A motion to reconsider a vote may be made only by a member who voted with the prevailing side. The motion shall be made during the meeting at which the action is taken.

1. A proper motion to reconsider suspends implementation and effect of the decision for which reconsideration is moved, until the next regular meeting or until the Board takes action on that motion, whichever occurs first. Actions that cannot be reconsidered are defined in the current edition of Robert’s Rules of Order Newly Revised.

2. Only one motion to reconsider shall be entertained on any resolution or action even if the Board overturns the original action. If a motion to reconsider a particular ordinance fails, a second motion to reconsider the same action shall not be in order.

10) **PERMANENT RECORDS AND HANDOUTS**

A) The following Platting Board documents and records shall, to the extent reasonable, follow the formatting of similar documents in the borough clerk’s office:

1. Agendas
2. Meeting minutes
3. Platting Board resolutions

B) Meeting handouts presented to the Board during a meeting outside of the context of the packet shall become part of the permanent meeting record.

Appendix A: Policy 18-01 Findings of Fact for Platting Actions


Resolution 2020-003
POLICY NUMBER: 018-01
EFFECTIVE DATE: October 3, 2019
SUBJECT: FINDINGS OF FACT FOR PLATTING ACTIONS
Eileen Probasco, Planning Director

I. PURPOSE
The purpose of this policy is to identify a clear consistent format of required findings of fact on platting actions, for platting staff to base their recommendations upon, and for the platting authority to evaluate platting cases upon, prior to finalizing their decision. This policy is Appendix A to the Plating Boards Policies and Procedures Manual.

II. POLICY STATEMENT
Alaska Statutes 29.40.070 states: By ordinance the assembly shall adopt platting requirements that may include, but are not limited to, the control of:

A. form, size, and other aspects of subdivision, dedications, and vacations of land;
B. dimensions and design of lots;
C. street width, arrangement, and rights-of-way, including requirements for public access to lots and installation of street paving, curbs, gutters, sidewalks, sewers, water lines, drainage, and other public utility facilities and improvements;
D. dedication of streets, rights-of-way, public utility easements and areas considered necessary by the platting authority for other public uses.

The assembly has adopted MSB Title 43 Subdivisions to fulfill this requirement.

III. PROCEDURE
FINDINGS OF FACT FOR PLATTING ACTIONS
In making a decision on a platting action, the platting authority shall adopt findings of fact supporting their decision to approve, approve with conditions, or deny the request based on the following (if applicable):

A. This platting action meets the applicable requirements of MSB 43.15 Plat approval, Abbreviated Plat Subdivisions and Vacations; and MSB 43.20 Subdivision Development Standards, including but not limited to access, dedication, area, lot and block design, frontage, lot dimensions, etc.
B. This platting action meets the requirements of the subdivision construction manual. (MSB 43.05.015 (B)(3)) including but not limited to road design and construction, drainage, utilities installation, etc.
C. This platting action conforms to the standards set forth in this title and other applicable statutes and ordinances (MSB 43.10.060) Including but not limited to:
   • Title 11 Roads, Streets, Sidewalks and Trails – Driveways, encroachments, utility permits, etc.
   • Title 15 Planning – Consistent with MSB Long Range Transportation Plan and Official Streets and Highways Plan
   • Title 17 Zoning – minimum lot sizes or other special standards required in certain zoning districts or the cities of Palmer, Wasilla and Houston.
   • Any other applicable borough or state ordinances or policies.
D. Sufficient variances have been granted or conditions of final approval have been recommended for this platting action, to address concerns in (A), (B) and (C) above.
IV. RESPONSIBILITIES
It is the responsibility of the platting division staff to evaluate each request before them, and use these findings by which to make their recommendations to the platting authority. It is the responsibility of the platting authority to adopt findings of fact on each platting action to support their decision to approve, approve with conditions, or deny the request.

V. ORGANIZATION AFFECTED
This policy is a department-wide policy.