

AGENDA

MATANUSKA-SUSITNA BOROUGH PLATTING BOARD AGENDA

PLATTING BOARD

Jordan Rausa, Chairman
LaMarr Anderson
George Thompson
Pio Cottini
Dennis Vau Dell
Wilfred Fernandez
John Shadrach, Alt #2
Justin Hatley, Alt #1
Vacant, Seat #3



PLATTING DIVISION

Fred Wagner, Platting Officer
Peggy Horton, Platting Technician
Amy Otto-Buchanan, Platting Technician
Cheryl Scott, Platting Technician
Sloan Von Gunten, Platting Div. Specialist

*Assembly Chambers of the
Dorothy Swanda Jones Building
350 E. Dahlia Avenue, Palmer*

MATANUSKA-SUSITNA BOROUGH PLATTING BOARD AGENDA JUNE 4, 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. May 13, 2020

3. AUDIENCE PARTICIPATION

- A. **PERSONS TO BE HEARD** (Three minutes per person for Items not scheduled for public hearing)

4. UNFINISHED BUSINESS

- Platting Board Chair to read Ex-Parte & Interest Memo.

- A. **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. Continued from May 13, 2020 Platting Board hearing.

5. RECONSIDERATIONS/APPEALS

(There is no Reconsideration/Appeals)

6. PUBLIC HEARINGS

- Platting Board Chair to read the Ex-Parte & Interest Memo.

A. 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 June 18, 2020 Platting Board Hearing *(Informational Only – Subject to change)*
 - Folsom, Case 2020-068
 - Terrace Ridge, Case 2020-069
 - Broken Tree Ridge, Case 2020-071
 - Triple C Com Trc, Case 2020-073
 - Presentation from Emergency Service

9. BOARD COMMENTS

10. 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**. See MSB 15.39.010 for definition of “**Interested Party**.” The procedures governing appeals to the Board of Adjustment & Appeals are contained in MSB 15.39.010-250, which is available on the borough Internet home page, <http://www.matsugov.us>, in the Borough Clerk’s office, or at various libraries within the Borough.*

THE PLATTING BOARD WILL CONVENE AT **1:00 P.M.** on **June 4, 2020** in the **Assembly Chambers** of the **Dorothy Swanda Jones Building**, 350 E. Dahlia Avenue, Palmer, Alaska. . **Please follow all public protocols in relation to the mandates regarding Covid-19.**

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: 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 to the meeting date, by 5:00 p.m. To teleconference into the abbreviated plat hearing you may use the following Phone number: 833-949-2500.

MINUTES

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES****REGULAR MEETING
MAY 13, 2020**

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on May 13, 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. Pio Cottini, Assembly District #1
Mr. LaMarr Anderson, Assembly District #2
Mr. Jordan Rausa, Assembly District #4, Chair
Mr. Dennis Vau Dell, Assembly District #5
Mr. Wilfred Fernandez, Assembly District #6, Vice Chair
Mr. George Thompson, Assembly District #7
Mr. Justin Hatley, Alternate

Platting Board members absent and excused were:

Mr. John Shadrach, Alternate
VACANT, District #3

Staff in attendance:

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

B. THE PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Platting Board Member Dennis Vau Dell.

C. APPROVAL OF THE AGENDA

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

- Item 3B was removed from 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 February 20, 2020.

- Platting Member Vau Dell asked for corrections to minutes on abstaining.

GENERAL CONSENT: The minutes for February 20, 2020 were approved with changes without objection.

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES****REGULAR MEETING
MAY 13, 2020**

Chair Rausa inquired if there were any changes to the minutes for March 5, 2020.

GENERAL CONSENT: The minutes for March 5, 2020 were approved with changes without objection.

15 Minutes Break for Phone call Log in.

TIME: 1:25 P.M.

CD: 0:24:20

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

(*There is no Audience Participation*)

4. UNFINISHED BUSINESS: Quasi-Judicial Matters

(*There is no Unfinished Business*)

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.

A. MARTIN HEIGHTS: 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 (*Owner/Petitioner: Randall Martin, Surveyor: Shadrach; 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
- if all platting board members are able to be impartial in a decision.

Platting Member Vau Dell does know the petitioner. He does not have any financial interest and can be impartial in a decision.

There was no objection from the platting board members in keeping Platting Member Vau Dell for the case hearing.

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

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES****REGULAR MEETING
MAY 13, 2020**

Ms. Von Gunten provided the mailing report.

- Stating that 52 public hearing notices were mailed out on March 19, 2020 and April 22, 2020

Ms. Peggy Horton provided a staff report

- Gave an overview of the case, #2006-169.
- Staff would like to continue the case to June 4, 2020.

Chair Rausa invited the petitioner for a brief overview.

The Petitioner and/or the Petitioner's representative was not present at the meeting.

Chair Rausa opened the public hearing for public testimony.

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

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

The Petitioner and/or the Petitioner's representative was not present at the meeting.

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

MOTION: Platting Member Thompson moved to continue Martin Heights MSP with Right-of-Way Vacation and Utility Easement Elimination to June 4, 2020. The motion was seconded by Platting Member Cottini.

VOTE: The motion to continue passed with general consent with in all favor.

TIME: 1:32 P.M.

CD: 0:31:47

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-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

A. **JANNECK PUE:** 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

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES****REGULAR MEETING
MAY 13, 2020**

Boeve. (Owner/Petitioner: Howard Allen & Vicki Lou Janneck; 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.

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 111 public hearing notices were mailed out on March 11, 2020 and April 22, 2020

Ms. Amy Otto-Buchanan provided a staff report

- Gave an overview of the case, #2020-017.
- Staff recommend approval of the case with findings of fact and conditions.

Chair Rausa invited the petitioner for a brief overview.

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, agrees with all the recommendations.

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

MOTION: Platting Member Thompson moved to approve the Public Use Easement for Janneck. With 4 recommendations. The motion was seconded by Platting Member Hatley.

VOTE: The main motion passed with general consent with all in favor. There are 5 findings of fact.

TIME: 1:45 P.M.

CD: 0:44:38

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES****REGULAR MEETING
MAY 13, 2020**

B. HIDEAWAY HEIGHTS & PATENT RESERVATION VACATIION: The request is to create one lot from US Government Lot 48 (except the portion described at Two Jack Subdivision, Plat No. 73-83) and US Government Lot 56, to be known as **Hideaway Heights**, containing 1.32 acres +/- . The project is located southwest of W. Parks Highway, west of N. Buckingham Palace Drive, on a peninsula in Nancy Lake, (Tax ID# 219N04W33D014 & D020); lying within NE ¼ NE ¼ Section 33, Township 19 North, Range 04 West, Seward Meridian, Alaska. Petitioner also proposes to vacate 33' wide Patent Reserves on all three sides of the lot. Community Council: Willow Area and in Assembly District #7 Tam Boeve. (*Owner/Petitioner: Marc E. & Jennifer E. Canet; Surveyor: Farmer; 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.

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 36 public hearing notices were mailed out on March 11, 2020 and April 22, 2020

Ms. Amy Otto-Buchanan provided a staff report

- Gave an overview of the case, #2020-032.
- Staff recommend approval of the case with findings of fact and conditions.

The Platting Board Asked for the borough attorney, Mr. John Aschenbrenner, to provide information regarding patent reservations.

TIME: 1:50 P.M.

CD: 0:49:54

Break

TIME: 1:55 P.M.

CD: 0:53:54

Mr. John Aschenbrenner, MSB Attorney, answered the boards questions regarding patent reservations.

Chair Rausa invited the petitioner for a brief overview.

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES****REGULAR MEETING
MAY 13, 2020**

Ms. Joy Cypra, 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.

Ms. Joy Cypra, the petitioner's representative, Jennifer & Marc Canet, the petitioner, answered questions from the platting board and agrees with all the recommendations.

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

MOTION: Platting Member Cottini moved to approve the preliminary plat and the vacation of the 33' wide patent reservation for Hideaway Heights. With 10 recommendations. The motion was seconded by Platting Member Fernandez.

Discussion between the board members regarding the patent reservation, adding a recommendation if needed, and if they should do a continuance.

AMEND

MOTION: Platting Member Vau Dell moved to continue Hideaway Heights for patent research. There was no second.

The motion died as there was no second.

More discussion ensued between the board members on ownership and the patent reservation.

AMEND

MOTION: Platting Member Vau Dell moved to continue Hideaway Heights for research on ownership to July 2, 2020. There was no second.

The motion died as there was no second.

Discussion between the board members on the patent reservation.

AMEND

MOTION: Platting Member Anderson moved to amend the motion to add recommendation #11 for Hideaway Heights. The motion was seconded by Platting Member Fernandez.

RECOMMENDATION:

- Add #11: Obtain approval from the appropriate governmental agency interest in the Patent Reservation.

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES****REGULAR MEETING
MAY 13, 2020****AMEND**

VOTE: The Amended motion passed with general consent with all in favor. There are 5 findings of fact.

VOTE: The main motion passed with 6 in favor (Anderson, Rausa, Cottini, Thompson, Hatley, Fernandez) and 1 against (Vau Dell). There are 9 findings of fact.

TIME: 1:57 P.M.

CD: 1:56:19

C. COTTONWOOD SLOUGH: The request is to create two lots from Tax Parcel B3 (Parcel #3 of 40A Exemption 1995-3), to be known as **Cottonwood Slough**, containing 79.9 acres +/- . Petitioner also proposes to create a 60' wide Public Use Easement with a temporary cul-de-sac. The project is located north of W. Fairview Loop and east of W. Roan Drive, (Tax ID# 217N01W29B003); lying within S ½ NW ¼ Section 29, Township 17 North, Range 01 West, Seward Meridian, Alaska. Community Council: Knik-Fairview and in Assembly District #3 George McKee. (*Owner/Petitioner: Helen Sullivan; Surveyor: Bull Moose; 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 stated that he did do a building design for the petitioner in the past. He does not have a financial interest for this case and can be impartial in a decision.

There was no objection from the platting board members in keeping Chair Rausa for the case hearing.

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

Ms. Von Gunten provided the mailing report.

- Stating that 55 public hearing notices were mailed out on April 22, 2020

Ms. Amy Otto-Buchanan provided a staff report

- Gave an overview of the case, #2020-035.
- Staff recommend approval of the case with findings of fact and conditions.

Chair Rausa invited the petitioner for a brief overview.

Ms. Helen Sullivan, the petitioner, gave a brief overview.

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES****REGULAR MEETING
MAY 13, 2020**

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.

Ms. Hellen Sullivan, the petitioner, answered questions from the platting board and agrees with all the recommendations.

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

MOTION: Platting Member Thompson moved to approve the preliminary plat for Cottonwood Slough. With 7 recommendations. The motion was seconded by Platting Member Cottini.

Discussion on the driveway and if a turn-around is needed.

VOTE: The main motion passed with general consent with all in favor. There are 7 findings of fact.

TIME: 3:07 P.M.

CD: 02:06:25

BREAK

TIME: 3:20 P.M.

CD: 02:19:18

D. SUMMIT VISTA PARK: The request is to create six lots from Tax Parcel B3 to be known as **Summit Vista Park**, containing 40.02 acres +/- . The plat is located on the northeast corner of Bear Den Circle and Edgerton Parks Road intersection (Tax ID #19N01E32B003); within the NW ¼ Section 32, Township 19 North, Range 01 East, Seward Meridian, Alaska. In Community Council: Fishhook and in Assembly District #6 Jesse Sumner (*Owner/ Petitioner: James & Evelyn Sampson & Katsutaka tanaka; Surveyor: VEI Consultants; Staff: Cheryl Scott*)

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.

There was no objection from the platting board members.

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

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES****REGULAR MEETING
MAY 13, 2020**

Ms. Von Gunten provided the mailing report.

- Stating that 35 public hearing notices were mailed out on April 22, 2020

Ms. Cheryl Scott provided a staff report

- Gave an overview of the case, #2020-036.
- Would like to modify finding #7.
- Staff recommend approval of the case with findings of fact and conditions.

Chair Rausa invited the petitioner for a brief overview.

Mr. James Samson, the petitioner, 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. Vernon Roelfs, the petitioner's representative, answered questions from the platting board and agrees with all the recommendations.

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

MOTION: Platting Member Cottini moved to approve the preliminary plat for Summit Vista Park. With 7 recommendations and modification to finding #7. The motion was seconded by Platting Member Thompson.

AMEND

MOTION: Platting Member Vau Dell moved to add recommendation #9, adding a turn-around on the driveway. The motion was seconded by Platting Member Anderson.

Discussion on the a turn-around at the end of the flag pole driveway.

AMEND

VOTE: The amended motion to add recommendation #9 failed with 6 against (Anderson, Thompson, Hatley, Cottini, Fernandez, Rausa) and 1 in favor (Vau Dell).

FINDINGS:

- **Modify #7:** There was one public objection and no borough or outside agency objections to this plat.

MAIN

VOTE: The main motion passed with 6 in favor (Anderson, Thompson, Hatley, Cottini, Fernandez, Rausa) and 1 against (Vau Dell). There are 7 findings of fact.

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES****REGULAR MEETING
MAY 13, 2020****TIME: 3:40 P.M.****CD: 02:40:58**

- E. **6 MILE:** The request is create a 3-Phase Master Plan of 36 lots from Tax Parcel A3, to be known as **6 MILE SUBDIVISION**, containing 39.87 acres +/- . Constructed access for the subdivision lots will be from E. Mile 6 Road. The property is located northeast of mile 6, Palmer-Fishhook Road at the east end of E. Mile 6 Road (Tax ID #18N01E02A003); within the SW ¼ NE ¼ Section 02, Township 18 North, Range 01 East, Seward Meridian, Alaska. In Community Council: Fishhook and Assembly District #6 Jesse Sumner
(*Owner/Petitioner: Albert L. Allen, Personal Representative for the Estate of Lee Allen;*
Surveyor: Hanson Land Solutions; 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
- if all platting board members are able to be impartial in a decision.

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 38 public hearing notices were mailed out on April 22, 2020

Ms. Peggy Horton provided a staff report

- Gave an overview of the case, #2020-039.
- Staff recommend approval of the case with findings of fact and conditions.

Chair Rausa invited the petitioner for a brief overview.

Mr. Craig Hanson, the petitioner's representative, gave a brief overview.

Chair Rausa opened the public hearing for public testimony.

The following person objects to the development of the platting action. Has concerns regarding the road access and connections on the development: Mr. Jim Colver.

The following person spoke regarding their concern on the design development with just 1 acres lots. Concerned on the integrity of the ground water and wells, traffic safety and the wildlife in the area: Ms. Dawn Brettrager

The following person spoke regarding their concerns about road access and traffic safety: Ms. Abby Stovall

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES****REGULAR MEETING
MAY 13, 2020**

The following person spoke regarding their concerns on road access, road upgrade costs, and road connections. Concerned on traffic and emergency safety: Ms. Rhonda Stark

The following person spoke regarding their concerns on traffic safety, the development design, and access: Mr. Chad Stovall

The following person spoke regarding their concerns on road access to the new subdivision: Ms. Billie Haan

Phone connection was lost. 10 minute to reconnect the phone lines

TIME: 4:50 P.M.

CD: 03:49:50

BREAK

TIME: 5:00 P.M.

CD: 03:59:45

Having the phone line reconnected, started the public comments again.

The following person spoke regarding their concerns on road access to the new subdivision: Ms. Billie Haan

The following person spoke regarding their concerns on traffic and road access, traffic safety and community safety regarding the mail boxes: Mr. Dana August.

The following person spoke regarding their concerns on the well water table, traffic safety, and road access to the development: Ms. Kathy Hillis.

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, answered questions from the platting board and agrees with all the recommendations.

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

MOTION: Platting Member Cottini moved to approve the preliminary plat for Mile 6 Master Plan. With 15 recommendations. The motion was seconded by Platting Member Thompson.

Discussion by the board members ensued on access to the development. Staff answered questions from the Platting Board regarding the subdivision development and case file information.

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES****REGULAR MEETING
MAY 13, 2020****FINDINGS:**

- **Modify #14:** There were no borough department objections to this plat.
- **Add #15:** There were several objections to the connection to Bemis Road. MSB 43.20.060(D) requires dedication to adjacent stub roads because the applicant has not shown that connection is unnecessary for future development or public safety.

VOTE: The main motion passed with 4 in favor (Anderson, Thompson, Hatley, Cottini) and 3 against (Vau Dell, Rausa, Fernandez). There are 15 findings of fact.

TIME: 5:50 P.M.

CD: 04:49:34

F. C & R ACRES 2020: The request is to divide Lots 1 & 2, C & R Acres, Plat 2010-21, into a 3-Phase Master Plan containing 22 lots within 38.36 acres, to be known as **C & R Acres 2020**. The petitioner is also requesting to vacate that portion N. Buroker Circle lying within this property and replace it with a dedicated right-of-way. Located north of N. Palmer-Fishhook Road and west of N. Farm Loop (Tax ID #6963000L001 6963000L002); within the SW ¼ Section 19, Township 18 North, Range 02 East and SE ¼ Section 24, Township 18 North, Range 01 East, Seward Meridian, Alaska. Community Council: Farm Loop and in Assembly District #1 Tim Hale (*Owner/Petitioner: Leonard & Mary Schultz; Surveyor: Keystone; 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
- if all platting board members are able to be impartial in a decision.

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 89 public hearing notices were mailed out on April 22, 2020

Ms. Peggy Horton provided a staff report

- Gave an overview of the case, #2019-181/182.
- Staff recommend approval of the case with findings of fact and conditions.

Chair Rausa invited the petitioner for a brief overview.

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

Chair Rausa opened the public hearing for public testimony.

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES**

**REGULAR MEETING
MAY 13, 2020**

The following person thanked the petitioner on redesigning the development: 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. Gary LoRusso, the petitioner's representative, answered questions from the platting board and agrees with all the recommendations.

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

MOTION: Platting Member Thompson moved to approve the Master Plan for C & R Acres 2020 and ROW Vacation of N. Buroker Circle. With 10 recommendations. The motion was seconded by Platting Member Cottini.

VOTE: The main motion passed with general consent with all in favor. There are 11 findings of fact.

TIME: 6:08 P.M.

CD: 05:07:05

G. NEW HOPE ESTATES MSP: The request is create a 2-phase master plan of 22 lots from Lot 1, Block 1, Hatcher View Estates, Plat 77-7, and Tax Parcels C17 in Section 3 and B6 & B7 in Section 10 to be known as **New Hope Estates Master Plan**, containing 120 acres +/- . Private roads will provide access to the majority of the lots. A 60' wide public use easement extends from N. New Hope Farm Road within Hatcher View Estates to the private road. Owners are requesting to vacate a 33' road easement on Lot 1, Block 1, Hatcher View Est and include that lot in this subdivision to create a 1-acre+ lot and satisfy a 1985 Platting Board Resolution. The property is located directly south of mile 9.5 N. Wasilla-Fishhook Road (Tax ID #18N01E03C017, 18N01E10B006, 18N01E10B007); within the SW ¼ SW ¼ Section 03 and N ½ NW ¼ Section 10, Township 18 North, Range 01 East, Seward Meridian. In Community Council: Fishhook and Assembly District #6 Jesse Sumner. Continued from March 5, 2020 Platting Board Hearing. (Owner/Petitioner: Merle & Patricia Sikes and John & Monica James; Surveyor: Denali North; 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
- if all platting board members are able to be impartial in a decision.

There was no objection noted.

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES****REGULAR MEETING
MAY 13, 2020**

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

Ms. Von Gunten provided the mailing report.

- Stating that 81 public hearing notices were mailed out on February 13, 2020 from the March 5, 2020 meeting.

Ms. Peggy Horton provided a staff report

- Gave an overview of the case, #2020-012.
- Would like to continue the case to November 19, 2020 to address multiple issues on road design, useable area, and as-built information.

Chair Rausa invited the petitioner for a brief overview.

The petitioner and/or the petitioner's representative was not present at the hearing.

Chair Rausa opened the public hearing for public testimony.

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

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

The petitioner and/or the petitioner's representative was not present at the hearing.

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

MAIN

MOTION: Platting Member Cottini moved to continue New Hope Estates Master Plan to November 19, 2020. The motion was seconded by Platting Member Thompson.

AMEND

MOTION: Platting Member Cottini moved to add the wordage to "continue New Hope Estates Master Plan to November 19, 2020 for 6 months or sooner". The motion was seconded by Platting Member Thompson.

AMEND

VOTE: The amended motion passed with general consent with all in favor.

MAIN MOTION

VOTE: The main motion passed with general consent with all in favor.

TIME: 6:22 P.M.

CD: 05:21:57

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

8. PLATTING STAFF & OFFICER COMMENTS

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES**

**REGULAR MEETING
MAY 13, 2020**

- 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 June 4, 2020. There is no meeting for May 21, 2020. Gave an update on platting issues.

9. BOARD COMMENTS

Platting Member Cottini thanked the board members and staff for their work today.

Platting Member Anderson had no comments.

Platting Member Hatley will not be available for the June platting board meetings.

Platting Member Vau Dell asked about rescheduling the presentation from Emergency Services.

Platting Member Fernandez had no comments.

Platting Member Thompson had no comments.

Platting Member Rausa would like more information regarding expiration dates on cases. Thanked Mr. Strawn & Mr. Farrar on doing the phone lines.

10. ADJOURNMENT

With no further business to come before the Platting Board, Chair Jordan Rausa adjourned the meeting at 6:28 p.m. (CD: 05:27:31)

JORDAN RAUSA, Platting Board Chair

ATTEST:

SLOAN VON GUNTEN,
Platting Board Clerk

Minutes approved: _____



**STAFF REVIEW AND RECOMMENDATIONS
PUBLIC HEARING
JUNE 4, 2020**

PRELIMINARY PLAT: **MARTIN HEIGHTS PHASE 2**
 LEGAL DESCRIPTION: **SEC 19, T18N, R1W, SEWARD MERIDIAN, AK**
 PETITIONER: **RANDALL E. MARTIN**
 SURVEYOR: **JOHN SHADRACH**
 ACRES: **16.96** **PARCELS: 1**
 REVIEWED BY: **PEGGY HORTON** **CASE: 2006-169, 2020-025, & 2020-026**

REQUEST

The request is to 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, more or less. Located east of N. Pittman Rd. and directly south of W. Spence Ln.; within the NW¼ Sec. 9, T18N, R1W, S.M., AK. This case was continued from the March 19, 2020 public hearing. This case was continued from the May 13, 2020 meeting.

EXHIBITS:

| | |
|------------------------------------|------------------|
| Vicinity Maps | EXHIBIT A |
| Phase 1 Plat #2017-64 | EXHIBIT B |
| ROW Vacation Petition | EXHIBIT C |
| Non-Objection Letter | EXHIBIT D |
| Utility Esmnt Elimination Petition | EXHIBIT E |

COMMENTS:

| | |
|---------------|------------------|
| Public Works | EXHIBIT F |
| Planning | EXHIBIT G |
| Permit Center | EXHIBIT H |
| Enstar | EXHIBIT I |
| GCI | EXHIBIT J |
| MTA | EXHIBIT K |

DISCUSSION:

Staff notes the Platting Board approved the Master Plan under Title 16. Code references for the subdivision will be to Title 16. Code references for the ROW Vacation and Utility Easement Elimination will be to Title 43.

History:

9/7/2006 The Platting Board approved the preliminary plat of Martin Heights Master Plan.

10/15/2007 Platting staff issued the Notice to Proceed and construction began for the road within Phase 1.

7/2/2009 Platting Board approved a 3-year Master Plan extension with additional conditions of approval.

7/25/2012 Platting Officer granted a 5-year administrative extension pursuant to MSB 43.15.015(C)(3)(a) which expired 12/31/2018.

4/26/2016 Platting Board granted an additional 5-year extension and a revision to the Master Plan phase lines, to expire 12/31/2023.

6/22/2017 Martin Heights Phase 1 recorded, Plat 2017-64, creating four lots along Spence Lane and a remainder 12-acre tract (**Exhibit B**).

1/31/2020 Surveyor submitted ROW Vacation and Utility Easement Elimination Petitions along with a redesign of the Master Plan.

Staff notes there has been a cul-de-sac road constructed on the property, but not certified to any standard. The land is fairly flat (**Exhibit A-3**) and only Lot 2 within Phase 1 has been developed. As this plat is removing platted lot lines, vacating roads, and eliminating a utility easement, staff did not require the surveyor to provide topographic map or new as-built information.

Lot and Block Design: One lot will remain from the Phase 1 plat, owned by Robert R. Martin, the petitioner's son. That lot is not part of this redesign. It will continue to have access to W. Spence Lane. This plat will combine the other three lots and 12-acre tract into a single 15-acre tract. The petitioner has agreed to deadfile the Master Plan at the recordation of this final phase plat (**Recommendation #2**).

The large tract will have direct access to W. Spence Lane, a constructed road, classified as residential, and maintained by the borough.

ROW Vacation: The petitioner provided a ROW Vacation Petition to vacate the public's interest in the two stub roads within Phase 1, N. Helvetia Circle and N. Wayland Circle (**Exhibit C**). MSB 43.15.035(B)(1) states the Platting Board shall ordinarily approve vacations of public rights-of-way if (a) the vacation is conditioned upon the final approval of a plat affecting the same land which provides equal or better access to all areas affected by the vacation. Staff notes the vacation of the two stub streets platted on the Phase 1 plat will allow the large tract to have better access, since W. Spence Lane is a constructed road and the two

stub streets were not constructed. Lot 2 of Phase 1 will continue to have its own access to W. Spence Lane as well. Staff does not foresee these stub streets providing any present or future public use and supports the vacation.

MSB 43.15.035(C)(1) directs title to a vacated area be attached to the lot or lands bordering on the vacated area in proportionate amounts. However, in this case, the owner of the Lot 2, Martin Heights Phase 1 provided a non-objection letter allowing the vacated ROW to revert to his father and combine it with the large tract (**Exhibit D**).

MSB 43.10.065(G) requires posting of the ROW vacation at the site. Staff expects the petitioner to provide the posting affidavit prior to the public hearing.

Utility Easement Elimination: Currently, with the Phase 1 plat, there is a 15' wide utility easement on the east side of Lot 3. This utility easement will no longer be required if the ROW vacation is approved. The petitioner submitted a petition to eliminate that portion of the utility easements granted on the Phase 1 plat (**Exhibit E**). Along with that petition, he supplied non-objection letters from the servicing utility companies in the area, Enstar, MTA, and MEA as required by MSB 43.15.032(A)(1). The remaining utility easements granted on the Phase 1 plat adjoining W. Spence Lane and within Lot 2 will remain.

MSB 43.15.035(D) requires the borough assembly hear all petitions to vacate public interests in land. If approved, staff will provide the appropriate documents for the ROW Vacation and the Utility Easement Elimination to the assembly for their decision (**Recommendation #3**).

COMMENTS:

Borough: DPW has no objection (**Exhibit F**). Planning Division recommended approval (**Exhibit G**). They provided pertinent portions of the Meadow Lakes Comprehensive Plan describing goals for lot design, lot development, protection of water quality and water bodies, trail reservation, etc.

MSB Permit Center stated there are two unpermitted access points onto W. Spence Lane (**Exhibit H**). Staff notes Lot 2 is not part of this platting action and the other driveway is a partially constructed road, built as part of the subdivision, not used as a driveway.

Utilities: Enstar has no comments or recommendations (**Exhibit I**). GCI has no objection (**Exhibit J**). MTA has no comments (**Exhibit K**).

CONCLUSION:

The preliminary plat for Martin Heights Phase 2 is consistent with AS 29.40.070 Platting Regulations and MSB 16.15.015 and 16.15.045. This plat will create one large 15-acre tract. As this plat is removing platted lot lines, vacating roads, and eliminating a utility easement, staff did not require a surveyor's signed topographic map or new as-built information.

The proposed ROW Vacation is supportable because the resulting Tract A-1 will have better access to W. Spence Lane and there does not appear to be any present or future public use to the two stub roads. The proposed tract is over 400,000 sq. ft.; therefore, no useable area certification is required. W. Spence Lane provides physical and legal access to the large tract. Lot 2 was platted on the Phase 1 plat and is being changed with this project. Borough Staff supports the ROW Vacation and Utility Easement Elimination Petitions. Servicing utility companies had no objections. There were no objections from outside agencies or the public.

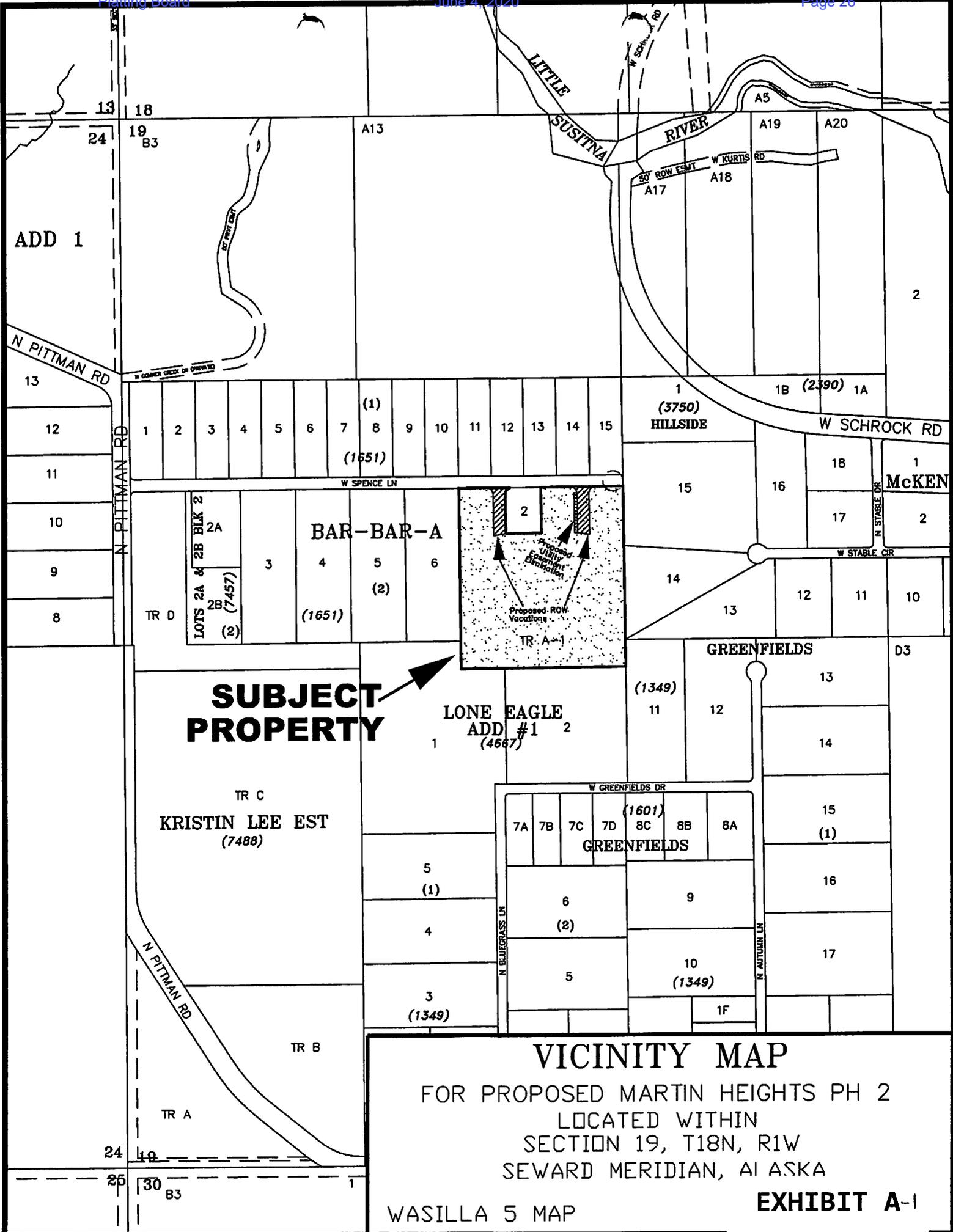
FINDINGS of FACT:

1. The plat of Martin Heights Ph 2 is consistent with AS 29.40.070, *Platting Regulations* and MSB 16.15.015, *Preliminary Plat* and 16.15.045, *Plat Approval*.
2. Elimination of the utility easement adjacent to N. Wayland Circle ROW is supportable because there will be no need for the utility easement when the ROW is vacated and the utility companies servicing the area agreed as required by MSB 43.15.032.
3. The proposed ROW Vacation is supportable because the resulting Tract A-1 will have better access to W. Spence Lane complying with MSB 43.15.035(B)(1)(a).
4. Mr. Robert Martin, the owner of the Lot 2, Martin Heights Phase 1 provided a non-objection letter allowing the vacated ROW to revert to his father and combine it with the large tract.
5. The resulting Tract A-1 is over 400,000 sq. ft.; therefore, no useable area certification is required.
6. Lot size and block length are consistent MSB 16.20.300, *Lot and Block Design*.
7. Frontage to Tract A-1 is consistent with MSB 16.20.320, *Frontage*.
8. As this plat is removing platted lot lines, vacating roads, and eliminating a utility easement, staff did not require a surveyor's signed topographic map or new as-built information.
9. There were no borough department, outside agency or public objections to this plat, ROW Vacation or Utility Easement Elimination.

RECOMMENDATIONS for CONDITIONS OF APPROVAL:

***Recommended motion:* "I move to approve the preliminary plat of Martin Heights Phase 2, Vacations of N. Helvetia Circle and N. Wayland Circle, and elimination of the 15' wide utility easement along the west side of N. Wayland Circle, all located within Section 19, Township 18 North, Range 1 West, Seward Meridian, Alaska contingent on the following staff recommendations:"**

1. Submit the mailing and advertising fee.
2. Provide platting staff with a request to deadfile the Master Plan of Martin Heights.
3. Obtain the Borough Assembly approval of the ROW vacation and Utility Easement Elimination within 30 days of Platting Board's written Notification of Action. MSB Assembly has 30 days from the date of the Platting Board decision to deny the actions.
4. Provide updated Certificate to Plat executed within 90 days, prior to recording the plat per MSB 16.15.053(F).
5. Submit an affidavit from any holders of beneficial interest, if any, to be recorded with the plat.
6. Submit recording fee, payable to the State of Alaska, DNR.
7. Taxes and special assessments must be current, per MSB 16.15.053(G) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.
8. Submit final plat in full compliance with Title 16.



SUBJECT PROPERTY

LONE EAGLE
ADD #1 2
(4667)

TR C
KRISTIN LEE EST
(7488)

7A 7B 7C 7D 8C 8B 8A
(1601)
GREENFIELDS

GREENFIELDS

(1349)

(1601)

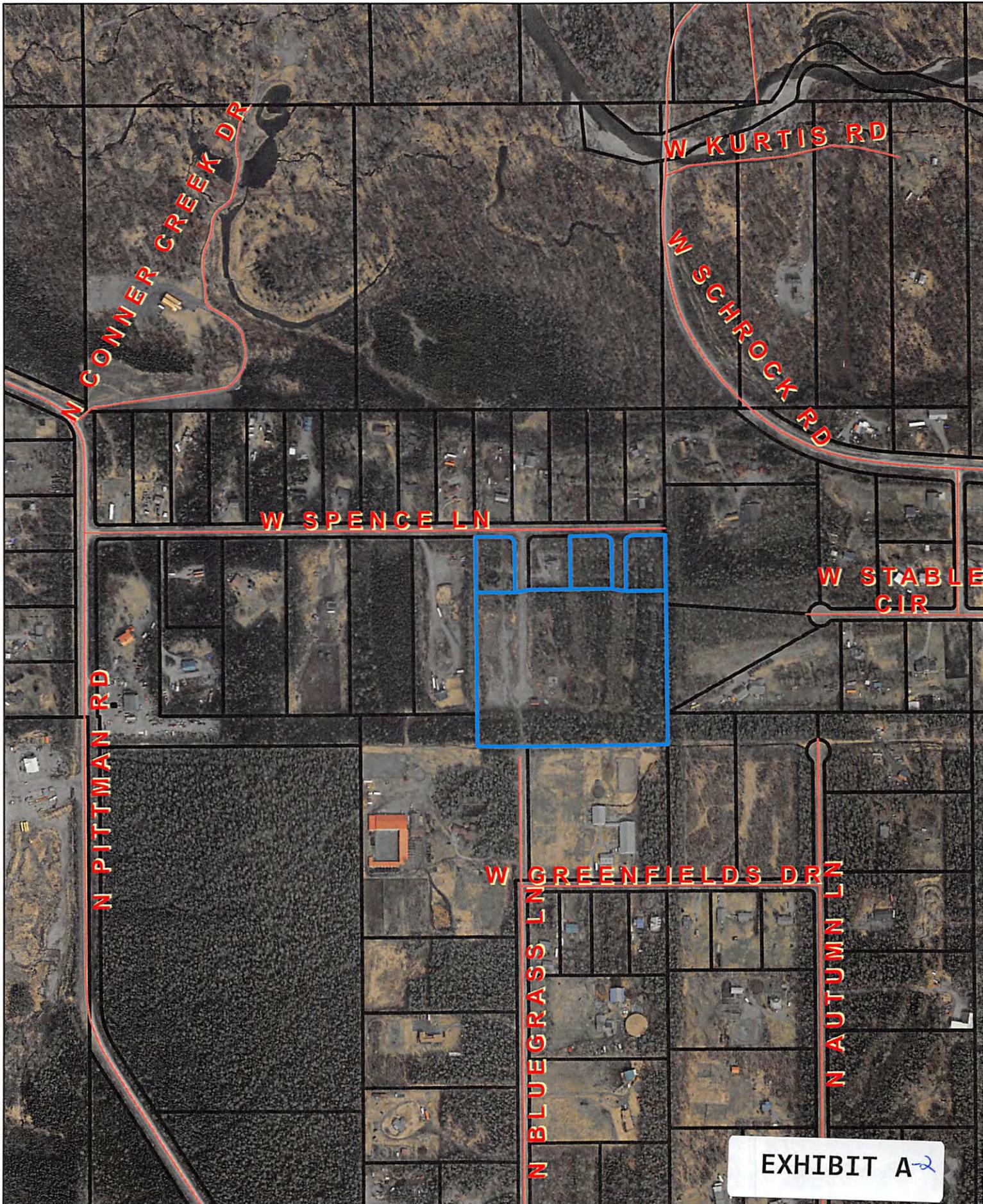
(1349)

VICINITY MAP

FOR PROPOSED MARTIN HEIGHTS PH 2
LOCATED WITHIN
SECTION 19, T18N, R1W
SEWARD MERIDIAN, ALASKA

WASILLA 5 MAP

EXHIBIT A-1



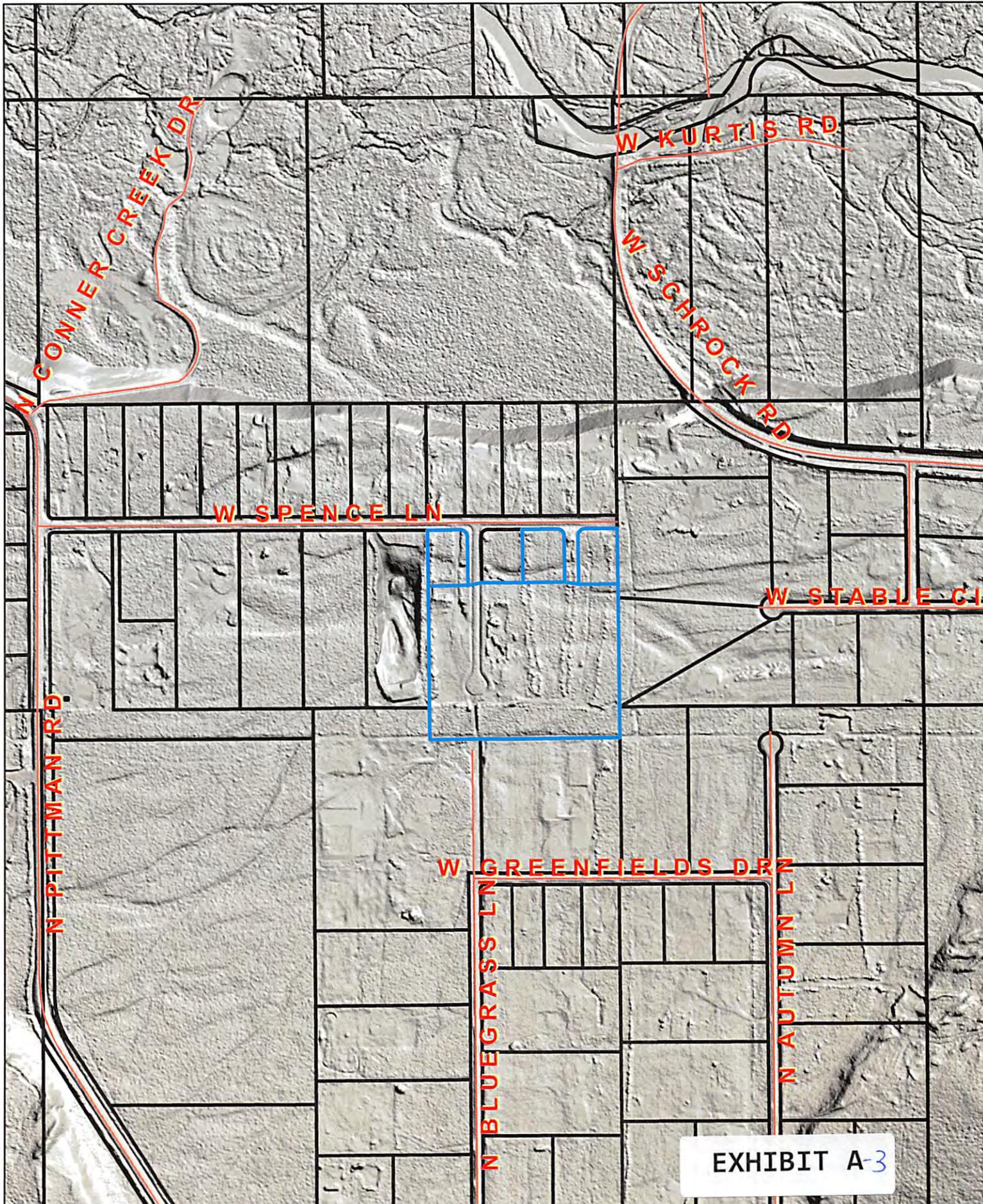


EXHIBIT B

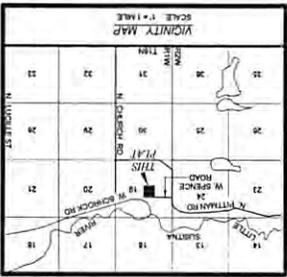
1 OF 1
 CHECKED: DRAWING SCALE: 1" = 100'
 DATE: 6/22/20
 PROJECT: FIELD BOOK: 251601
 CONTAINING 16.96 ACRES MORE OR LESS
 THIRD JUDICIAL DISTRICT, STATE OF ALASKA
 WITH SECTION 19 T 18 N R 1 W SEWARD MERIDIAN
 PALMER RECORDING DISTRICT
 A SUBDIVISION OF
**MARTIN HEIGHTS
 SUBDIVISION, PHASE 1**
 A PLAT OF

2017-64
 Plat #
 1356
 Date

JOHN SHADRACH
 REGISTERED LAND SURVEYOR LICENSE NO. 1122
 DATE: 6/22/20
 I HEREBY CERTIFY THAT ALL
 INFORMATION CONTAINED
 HEREIN IS TRUE AND COR-
 RECT TO THE BEST OF MY KNOWLEDGE,
 BELIEF AND FAITH AND THAT ALL
 DIMENSIONS AND THAT ALL
 ARE ON RECORD AND FULLY EXIST
 UNLESS OTHERWISE NOTED
 OTHERWISE I HEREBY CERTIFY
 THAT I AM A LICENSED SURVEYOR
 IN THE STATE OF ALASKA
 AND THAT I AM THE REGISTERED
 LAND SURVEYOR FOR THIS
 PROJECT.
 JOHN SHADRACH, R.L.S.
 528 S. THOMPSON ST.
 ANCHORAGE, ALASKA 99504
 (907) 278-2280
 PROFESSIONAL LAND SURVEYOR

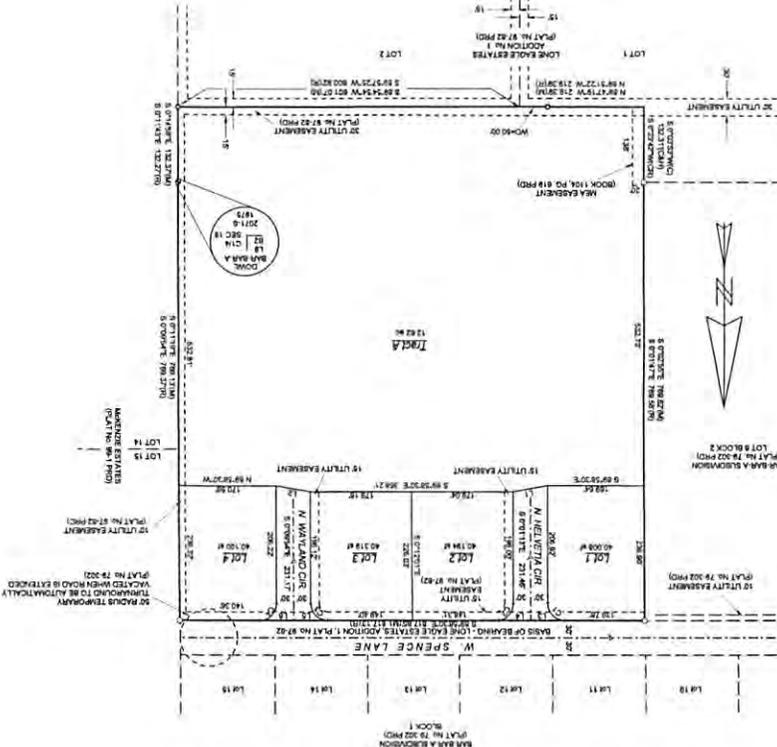
JOHN SHADRACH, R.L.S.
 528 S. THOMPSON ST.
 ANCHORAGE, ALASKA 99504
 (907) 278-2280
 PROFESSIONAL LAND SURVEYOR

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 METERS



LINE DATA

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LEGEND

- 1. MAINTAINED BY THE STATE OF ALASKA
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- 35. MAINTAINED BY THE STATE OF ALASKA

NOTES

1. THIS PLAT IS THE PROPERTY OF THE STATE OF ALASKA AND IS SUBJECT TO THE PROVISIONS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION WHICH GOVERN THE STATE OF ALASKA.
2. NO INDIVIDUAL WATER RIGHTS OR OTHER RIGHTS OR INTERESTS SHALL BE GRANTED BY THIS PLAT.
3. THE STATE OF ALASKA IS THE OWNER OF THE PLAT AND IS NOT RESPONSIBLE FOR THE PLAT OR FOR THE ACTIONS OF ANY OTHER PARTY.
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35. THE STATE OF ALASKA IS NOT RESPONSIBLE FOR THE PLAT OR FOR THE ACTIONS OF ANY OTHER PARTY.

COVENANTS, CONDITIONS AND RESTRICTIONS

RESTRICTIVE COVENANTS AND RESTRICTIONS TO SAME WERE RECORDED OCT. 13, 1971 AT BOOK 136 PAGE 653 PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, ALASKA.

DATE: 6/22/20
 JOHN SHADRACH, R.L.S.
 REGISTERED LAND SURVEYOR LICENSE NO. 1122

CERTIFICATE OF PAYMENT OF TAXES

I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS IN THE JURISDICTION OF THE DIVISION HAVE BEEN PAID AND THAT THE TAX RECORDS HAVE BEEN REVIEWED AND FOUND TO BE CORRECT.

DATE: 6/22/20
 JOHN SHADRACH, R.L.S.
 REGISTERED LAND SURVEYOR LICENSE NO. 1122

PLANNING AND LAND USE DIRECTOR'S CERTIFICATE

I CERTIFY THAT THE SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE STATE OF ALASKA AND THAT THE PLAT HAS BEEN APPROVED BY THE PLANNING AND LAND USE DIVISION.

DATE: 6/22/20
 JOHN SHADRACH, R.L.S.
 REGISTERED LAND SURVEYOR LICENSE NO. 1122

NOTARY ACKNOWLEDGMENT

I, JOHN SHADRACH, R.L.S., DO HEREBY ACKNOWLEDGE THAT I AM THE OWNER OF THE PROPERTY DESCRIBED IN THE PLAT AND THAT I HAVE SIGNED THE PLAT AS SUCH.

DATE: 6/22/20
 JOHN SHADRACH, R.L.S.
 REGISTERED LAND SURVEYOR LICENSE NO. 1122

JAN 15 2020

PLATTING

Matanuska-Susitna Borough
Telephone (907) 861-7874

350 East Dahlia Avenue
Palmer, Alaska 99645-6488

PETITION FOR VACATION OF RIGHT-OF-WAY

Comes now the undersigned, Randall E. Martin, and petitions the Matanuska-Susitna Borough to vacate the right-of-way lying within the following described property, to-wit:

Martin Heights Subdivision, Phase 1, Plat No. 2017-64, Palmer Recording District

Said right-of-way being more fully described as:

N. Helvetia Circle and N. Wayland Circle

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)

APPLICANT Name: Randall E. Martin

OR Mailing Address: POB 871748 Wasilla, Alaska 99687

OWNER Contact Person: Randall Martin Phone: 907-373-0405

SURVEYOR Name (FIRM): John Shadrach, RLS Email: shadrach@mtaonline.net

Mailing Address: POB 87149 Wasilla, Alaska 99687

Contact Person: John Shadrach Phone: 907-841-0706

SIGNATURES OF PETITIONER(S):



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.

2/5/2020

 DATE



 PLATTING DIVISION REPRESENTATIVE

SCHEDULED FOR PLATTING BOARD MEETING OF: 3/19/2020

RECEIVED

JAN 15 2020

PLATTING

January 10, 2020

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

Re: Lot 2 Martin Heights Subdivision, Lot 2
Tax Parcel No. 7652000L002

Dear Mr. Wagner,

Please be advised that I am the owner of the above reference parcel, and that I have no objection to the proposed vacation of the rights-of-way of N. Helvetia Circle, and no objection to the vacated rights-of-way reverting to the ownership of Randall E. Martin.

Kindest regards,



Robert R. Martin
212 N. Boundary St.
Wasilla, Alaska 99654

RECEIVED

JAN 15 2020

Matanuska-Susitna Borough
Telephone (907) 861-7874

350 East Dahlia Avenue
Palmer, Alaska 99645-6488

PLATTING

ELIMINATION OR MODIFICATION OF A
PETITION FOR A UTILITY EASEMENT

Comes now the undersigned, Randall E. Martin, and petitions the Matanuska-Susitna Borough to eliminate the utility easement lying within the following described property, to-wit:

Lot 3 Martin Heights Subdivision, Phase 1, Plat No. 2017-64, Palmer Recording District

Said right-of-way being more fully described as:

The East fifteen feet of Lo3 Martin Heights Subdivision, Phase 1, excepting therefrom that portion of the existing utility easement within the North fifteen feet of Lot 3.

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 to facilitate the vacation of N. Helvetia Circle, and the plat of Martin Heights Subdivision, Plat No. 2017-64.

APPLICANT Name: Randall E. Martin

OR Mailing Address: POB 871748 Wasilla, Alaska 99687

OWNER Contact Person: Randall Martin Phone: 907-373-0405

SURVEYOR Name (FIRM): John Shadrach, RLS Email: shadrach@mtaonline.net

Mailing Address: POB 87149 Wasilla, Alaska 99687

Contact Person: John Shadrach Phone: 907-841-0706

SIGNATURES OF PETITIONER(S):

[Handwritten Signature]

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.

2/5/2020
DATE

[Handwritten Signature]
PLATTING DIVISION REPRESENTATIVE

SC Easement Elimination or Modification Petition

SCHEDULED FOR PLATTING BOARD MEETING OF: 3/19/2020



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 31, 2020

Randall E. Martin
PO Box 871748
Wasilla, AK 99687

Re: Letter of Non-Objection- Road and Utility Easement Vacation

To whom it may concern:

ENSTAR Natural Gas Company has no objection to N. Wayland Circle and N. Helvetia Circle roads right-of-way vacations, nor to the vacation of a portion of the fifteen foot (15 FT) utility easement located on the east boundary of Lot 3, all located within Martin Heights Subdivision, Phase 1, according to Plat No. 2017-64, records of the Palmer Recording District, Third Judicial District, State of Alaska.

Sincerely,

A handwritten signature in cursive script that reads "Cassie Acres".

Cassie Acres
Right of Way & Compliance Technician
ENSTAR Natural Gas Company

EXHIBIT E-4

Peggy Horton

From: Holly Sparrow <hsparrow@mtasolutions.com>
Sent: Thursday, January 30, 2020 1:30 PM
To: Peggy Horton
Cc: shadrach@mtaonline.net
Subject: FW: Martin Heights vacation
Attachments: Martin Easement vacation.pdf

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

Hello Peggy,

MTA has reviewed the vacation request for Martin Heights. MTA has no objections to the roadway vacation of both N. Helvetia Circle and N. Wayland Circle, and portion of the utility easement located on the East boundary of Lot 3 of Martin Heights, Phase 1.

Thank you,

Holly Sparrow, Right of Way Agent

MTA | 1740 S. Chugach Street | Palmer, Alaska 99645
office: 907-761-2599 | www.mtasolutions.com



Life. Technology. Together.

From: John Shadrach, RLS <shadrach@mtaonline.net>
Sent: Wednesday, January 29, 2020 4:15 PM
To: Holly Sparrow <hsparrow@mtasolutions.com>
Subject: Martin Heights vacation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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.

Hello Holly,

EXHIBIT E-5

Attached is a copy of a proposed vacation plat of Lots 1, 3 , 4 and Tract A of Martin Heights Subd. Phase 1, Plat No. 2017-64, including the vacation of both N. Helvetia Circle and N. Wayland Circle, and portion of the utility easement located on the East boundary of Lot 3 of Martin Heights, Phase 1.

As you know, in order to submit a complete application to the borough, letters of non-objections are required from the pertinent utilities. If you find you have no objections to the vacation, please notify Ms. Peggy Horton at MSB (Peggy.Horton@matsugov.us). Please contact me by email or by phone at the number below with any questions or concerns.

I greatly appreciate your time in reviewing these materials.

Kindest regards,

John Shadrach, RLS

POB 871497

Wasilla, Alaska 99687

907-841-0706

--

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

Peggy Horton

From: Jamie Taylor
Sent: Wednesday, February 26, 2020 12:54 PM
To: MSB Platting
Cc: Peggy Horton
Subject: RE: Request for Comments for Martin Hts MSP Revision Case #2006-169 Tech: PH

No objection.

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: MSB Platting <Platting@matsugov.us>
Sent: Friday, February 7, 2020 9:14 AM
To: Adam J. Dubour (adam.dubour@alaska.gov) <adam.dubour@alaska.gov>; regpagemaster@usace.army.mil; Pamela Melchert (pamela.j.melchert@usps.gov) <pamela.j.melchert@usps.gov>; tim.swezey@mlccak.org; psfisher@gci.net; browne@mtaonline.net; M Schoming (mschoming@crweng.com) <mschoming@crweng.com>; Fire Code <Fire.Code@matsugov.us>; John Fairchild <John.Fairchild@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>; Debbie Bakic <Debbie.Bakic@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>; 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>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Tam Boeve <Tamboevedistrict7@gmail.com>; mearow@matanuska.com; Enstar ROW (row@enstarnaturalgas.com) <row@enstarnaturalgas.com>; MTA ROW (row@mta-telco.com) <row@mta-telco.com>; GCI ROW (ospdesign@gci.com) <ospdesign@gci.com>
Subject: Request for Comments for Martin Hts MSP Revision Case #2006-169 Tech: PH

Good Afternoon,

The link below will take you to a request for comments for a revision to Martin Heights Master Plan, right-of-way vacation, and utility easement elimination in the Meadow Lakes area. RSA 28. Please review and provide any comments by February 28, 2020.

https://matsugovus-my.sharepoint.com/:f/g/person/peggy_horton_matsugov_us/Ev8lasj4p99AhJdyQC2XB1wBjZdYUD8g1w3h4S8hY_Slrw?e=UbZZ0j

EXHIBIT F



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division: Plat Review/Comments

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833 • Fax (907) 861-7876

www.matsugov.us • planning@matsugov.us

Owner/Agent: Martin/Martin Heights

Nature of Request: The request is to 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, more or less.

Location: Located east of N. Pittman Rd. and directly south of W. Spence Ln.: within the NWI4 Sec. 9, T18N, R1W, S.M., AK. Tax ID: 7652000T00A, 7652000L001, L003, & L004

Date/Due Date: 28 February 2020

MSB Staff Contact: P. Horton

Planner completing this Review: Ted Eischeid, Ph. 861-8606, ted.eischeid@matsugov.us

Comm. Council: Meadow Lakes **Case#:** 2006-169 **RSA:** 28 Gold Trail

Staff-Recommendation:

Approve XX Deny _____ (need's supervisor approval) Conditionally Approve _____

List Conditions (if applicable):

Supporting Recommendations, Comments, and Information:

Planning Division, <https://www.matsugov.us/departement/planning-department#Planning>
 Matanuska-Susitna Borough, 350 E. Dahlia Ave, Palmer, AK 99645

EXHIBIT G - |



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division: Plat Review/Comments

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833 • Fax (907) 861-7876

www.matsugov.us • planning@matsugov.us

1. Note Community Council area, City, or SPUD

- a. Does the CC have a Comp Plan: MEADOW LAKES
 - i. If Yes, review comp plan sections on land use.

PERTINENT PORTIONS FROM MEADOW LAKES COMP PLAN:

1. Maintain the Community's Rural Character Community surveys and public workshops show that for most residents, the area's rural character is one of the top motivations to live in Meadow Lakes. This character includes low density housing, friendly neighbors, limited traffic, large tracts of open land, good views, presence of wildlife, and ready access to trails, rivers, lakes, and recreation. Strategies to maintain and enhance this rural character include:

- Housing Densities - Encourage low density residential development in the majority of the community. The exact policies should be worked out through the Special Land Use District process to implement this plan, but community sentiment strongly favors a target greater than the 40,000 square feet minimum currently required under MSB standards. In other areas, lots significantly larger than this target are more appropriate, for example in key watershed and wetland areas, and along the community's three major watersheds. For the purpose of clarity, the Planning Team thought it was important to identify specific minimum lot size.

- While working with the target for minimum lot size, the size of specific subdivision lots should consider the following:

- o Physical character of the land –minimum lot sizes are acceptable where soil quality and drainage is good; lots should be larger where soil quality and drainage is poor.

- o Use of "open space" subdivision process – to the degree land is dedicated to community use as open space, parks and trails through the open space subdivision process, lot sizes are allowed to be smaller.

- o Size of surrounding lots – lots in new subdivisions should be at least the minimum, and should respond to the size of surrounding lots, e.g., if an "inholding" is subdivided in a neighborhood of large lots, the lots around the edge of the new subdivision should match the sizes of surrounding parcels.

Planning Division, <https://www.matsugov.us/department/planning-department#Planning>
Matanuska-Susitna Borough, 350 E. Dahlia Ave, Palmer, AK 99645

EXHIBIT G-2



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division: Plat Review/Comments

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833 • Fax (907) 861-7876

www.matsugov.us • planning@matsugov.us

- Open Space – Guide growth to retain and expand public open space, waterways and trails. Retain the “natural feel” of the community and the dominate sense of natural landscapes – forests, wetlands, streams, wildlife, and views.

- Establish “Open Space” subdivision policies so sub-dividers are encouraged to retain land for trails and recreation and to protect natural areas like wetlands or streams.

2. Concentrate and Screen Commercial Development; Avoid Sprawl Along the Parks Highway In past public workshops and surveys, people expressed a clear concern that the Parks Highway should not be lined with strip commercial development like what is found in other parts of the southern Mat-Su Borough. The community recognizes that without land use controls, development will likely scatter along the length of the Parks Highway. Strategies to reach this goal include:

- Appearance of Roadside Commercial Development - Require retention and/or planting of evergreen buffers, trees and other landscape features so roadside development is attractive. Encourage modest sized, attractive signage and roadside development.

Site Development Standards (for all types of uses)

To protect unique site opportunities and constraints, including slope, natural vegetation, water quality,

and views, and to maintain a sense of the natural setting, the following standards are established:

1. Grading – Encourage retention of natural contours.

2. Natural Vegetation/Site Disturbance – Maximize retention of existing vegetation; grading and clear cutting the entire parcel prior to selling or developing land is strongly discouraged. Large portions of the site’s natural vegetation and contours should be maintained.

3. Drainage– Development must not change drainage patterns or create drainage or icing problems on adjoining lots. Construction of driveways and other impervious areas must not increase summer runoff or winter ice on adjoining roads or

Planning Division, <https://www.matsugov.us/department/planning-department#Planning>
Matanuska-Susitna Borough, 350 E. Dahlia Ave, Palmer, AK 99645



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division: Plat Review/Comments

350 East Dahlia Avenue • Palmer, AK 99645

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inhibit bank erosion and provide habitat for wildlife such as ducks and loons, while also providing some screening of development.

Meadow Lakes Comprehensive Plan Major Goals & Strategies: LAND USE 35

8. Trail Reservations on Private Land – To the greatest degree possible, reserve for continued public use all important existing community trails crossing private land when that private land is subdivided. This can be done through the “open space subdivision” policy outlined later in this chapter. Trails may be reserved along traditional routes, or moved to new locations within the parcel. Trails shall be included as part of all new collector roads.

9. Underground Utilities – If practical, utilities should be placed underground.

Exceptions include high voltage electric transmission lines, sub-transmission lines, and substations.

2. Environmental

- a. Plans to consider:
 - i. Stormwater Management Plan

3. Cultural Resources

No objection to proposed action in terms of known cultural resources. However, if any cultural resources are discovered in any development work please stop said work and call the Mat-Su Planning Division for referral to an appropriate cultural resources professional. Thank you for helping us document our borough’s past.

Planning Division, <https://www.matsugov.us/departments/planning-department#Planning>
Matanuska-Susitna Borough, 350 E. Dahlia Ave, Palmer, AK 99645

EXHIBIT G-4



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

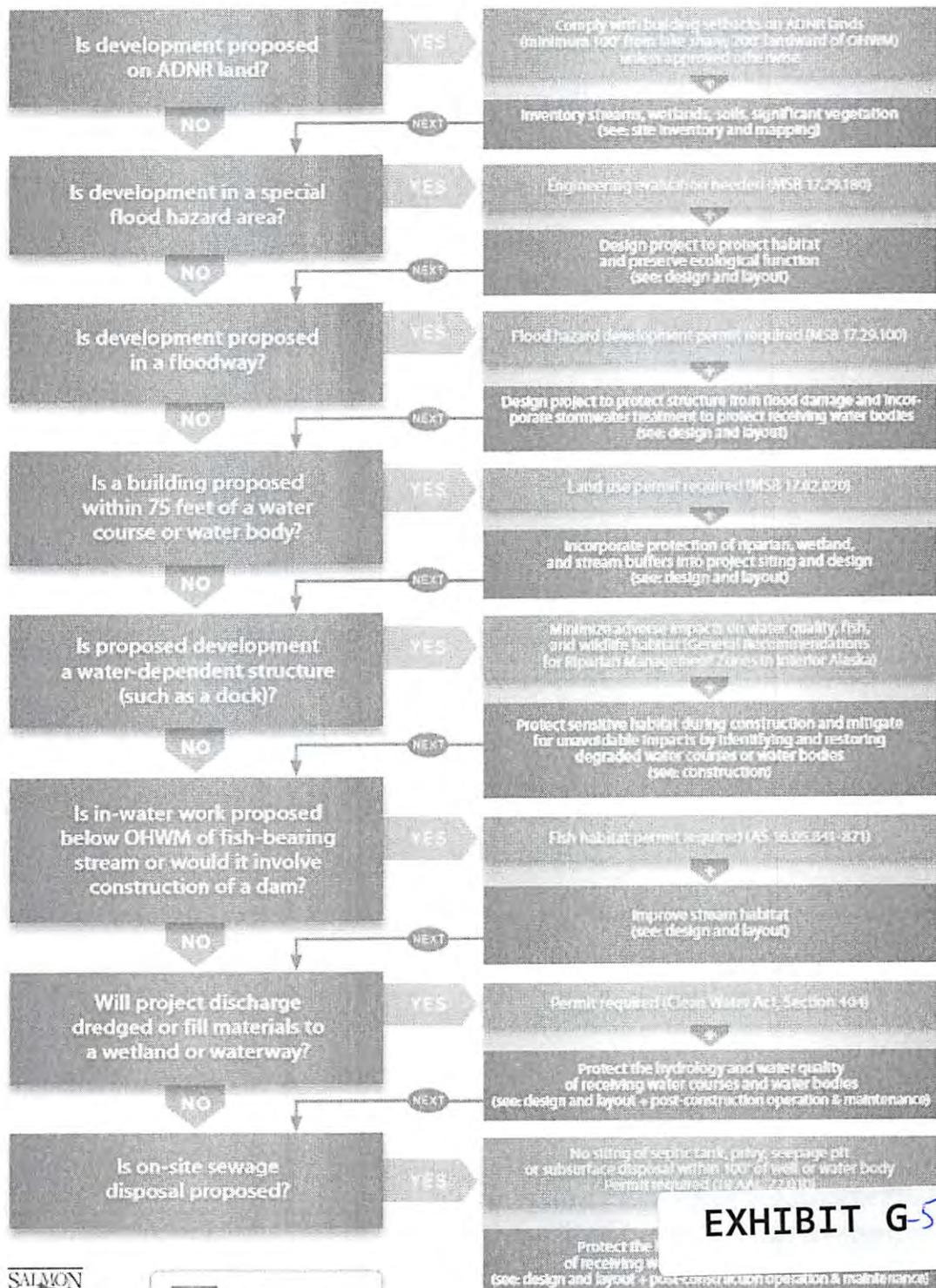
Planning Division: Plat Review/Comments

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833 • Fax (907) 861-7876

www.matsugov.us • planning@matsugov.us

Navigating Regulatory Compliance for Development in the Mat-Su Basin



PI

EXHIBIT G-5



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division: Plat Review/Comments

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properties.

4. Water Quality & Erosion - Use drainage swales, holding basins and similar best management practices to ensure runoff from developed areas does not degrade quality of water in adjoining streams and lakes. See appendix for voluntary MSB best management practices.

5. Hazards and Sensitive Areas – Avoid development in hazard areas, including floodplains and steep slopes. Minimize development and development impacts on wetlands and other sensitive natural environments.

6. Setbacks From Waterbodies - Require at least the MSB 75' minimum development setback from streams, lakes, wetlands and other water bodies; "development" is defined as habitable structures. Non habitable structures, such as boathouses, sheds, decks or saunas can be built within 75' of lakes and streams, but these improvements should be designed to have minimal environmental and visual impact on the adjoining waterway.

17.55.020 Setbacks for Shorelands (B) docks, piers, marinas, aircraft hangars and boathouses may be located closer than 75 feet and over the water, provided they are not uses for habitation and do not contain sanitary or petroleum fuel storage facilities. (E) No part of a subsurface sewage disposal system shall be closer than 100 feet from any body of water or watercourse.

7. Protection of Water Quality – Use of land adjoining waterbodies shall be designed to minimize impacts on water quality. Actions to achieve this goal include minimizing removal of natural vegetation along the majority of the edge of lakes, streams or wetlands, to keep lawn chemicals, silt, and septic effluents out of the watershed, to

Planning Division, <https://www.matsugov.us/department/planning-department#Planning>
Matanuska-Susitna Borough, 350 E. Dahlia Ave, Palmer, AK 99645

EXHIBIT G-6

Peggy Horton

From: Permit Center
Sent: Friday, February 21, 2020 4:01 PM
To: MSB Platting
Subject: RE: Request for Comments for Martin Hts MSP Revision Case #2006-169 Tech: PH

Good Afternoon,

It appears that they have two access points on to W Spence that are not permitted. Please have them apply for Driveway Permits. They are pre-existing to 2011, they may apply on the phone at no charge, if don't before March 18th. They can call 861-7822 to apply by phone.

Thank you,

*Jennifer Monnin, CFM
MSB Permit Technician
350 E Dahlia Ave
Palmer, AK 99645
907-861-7822
Jennifer.monnin@matsugov.us*

From: MSB Platting <Platting@matsugov.us>
Sent: Friday, February 7, 2020 9:14 AM
To: Adam J. Dubour (adam.dubour@alaska.gov) <adam.dubour@alaska.gov>; regpagemaster@usace.army.mil; Pamela Melchert (pamela.j.melchert@usps.gov) <pamela.j.melchert@usps.gov>; tim.swezey@mlccak.org; psfisher@gci.net; browne@mtaonline.net; M Schoming (mschoming@crweng.com) <mschoming@crweng.com>; Fire Code <Fire.Code@matsugov.us>; John Fairchild <John.Fairchild@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>; Debbie Bakic <Debbie.Bakic@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>; 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>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Tam Boeve <Tamboevedistrict7@gmail.com>; mearow@matanuska.com; Enstar ROW (row@enstarnaturalgas.com) <row@enstarnaturalgas.com>; MTA ROW (row@mta-telco.com) <row@mta-telco.com>; GCI ROW (ospdesign@gci.com) <ospdesign@gci.com>
Subject: Request for Comments for Martin Hts MSP Revision Case #2006-169 Tech: PH

Good Afternoon,

The link below will take you to a request for comments for a revision to Martin Heights Master Plan, right-of-way vacation, and utility easement elimination in the Meadow Lakes area. RSA 28. Please review and provide any comments by February 28, 2020.

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

February 11, 2020

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

RECEIVED

FEB 11 2020

PLATTING

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,

Cassie Acres

EXHIBIT I

Peggy Horton

From: OSP Design Group <ospdesign@gci.com>
Sent: Wednesday, February 26, 2020 9:27 AM
To: MSB Platting
Subject: RE: Request for Comments for Martin Hts MSP Revision Case #2006-169 Tech: PH

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

Hello,

There are no objections to this plat.

Thank you,

JACQUELINE HALL

GCI | Technician I, GIS Mapping

w: www.gci.com

From: MSB Platting <Platting@matsugov.us>
Sent: Friday, February 7, 2020 9:14 AM
To: Adam J. Dubour (adam.dubour@alaska.gov) <adam.dubour@alaska.gov>; regpagemaster@usace.army.mil; Pamela Melchert (pamela.j.melchert@usps.gov) <pamela.j.melchert@usps.gov>; tim.swezey@mlccak.org; psfisher@gci.net; browne@mtaonline.net; M Schoming (mschoming@crweng.com) <mschoming@crweng.com>; Fire Code <Fire.Code@matsugov.us>; John Fairchild <John.Fairchild@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>; Debbie Bakic <Debbie.Bakic@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>; 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>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Tam Boeve <Tamboevedistrict7@gmail.com>; mearow@matanuska.com; Enstar ROW (row@enstarnaturalgas.com) <row@enstarnaturalgas.com>; MTA ROW (row@mta-telco.com) <row@mta-telco.com>; OSP Design Group <ospdesign@gci.com>
Subject: Request for Comments for Martin Hts MSP Revision Case #2006-169 Tech: PH

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

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Afternoon,

The link below will take you to a request for comments for a revision to Martin Heights Master Plan, right-of-way vacation, and utility easement elimination in the Meadow Lakes area. RSA 28. Please review and provide any comments by February 28, 2020.

EXHIBIT J

Peggy Horton

From: Holly Sparrow <hsparrow@mtasolutions.com>
Sent: Friday, February 7, 2020 9:23 AM
To: MSB Platting
Subject: RE: Request for Comments for Martin Hts MSP Revision Case #2006-169 Tech: PH

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

Good morning,

MTA as reviewed the plat for Martin Heights. MTA has no comments.

Thank you for the opportunity to comment.

Holly Sparrow, Right of Way Agent

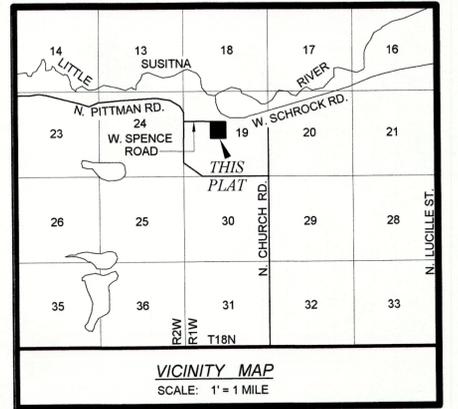
MTA | 1740 S. Chugach Street | Palmer, Alaska 99645
office: 907-761-2599 | www.mtasolutions.com



Life. Technology. Together.

From: MSB Platting <Platting@matsugov.us>
Sent: Friday, February 7, 2020 9:14 AM
To: Adam J. Dubour (adam.dubour@alaska.gov) <adam.dubour@alaska.gov>; regpagemaster@usace.army.mil; Pamela Melchert (pamela.j.melchert@usps.gov) <pamela.j.melchert@usps.gov>; tim.swezey@mlccak.org; psfisher@gci.net; browne@mtaonline.net; M Schoming (mschoming@crweng.com) <mschoming@crweng.com>; Fire Code <Fire.Code@matsugov.us>; John Fairchild <John.Fairchild@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>; Debbie Bakic <Debbie.Bakic@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>; 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>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Tam Boeve <Tamboevedistrict7@gmail.com>; mearow@matanuska.com; Enstar ROW (row@enstarnaturalgas.com) <row@enstarnaturalgas.com>; Right of Way Dept. <row@mtasolutions.com>; GCI ROW (ospdesign@gci.com) <ospdesign@gci.com>
Subject: Request for Comments for Martin Hts MSP Revision Case #2006-169 Tech: PH

EXHIBIT K



OWNERSHIP CERTIFICATE

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

RANDALL E. MARTIN
P. O. BOX 871748
WASILLA, ALASKA 99687

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2016 FOR RANDALL MARTIN.

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES _____

PLANNING AND LAND USE DIRECTOR'S CERTIFICATE

I CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION No. _____

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

DATE _____ PLANNING AND LAND USE DIRECTOR

ATTEST: _____ PLATTING CLERK

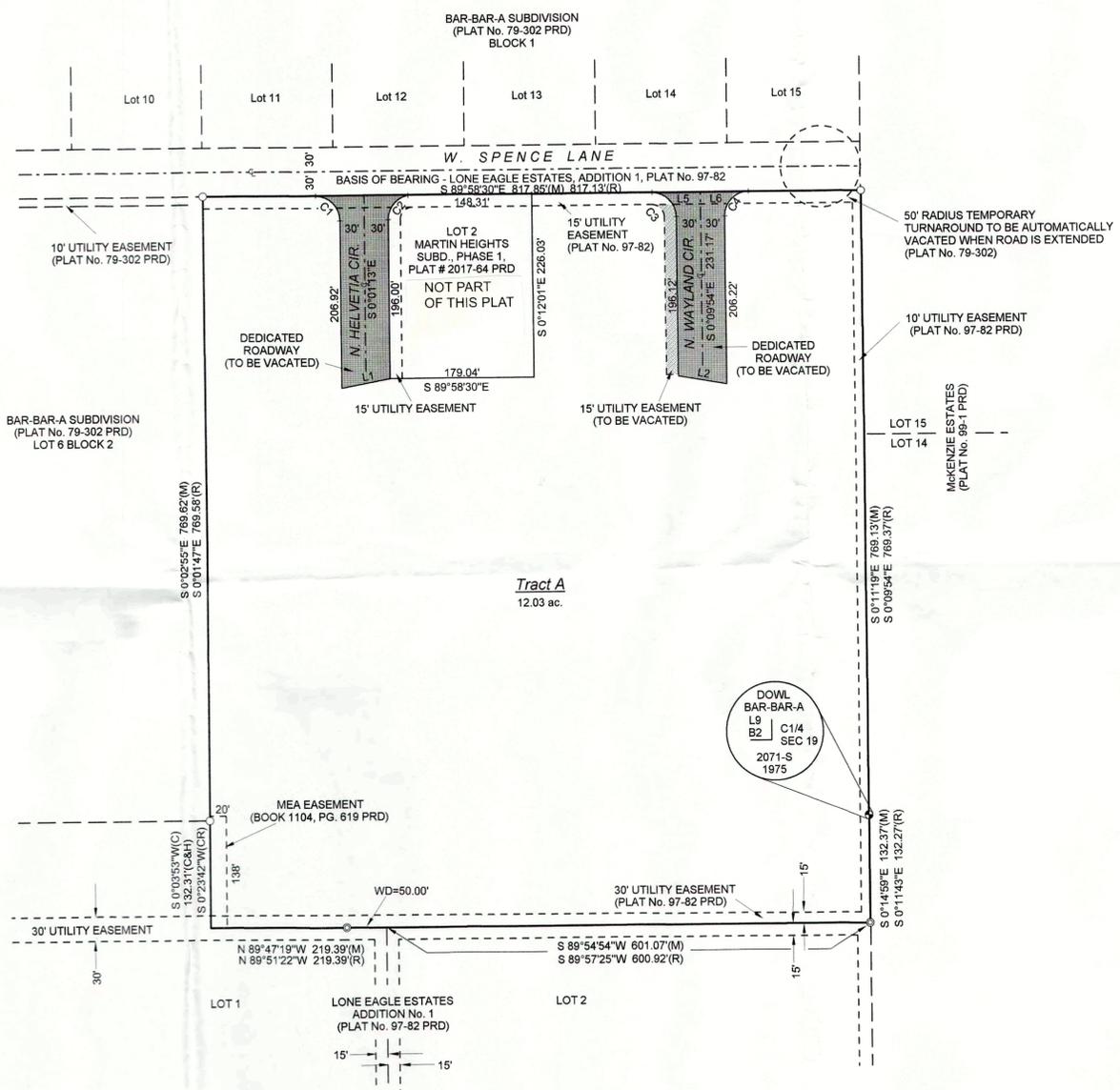
CERTIFICATE OF PAYMENT OF TAXES

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

DATE _____ BOROUGH TAX COLLECTION OFFICIAL

COVENANTS, CONDITIONS AND RESTRICTIONS

RESTRICTIVE COVENANTS AND MODIFICATIONS TO SAME WERE RECORDED OCT. 13, 1977 AT BOOK 150, PAGE 653, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, ALASKA.

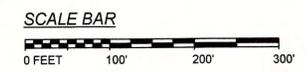


CURVE DATA

| Curve | Delta Angle | Radius | Arc | Tangent | Chord | Chord Bearing |
|-------|-------------|--------|-------|---------|-------|---------------|
| C1 | 89°57'17" | 30.00 | 47.10 | 29.98 | 42.41 | S 44°59'52"E |
| C2 | 90°02'43" | 30.00 | 47.15 | 30.02 | 42.44 | N 45°00'09"E |
| C3 | 89°48'36" | 30.00 | 47.02 | 29.90 | 42.36 | S 45°04'12"E |
| C4 | 90°11'24" | 30.00 | 47.22 | 30.10 | 42.50 | N 44°55'48"E |

LINE DATA

| Line | Bearing | Distance |
|------|--------------|----------|
| L1 | N 79°45'07"E | 60.97' |
| L2 | S 80°14'39"E | 60.91' |
| L3 | S 89°58'30"E | 59.98' |
| L4 | S 89°58'30"E | 60.02' |
| L5 | S 89°58'30"E | 59.90' |
| L6 | S 89°58'30"E | 60.10' |



JOHN SHADRACH, R.L.S.
professional land surveyor
POB 871497
Wasilla, Alaska 99687
5819 E. Frost Cir
Wasilla, Alaska 99654
(907) 376-2260

SURVEYOR'S CERTIFICATE

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



JOHN SHADRACH
REGISTERED LAND SURVEYOR LS-5122 DATE _____

RECEIVED
B O 3 2020
PLATTING

PROPOSED VACATION PLAT OF
**MARTIN HEIGHTS SUBD., PHASE 1,
LOTS 1, 3, 4 & TRACT A, AND
OF THE RIGHTS OF WAYS OF
N. HELVETIA CIR. AND N. WAYLAND CIR.**

A SUBDIVISION OF
LOT 3 LONE EAGLE ESTATES, ADD. No. 1, PLAT No. 97-82,
LOCATED WITHIN
W1/2 SECTION 19, T. 18 N., R. 1 W., SEWARD MERIDIAN,
PALMER RECORDING DISTRICT,
THIRD JUDICIAL DISTRICT, STATE OF ALASKA

CONTAINING 16.96 ACRES, MORE OR LESS

| | | |
|-----------------|---|--|
| DRAWN BY: JS | FIELD BOOK: martinheights/finatph1platvac | PROJECT: martinheights/finatph1platvac |
| DATE: 1/10/2020 | 2016-01 | |
| CHECKED: JS | DRAWING SCALE: 1" = 100' | SHEET: 1 OF 1 |

6A

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 descisions 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 Baord 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 FUTHER RESOLVED that adoption of this manual repeals and replaces all policies previously adopted by the Platting Board.

ADOPTED by the Matanuska-Ssitna 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
SECOND EDITION**

Adopted by Platting Board
Resolution Serial No. 2020-003
Date: _____, 2020,

MATANUSKA-SUSITNA BOROUGH PLATTING BOARD POLICIES AND PROCEDURES MANUAL

TABLE OF CONTENTS

- I. SECTION I – PURPOSE1

- II. SECTION II – QUASI-JUDICIAL, LEGISLATIVE, & ADMINISTRATIVE
DEFINITIONS1

- III. SECTION III – SPECIAL RULES OF ORDER; POLICIES AND PROCEDURES1
 - (1) ELECTIONS 2
 - (2) ATTENDANCE REQUIREMENTS 2
 - (3) VOTING REQUIREMENTS..... 2
 - (4) DUTIES AND RESPONSIBILITIES 2
 - (5) REGULAR METING PROCEDURES 3
 - (6) PUBLIC HEARING PROCEDURES 3
 - (7) FINDINGS OF FACT 4
 - (8) **APPEALS OF PLATTING OFFICER DECISIONS** 5
 - (9) RECONSIDERATION 5
 - (10) PERMANENT RECORDS AND HANDOUTS..... 5

- 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

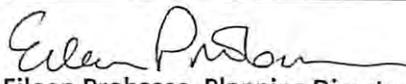
(applicable to legislative acts.)

- (A) 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

| | | |
|--|--|---|
|  <p>PLANNING & LAND USE DEPARTMENT MATANUSKA-SUSITNA BOROUGH</p> | <p>POLICY NUMBER: 018-01</p> | <p>EFFECTIVE DATE: October 3, 2019</p> |
| | <p>SUBJECT: FINDINGS OF FACT FOR PLATTING ACTIONS</p> |  <p>Eileen Probasco, Planning Director</p> |

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 Platting 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.