

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on January 21, 2021, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The Meeting was called to order at 1:04 p.m. by Chair LaMarr Anderson.

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, District Seat #1
- Mr. LaMarr Anderson, District Seat #2
- Mr. John Shadrach, District Seat #3
- Mr. Dan Bush, District Seat #4
- Mr. Dennis Vau Dell, District Seat #5
- Mr. Wilfred Fernandez, District Seat #6, Vice Chair

Platting Board members absent and excused were:

- Mr. Justin Hatley, Alternate
- VACANT, District Seat #7
- VACANT, Alternate

Staff in attendance:

- Mr. Fred Wagner, Platting Officer
- Ms. Sloan Von Gunten, Platting Administrative Specialist
- Ms. Cheryl Scott, Platting Technician
- Ms. Peggy Horton, Platting Technician
- Ms. Amy Otto-Buchanan, 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 Anderson inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved with changes without objection.

2. APPROVAL OF MINUTES

Chair Anderson inquired if there were any changes to the minutes for December 17, 2020.

- On page 3 correct name of Big Lake Trail and on page 1 & 2 correct name.

GENERAL CONSENT: The minutes for December 17, 2020 were approved with changes without objections.

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

A. Persons to Be Heard (There is no persons to be heard)

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

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

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. **RIVERSIDE ALLEY**: The request is to vacate a 4' X 63' portion of the alleyway north of Lot 16, Block 1, Riverside, Plat 7-160, and add to Lot 16, to be known as **Lot 16A, Riverside**, containing .18 acres +/- . The plat is located north of E. Eagle Avenue and east of N. Bonanza Street, (Tax ID # 53031B01L016); within the SW ¼ SW ¼ Section 28, Township 18 North, Range 02 East, Seward Meridian, Alaska. Parcel is within the City of Palmer. Community Council: NA. Assembly District #2: Stephanie Nowers. Continued from January 7, 2021 platting board hearing. (*Owner/Petitioner: Garic Hays General Contractor LLC, Surveyor: All Points North; Staff: Amy Otto-Buchana*)

Chair Anderson:

- Read the statement regarding Ex-Parte & Interest on quasi-judicial actions into the record; there was no objection noted by the platting board.
- Read the case title and description into the record.

Ms. Von Gunten provided the mailing report:

- Stating that 231 public hearing notices were mailed out on December 30, 2020.

Ms. Amy Otto-Buchanan:

- Gave an overview of the case, #2020-176.
- Staff recommends approval of the case with findings of fact and conditions.

Chair Anderson invited the petitioner and/or the petitioner's representative to give a brief overview.

Mr. Garic Hayes, the petitioner, gave a brief overview.

Chair Anderson:

- Opened the public hearing for public testimony.
- There being no one to be heard, the chair closed the public hearing.
- Invited the petitioner or their representative to provide their comments.

Mr. Garic Hayes, the petitioner, agrees with all the recommendations and had no comments.

Chair Anderson moved to the Platting Board for a motion.

MOTION: Platting Member Cottini moved to approve the preliminary plat for Riverside Alley & the vacation of the 4' X 63' portion of the alleyway, with 7 recommendations. The motion was seconded by Platting Member Shadrach.

Discussion by the platting board on the alleyway.

Mr. Meneses, City of Palmer Planning Commission Representative, explained to the board that alleyways are public access not a fire access road.

VOTE: The motion passed with all in favor by roll call vote. (Fernandez, Cottini, Bush, Vau Dell, Shadrach, and Anderson). There are 7 Findings of fact.

TIME: 1:27 P.M.

CD: 0:23:01

Platting Board Member Shadrach recused himself from Latitude 62 North.

B. LATITUDE 62 NORTH: The request is to create 6 lots from US Survey 3519 Lots 1, 2, & 27 and Lacher Subdivision Lots 1 & 2, Block 1 to be known as **Latitude 62 North**, containing 18 acres +/- . This plat will mitigate the substandard nature of three of the original lots. S. Horseshoe Lake Road, new internal rights-of-way (ROW), and construction of borough standard roads will provide legal and physical access to the new lots. Petitioners request vacations of: (1) Two public ROWs being replaced by proposed access; (2) A 50' public ROW on US Govt. Lot 3 (Tax Parcel A1) and; (3) A 50' public ROW along the shore of Horseshoe Lake. The property is located along the north shore of Horseshoe Lake (Tax ID #U03519000L01, U03519000L02, U03519000L27, 2636B01L001, 2636B01L002, 17N04W12A001); lying within the N½ Section 12, Township 17 North, Range 04 West, Seward Meridian, Alaska. In Community Council: Big Lake and in Assembly District: #5 Dan Mayfield. Continued from November 19, 2020 & December 17, 2020 platting board hearing. (*Owner/Petitioner: Russell & Janet Whitfield, Jack & Lona Sims, and Scott Sterling; Surveyor: Whitfield; Staff: Peggy Horton*)

Chair Anderson:

- Read the statement regarding Ex-Parte & Interest on quasi-judicial actions into the record.
- Platting Board Member Vau Dell had contact with a neighbor near this action. He stated he has no financial gain and can be impartial; there was no objection noted by the platting board.
- Read the case title and description into the record.

Ms. Von Gunten provided the mailing report:

- Stating that 29 public hearing notices were mailed out on October 29, 2020 from the original platting board hearing on November 19, 2020.

Ms. Peggy Horton:

- Gave an overview of the case, #2020-153/155-158.
- Staff recommends approval of Action A and the Plat.
- Staff Does not approve Action B and Action C.
- Answered questions from the platting board.

Chair Anderson asked staff on the procedure for processing the case file. Staff answered his question and clarified what is the best process to do for the case file.

Chair Anderson invited the petitioner and/or the petitioner's representative to give a brief overview.

Mr. Russell Whitfield, the petitioner, gave a brief overview of the case.

Chair Anderson:

- Opened the public hearing for public testimony.

The following person spoke regarding their concerns regarding road site distance and location on the new placement. Would like to see the easements improved and a fire pump station put in if these easements go through: Ms. Darcy Quan.

The following person spoke regarding their concerns regarding access, road grading, and placement of a water pump: Mr. Frank Paulson.

The following person spoke regarding their concerns regarding the access grading on a portion of the roadway. Would like to see the road upgraded and maintained: Mr. Eric Quan.

Chair Anderson:

- There being no one else to be heard, the chair closed the public hearing.
- Invited the petitioner or their representative to provide their comments.

Mr. Scott Sterling, a co-petitioner, gave his briefing on the case action.

The Petitioner, Ms. Janet Whitfield, asked for additional time to present their case. The platting chair granted her request, adding 2 more minutes to the petitioner's.

Ms. Janet Whitfield, a co-petitioner, explained more on the action being brought to the platting board, talked about the access on the properties, and answered questions from the platting board.

The Clerk Announced for those calling by Telephone that public comments have been closed by the chair for this case.

TIME: 2:15 P.M.

CD: 01:12:21

Break to fix technical difficulties of the phone line and microphones.

TIME: 2:49 P.M.

CD: 01:45:38

Chair Anderson moved to the Platting Board for a motion.

ACTION A

MOTION: Platting Member Cottini moved to approve the vacation of the 50' public access easement upland from and along the shore of proposed Lots 1 & 2, Block 1, for Latitude 62 North, with 2 recommendations and 15 findings. The motion was seconded by Platting Member Vau Dell.

Platting Board discussed with staff and law on the objection from the State of Alaska's Fish and Game Office and the 50' public access easement.

VOTE: The motion passed with all in favor by roll call vote. (Fernandez, Cottini, Bush, Vau Dell, and Anderson). There are 15 Findings of fact.

TIME: 3:03 P.M.

CD: 02:02:16

ACTION B

MAIN

MOTION: Platting Member Cottini moved to approve the vacation of the 50' wide Roadway and Public Utility Easement along the west side of Govt. Lot 3, as stated on the U.S. Patent 1235307 for Latitude 62 North, with 4 recommendations and 27 findings. The motion was seconded by Platting Member Vau Dell.

Platting Board discussed the case regarding the petitioners changes on the findings and recommendations.

Amended

MOTION: Platting Member Cottini moved to amend the motion to add recommendation #B5. The amended motion was seconded by Platting Member Vau Dell.

RECOMMENDATIONS:

- Add B5: Obtain consent from the State of Alaska Department of Natural Resources for the vacation of the U.S. Patent Reservation Easement 1235307.

Amended

VOTE: The amended motion passed with all in favor by roll call vote. (Bush, Cottini, Anderson, Fernandez, Vau Dell).

Main Motion

VOTE: The main motion failed by roll call vote with all voting no. (Bush, Cottini, Vau Dell, Fernandez, Anderson).

TIME: 3:28 P.M.

CD: 02:23:58

Break for the platting board to write the findings of facts for the failed motion.

TIME: 3:31 P.M.

CD: 02:36:00

FINDINGS of FACTS for DENIAL:

- B1 to B27
- B28: Findings as noted in staff report concerning Vacation #2 do not support approval of the requested vacation.
- B29: Objections from three adjoining property owners; Quams, Palin, & Gage for the vacation of the 50' Patent reservation easement, as it is being used and provides future access to Horseshoe Lake.
- B30: Better lake alternate access is not provided. A road along the proposed vacation is possible. Public comments indicate to keep the access to Horseshoe Lake.

MOTION: Platting Member Vau Dell moved to approve the failed findings of facts. The motion was seconded by Platting Member Cottini.

VOTE: The motion to approve the failed findings passed with all in favor by general consent.

TIME: 3:42 P.M.

CD: 02:42:40

ACTION C

MOTION: Platting Member Cottini moved to approve the vacation of the 50' Roadway and Public Utility Easement on the east side of Lot 27, U.S. Survey 3519, as stated on the U.S. Patent 1227124 and vacation of the 25' platted right-of-way on Lacher Subdivision, Plat 83-289 for Latitude 62 North, with 2 recommendations and 18 findings. The motion was seconded by Platting Member Vau Dell.

Platting Board discussed 50' roadway and Public Utility Easement. Discussion on removing C12 and replacing it with a different finding.

Amended

MOTION: Platting Member Cottini moved to amend the motion to remove C12 and add a new finding for C12. The motion was seconded by Platting Member Vau Dell.

FINDINGS:

- Modify and Change C12 to read: Mr. Brian Gage objects to changes to the easements.

Amended

VOTE: The motion passed with all in favor by roll call vote. (Bush, Cottini, Fernandez, Vau Dell, Anderson).

Amended

MOTION: Platting Member Cottini moved to add recommendation C3. The motion was seconded by Platting Member Vau Dell.

RECOMMENDATIONS:

- Add C3: Obtain consent from the State of Alaska Department of Natural Resources for the vacation of the U.S. Patent Reservation Easement 1227124.

Amended

VOTE: The motion passed with all in favor by roll call vote. (Anderson, Fernandez, Vau Dell, Bush, Cottini).

Main Motion

VOTE: The main motion failed by roll call vote with all voting no. (Bush, Vau Dell, Fernandez, Anderson, Cottini).

FINDINGS of FACTS for DENIAL:

- Add C1 to C18, remove C12, and add new recommendation in place of C12.

MOTION: Platting Member Vau Dell moved to approve the failed findings of facts C1 to C18 with removing C12 and Adding new recommendation for C12. The motion was seconded by Platting Member Cottini.

VOTE: The motion passed with all in favor by roll call vote. (Vau Dell, Fernandez, Bush, Cottini, Anderson).

TIME: 4:03 P.M.

CD: 03:03:08

ACTION D

MAIN

MOTION: Platting Member Cottini moved to approve the preliminary plat of Latitude 62 North with 10 recommendations and 12 findings. The motion was seconded by Platting Member Bush.

Platting Board and staff discussed recommendation D2 on the curve radius.

Mr. Ashenbrenner gave explanations on law and code.

FINDINGS:

- Modify D12: Three owners of property object to the new access road and have concerns about additional traffic and road noise.

VOTE: The motion passed with 4 in favor by roll call vote (Cottini, Bush, Fernandez, Anderson) and 1 against (Vau Dell). There are 12 Findings of fact.

TIME: 4:26 P.M.

CD: 03:22:30

Break

TIME: 4:33 P.M.

CD: 03:29:28:03

Platting Member Shadrach returned to his Seat on the Board.

C. **PARADISE RIDGE**: The request is to create a 41-lot, 5-phase master plan from Tax Parcels C3 & C4 to be known as **Paradise Ridge**, containing 120.0 acres +/- . Interior streets will be dedicated and constructed to borough standards and a public use easement is proposed. The property is located north of E. Paradise Lane, west of N. Wasilla-Fishhook Road, southwest of E. Pamela Drive and east of N. Bull Moose Drive (Tax ID # 18N01W24C003 & 18N01W24C004); lying within the SW ¼ Section 24, Township 18 North, Range 01 West, Seward Meridian, Alaska. Community Council: N/A and in Assembly District #6: Jesse Sumner. (*Owner/Petitioner: Patterson Construction, LLC; Surveyor: Keystone; Staff: Cheryl Scott*)

Chair Anderson:

- Read the statement regarding Ex-Parte & Interest on quasi-judicial actions into the record;
- Platting Member Shadrach knows one of the petitioners and did not have a conversation with them. He can be impartial and make a fair decision.
- There was no objection noted by the platting board.
- Read the case title and description into the record.

Ms. Von Gunten provided the mailing report:

- Stating that 91 public hearing notices were mailed out on December 30, 2020.

Ms. Cheryl Scott:

- Gave an overview of the case, #2020-168.
- Staff recommends approval of the case with findings of fact and conditions.
- Need to modify finding #4 and #12 and modify recommendation #8.

Chair Anderson invited the petitioner and/or the petitioner's representative to give a brief overview.

Mr. Gary LoRusso, the petitioner's representative, Mr. Steve Kidle and Mr. Don Patterson, the petitioner's, and Mr. Holler, the Engineer, gave a brief overview of the case.

Chair Anderson:

- Opened the public hearing for public testimony.
- There being no one to be heard, the chair closed the public hearing.
- Invited the petitioner or their representative to provide their comments.

Mr. Gary LoRusso, the petitioner's representative, Mr. Steve Kidle and Mr. DonPatterson, the petitioner's, and Mr. Holler, the Engineer, explained the case action and agrees with all the recommendations and answered questions from the platting board.

Chair Anderson moved to the Platting Board for a motion.

MOTION: Platting Member Fernandez moved to approve the preliminary plat of Paradise Ridge Master Plan, with 16 recommendations, modifying recommendation #8, and Findings #4 and #12. The motion was seconded by Platting Member Shadrach.

FINDINGS:

- Modify #4: "with MSB 43.20.281 and fill, regrading, reconfiguring, or absorption of lots ... "
- Modify #12: There were no objections received to this plat from any borough department or outside agencies. One concern was received from fire Code and one non-objection, three concerns, and three objections were received from the public regarding additional traffic safety and development in relation to the creek and the lake to the south.

RECOMMENDATIONS:

- Modify #8: "pursuant to MSB 43.20.281. Reconfigure lots as needed or eliminate the lots lines to absorb the adjacent conforming lots and show on the final plat.

VOTE: The motion passed with all in favor by roll call vote. (Fernandez, Vau Dell, Bush, Shadrach, Cottini, Anderson). There are 12 findings of fact.

TIME: 4:55 P.M.

CD: 03:54:20

D. KELLARD FAMILY: The request is to divide Lots 21 and 38, Paper Subdivision, Plat 66-3, into 6 lots to be known as **Kellard Family Subdivision**, containing 15.03 acres +/- . The petitioner also requests to vacate the 15' wide utility easement along the south boundary and replace it with a 15' wide utility easement adjacent to the proposed right-of-way. The property is located west of S. Talkeetna Spur and north of E. Woodpecker Road, (Tax ID #2888000L021 & 2888000L038); lying within the SE ¼ Section 06, Township 25 North, Range 04 West, Seward Meridian, Alaska. In Community Council: Talkeetna and in Assembly District #7 Tam Boeve. (*Owner/Petitioner: James & Susan Kellard; Surveyor: R & K; Staff: Peggy Horton*)

Chair Anderson:

- Read the statement regarding Ex-Parte & Interest on quasi-judicial actions into the record; there was no objection noted by the platting board.
- Read the case title and description into the record.

Ms. Von Gunten provided the mailing report:

- Stating that 37 public hearing notices were mailed out on December 30, 2020.

Ms. Peggy Horton:

- Gave an overview of the case, #2020-181/182.
- Staff recommends approval of the case with findings of fact and conditions.

Chair Anderson invited the petitioner and/or the petitioner's representative to give a brief overview.

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

Chair Anderson:

- Opened the public hearing for public testimony.
- There being no one to be heard, the chair closed the public hearing.
- Invited the petitioner or their representative to provide their comments.

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

Chair Anderson moved to the Platting Board for a motion.

MOTION: Platting Member Cottini moved to approve the preliminary plat for Kellard Family and relocation of the 15' utility easement reserved on quitclaim deeds recorded at Book 75 Pages 225 and 228, with 16 recommendations. The motion was seconded by Platting Member Bush.

VOTE: The motion passed with all in favor by roll call vote. (Vau Dell, Cottini, Shadrach, Fernandez, Anderson, Bush). There are 10 findings of fact.

TIME: 5:01 P.M.

CD: 04:00:46

E. **BUG LAKE & SLEV:** The request is to divide Lot 1, Treeline, Plat 2014-35, into two lots, vacate the section line easement along the north side of proposed Lot 2 and dedicate 300' of right-of-way for W. Glenn Hwy. State of Alaska has provided preliminary approval for the Section Line Easement vacation. This subdivision is to be known as **Bug Lake**, containing 14.64 acres +/- . The property is bisected by W. Glenn Highway, just east of mile 111 (Tax ID #7284000L001); lying within the NE ¼ Section 25, Township 20 North, Range 10 East, Seward Meridian, Alaska. In Community Council: Glacier View and in Assembly District #1 Tim Hale. (*Owner/Petitioner: Richard Wood; Surveyor: Hanson; Staff: Peggy Horton*)

Chair Anderson:

- Read the statement regarding Ex-Parte & Interest on quasi-judicial actions into the record; there was no objection noted by the platting board.
- Read the case title and description into the record.

Ms. Von Gunten provided the mailing report:

- Stating that 11 public hearing notices were mailed out on December 30, 2020.

Ms. Peggy Horton:

- Gave an overview of the case, #2020-186/187.
- Staff recommends approval of the case with findings of fact and conditions.
- Answered questions from the platting board.

Chair Anderson invited the petitioner and/or the petitioner's representative to give a brief overview.

Mr. Richard Wood, the petitioner, gave brief overview of the case.

Chair Anderson:

- Opened the public hearing for public testimony.
- There being no one to be heard, the chair closed the public hearing.
- Invited the petitioner or their representative to provide their comments.

Mr. Richard Wood, the petitioner, agrees with all the recommendations and has no comments.

Chair Anderson moved to the Platting Board for a motion.

MOTION: Platting Member Shadrach moved to approve the preliminary plat for Bug Lake and vacation of the 33-foot Section Line Easement along the north boundary, with 8 recommendations. The motion was seconded by Platting Member Fernandez.

VOTE: The motion passed with all in favor by roll call vote. (Bush, Cottini, Fernandez, Anderson, Shadrach, Vau Dell). There are 13 findings of fact.

TIME: 5:13 P.M.

CD: 4:12:13

7. ITEMS OF BUSINESS & MISCELLANEOUS

8. PLATTING STAFF & OFFICER COMMENTS

- A. Adjudicatory (*if needed*)
- B. Upcoming Platting Board Agenda Items

Mr. Wagner provided a brief update on cases that will be coming before the Platting Board on February 4, 2021. Updated the board on Title 43 White Board List and will put on the February 18, 2021 agenda.

Ms. Von Gunten updated the board on two new member that were approved by the assembly.

9. BOARD COMMENTS

- Platting Member Fernandez thanked everyone for their hard work today.
- Platting Member Cottini welcomed Mr. Bush as a platting board member.
- Platting Member Bush greeted everyone on the board.
- Platting Member Vau Dell was glad everything worked out well.
- Platting Member Shadrach had no comments.
- Platting Member Anderson welcomed Mr. Bush as a platting board member.

10. ADJOURNMENT

With no further business to come before the Platting Board, Chair Anderson adjourned the meeting at 5:24 p.m. (CD: 04:20:32)


LAMARR ANDERSON,
Platting Board Chair

ATTEST:

Sloan VonGunten

SLOAN VON GUNTEN,
Platting Board Clerk

Minutes approved: February 18, 2021