

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on January 7, 2021, 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 Vice Chair Wilfred Fernandez.

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. 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
- Mr. John Shadrach, District Seat #3
- VACANT, District Seat #4
- VACANT, District Seat #7
- VACANT, Alternate

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

B. THE PLEDGE OF ALLEGIANCE

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

C. APPROVAL OF THE AGENDA

Vice Chair Fernandez inquired if there were any changes to the agenda.

- Item 6A to be moved to 6C as 6B and 6C wish to continue their cases.

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

VOTING FOR CHAIR

Platting Member Vau Dell moved to nominate Platting Member Anderson to be the platting board chairman. Platting Member Anderson accepted the nomination.

Platting Member Anderson moved to nominate Platting Member Fernandez to be the platting board chairman. Platting Member Fernandez accepted the nomination.

Vote:

- Platting Member Anderson was voted for Chairman with 3 yes and 1 no.
- Platting Member Fernandez was voted for Chairman with 3 no and 1 yes.
- Platting Member Anderson was approved as the chairman for 2021 Platting Board.

VOTING FOR VICE CHAIR

Platting Member Cottini moved to nominate Platting Member Fernandez to be the platting board Vice Chairman. Platting Member Fernandez accepted the nomination.

Vote: Platting Member Fernandez was voted for Vice Chairman with all in favor.

The meeting was called to order with Platting Member Anderson as the new Chairman.

2. APPROVAL OF MINUTES

Chair Anderson inquired if there were any changes to the minutes for December 3, 2020.

GENERAL CONSENT: The minutes for December 3, 2020 were approved 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. **BRITTANY ESTATES ADDITION 1 PH 3 RSB TRC C-1**: The request is to create a utility lot and a remainder tract from Tract C-1, **Brittany Estates Addition 1, Phase 3**, Plat No. 2005-80, to be known as **Tract C-1-A and Tract C-1-B**, containing 16.88 acres +/- . The plat is located south of E. Palmer-Wasilla Highway, east of E. Irwin Loop and west of S. Felton Street, (Tax ID # 55714000T00C-1); within the E ½ NW ¼ Section 05, Township 17 North, Range 02 East, Seward Meridian, Alaska. Parcel is within the City limits of Palmer. Community Council: NA. Assembly District #2 Stephanie Nowers (*Owner/Petitioner: Chinook Holdings LLC; Surveyor: Besse Engineering; Staff: Amy Otto-Buchanan*)

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 291 public hearing notices were mailed out on December 16, 2020.

Ms. Amy Otto-Buchanan:

- Gave an overview of the case, #2020-169.
- The petitioner would like to continue the case to the next possible hearing date.

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

Mr. Rick Besse, the petitioner's representative, gave brief overview and would like to continue the case to February 4, 2021 platting board hearing.

Chair Anderson:

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

Mr. Rick Besse, the petitioner's representative, had no comments.

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

MOTION: Platting Member Cottini moved to continue the preliminary plat for Brittany Estates Addition 1 Ph 3 RSB Trc C-1. The motion was seconded by Platting Member Vau Dell.

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

TIME: 1:21:00 P.M.

CD: 0:20:50

B. RIVERSIDE ALLEY (VAC): 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 a **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 (*Owner/Petitioner: Garic Hayes General Contractor LLC; Surveyor: All Points North; Staff: Amy Otto-Buchanan*)

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 16, 2020.

Ms. Amy Otto-Buchanan:

- Gave an overview of the case, #2020-176/177.
- The petitioner/petitioner's representative would like to continue the case to January 21, 2021 for the vacation to be posted correctly.

Chair Anderson:

- Opened the public hearing for public testimony.
- There being no one to be heard, the chair kept the public hearing open.
- 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 continue the preliminary plat for Riverside Alley Vacation to January 21, 2021. The motion was seconded by Platting Member Vau Dell.

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

TIME: 1:28 P.M.

CD: 0:28:04

C. JAYS LANDING: The request is to create 10 lots from Tracts X-2A, X-2C & X-2D, Phase Four, First Addition to Aero on Wolf Lake, Plat 98-151, to be known as **Jays Landing**, containing 10.99 acres +/- . The property is located north of E. Hart Lake Loop, along both sides of N. Whitman Place and north of E. Caravelle Circle (Tax ID #4799000T00X-2A, 4799000T00X-2C, 4799000T00X-2D); lying within the NE ¼ Section 21, Township 18 North, Range 01 East, Seward Meridian, Alaska. Community Council: North Lakes and in Assembly #6: Jesse Sumner (*Owner/Petitioner: D.E. Southfork LLC; Surveyor: Acutek Geomatics; 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 176 public hearing notices were mailed out on December 16, 2020.

Ms. Peggy Horton:

- Gave an overview of the case, #2020-170.
- Staff recommends approval of the case with findings of fact and conditions.
- Modify finding # 7 to read: There were no borough department or outside agency objections. There was one public objection to this plat.
- Answered questions from the platting board.

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

Ms. Barbara Doty, the petitioner's representative, gave brief overview of the case.

Chair Anderson:

- Opened the public hearing for public testimony.

The following person spoke regarding their concerns about residential and commercial use. Mr. Erik Boltman.

The following person spoke regarding their concerns regarding higher traffic and economic changes. Is opposed to commercial property next to her lot: Ms. Janis Bishop.

The following person spoke regarding their interest in buying the lots being made and is in agreement with this project: Mr. Junior Daniel

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.

Ms. Barbara Doty, the petitioner, explained the commercial & residential property use in the area and answered questions from the platting board.

Chair Anderson moved to the Platting Board for a motion.

MOTION: Platting Member Cottini moved to approve the preliminary plat for Jays Landing, with 6 recommendations and modifying finding #7. The motion was seconded by Platting Member Vau Dell.

Discussion took place between the board members on commercial & residential property, as the borough does not have zoning and platting does not make decision on land use.

Platting Member Vau Dell called for the question. There was no second.

Discussion by the platting board ensued on this case.

Chair Anderson asked the petitioner if they would like to continue the case. The petitioner would like to proceed with the vote.

VOTE: The motion failed with 3 in favor (Cottini, Anderson, Fernandez) and 1 against (Vau Dell).

TIME: 2:05 P.M.

CD: 01:05:45

Break for 20 minutes to write findings for failed vote:

TIME: 2:20 P.M.

CD: 01:20:40

FINDING for FAILED MOTION:

1. There was no unanimous board agreement as to the applicant's sufficiency of information showing what adverse impact of intended commercial activities within an existing residential neighborhood.

Discussion ensued on reconsideration and the failed finding by the platting board members.

MOTION: Platting Member Vau Dell moved to add finding for failed motion. There was no second. Motion failed due to no second.

TIME: 2:35 P.M.

CD: 01:35:03

Break for 5 minutes to have law come discuss with the board the correct procedures for motions due to lack of board members.

TIME: 2:44 P.M.

CD: 01:44:05

MOTION: Platting Member Vau Dell moved to reconsider the preliminary plat for Jays Landing. The motion was seconded by Platting Member Fernandez.

MOTION: Platting Member Cottini moved to approve the preliminary plat for Jays Landing, with 6 recommendations and modifying finding #7. The motion was seconded by Platting Member Fernandez.

Discussion on the case concerning reconsideration and continuing the case so that the board will have a full staff with a quorum.

Ms. Barbara Doty, the petitioner's representative, gave an explanation on the application and that land use is not part of platting. The petitioner requests a continuance to February 4, 2021 platting hearing.

Chair Anderson moved to the Platting Board for a motion.

MOTION Platting Member Cottini moved to continue Jays Landing to February 4, 2021 platting board hearing. The motion was seconded by Platting Member Fernandez.

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

TIME: 2:29 P.M.

CD: 01:49:03

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 January 21, 2021. Thanked the board in coming up with solutions for today's cases and their work.


Ms. Von Gunten let the board members know that the SCM packet was mailed to everyone. Updated the board on the new member that was approved by the assembly and that there is another application for the empty seats. At the end the month the clerk will be calling in for Federal Jury Duty, which she cannot attend the January 21st meeting. If called in to Federal Jury Duty, Ms. Borys will be clerking the board.

9. BOARD COMMENTS

- Platting Member Vau Dell thanked Mr. Anderson as being the Chairman.
- Platting Member Cottini thanked Mr. Anderson and Mr. Fernandez for being the Chair and Vice Chair this year.
- Platting Member Fernandez had no comments.
- Platting Member Anderson had no comments.

10. ADJOURNMENT

With no further business to come before the Platting Board, Chair LaMarr Anderson adjourned the meeting at 2:53 p.m. (CD: 01:54:03)



LAMARR ANDERSON,
Platting Board Chair

ATTEST:

Sloan Von Gunten

SLOAN VON GUNTEN,
Platting Board Clerk

Minutes approved: February 4, 2021