

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on JULY 6, 2023, at the Matanuska-Susitna Borough 350 E Dahlia Ave, Palmer, Alaska. Chair Leonard called the Meeting to order at 1:01 p.m.

1. CALL TO ORDER

A. ROLL CALL AND DETERMINATION OF QUORUM (by Administrative Specialist)

Platting Board members present and establishing a quorum:

Mr. Ron Johnson, District Seat #1
Mr. Eric Koan, District Seat #3
Mr. Alan Leonard, District Seat #7, Chair
Ms. Amanda Salmon, Alternate A
Mr. Robert Hallford, Alternate B

Platting Board members absent and excused were:

Mr. Dan Bush, District Seat #4
Ms. Michelle Traxler, District #5
Mr. Sandra Kreger, District Seat #6
Mr. Emmett Leffel, District Seat #2

Staff in attendance:

Mr. Alex Strawn, Planning and Land Use Director
Mr. Fred Wagner, Platting Officer
Ms. Theresa Taranto, Platting Clerk
Ms. Amy Otto-Buchanan, Platting Technician
Mr. Matthew Goddard, Platting Technician
Mr. Chris Curlin, Platting Technician

B. THE PLEDGE OF ALLEGIANCE

Platting member Hallford led the pledge of allegiance.

C. APPROVAL OF THE AGENDA

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

- Correction to Item #2 - Approval of the minutes, June 1, 2023 Minutes

2. APPROVAL OF MINUTES

- June 1, 2023 Minutes were approved unanimously

3. AUDIENCE PARTICIPATION & PRESENTATIONS (*Three minutes per person, for items not scheduled for public hearing*)
(*There is no Audience Participation & Presentations*)

4. UNFINISHED BUSINESS

(None)

5. RECONSIDERATIONS/APPEALS

- A. Request for Appeal of Platting Officer decision for RIPJENSEN, Case # 2023-050.

Borough Deputy Attorney, John Aschenbrenner asked if the appellant was online

There was no response when Chair Leonard asked those online if Mr. Burrill was online.

- 1.) Staff gave an overview of the case
- 2.) Appellant and /or Representative testimony
No one present online or in the room at this time
- 3.) Entitlement Applicant, if not the appellant testimony
The following person spoke:
 - Applicants representative, Mike Schechter, Real Estate Attorney
- 4.) Borough, if not the appellant testimony
The following person spoke:
 - Matanuska-Susitna Borough representative, John Aschenbrenner, Deputy Borough Attorney
- 5.) Interested parties testimony
Following person spoke:
 - Austin Burrill
- 6.) Appellant and/or Representative for rebuttal
The following person spoke:
 - Mike Schechter, Applicants Representative stated he stands by his comments.

Platting Member, Johnson had questions for Mr. Schechter.

MOTION: Platting Member Johnson made a motion to uphold Platting Officer, Fred Wagner's decision. Platting Member Koan seconded the motion.

VOTE: The motion passed without objection.

Borough Deputy Attorney, Mr. Aschenbrenner recommended the following next step:

- Platting Board to use staff report items #1 through #5 or items listed in written submission by Matanuska-Susitna Borough,
- MSB Law Department to draft up an order of consensus for the boards signature for consideration.

RECESSED: 1:29 P.M.

RECONVENED: 1:46 P.M.

MOTION: Platting Member Johnson moved to reconsider the decision. Platting Member Koan seconded the motion.

VOTE: The motion passed without objection.

Chair Leonard read the points as listed in the written submission by the Matanuska-Susitna Borough:

- 1) The staff report and agenda were available at the hearing, which the Appellant chose not to attend.
- 2) The agenda and staff report were also available online the day before the hearing.
- 3) RIPJENSON abbreviated plat was limited to moving interior lot lines in order to remedy a setback violation.
- 4) This platting action falls within the jurisdiction of the Platting Officer under MSB 43.15.025 which the Borough Assembly adopted.
- 5) The RIPJENSON abbreviated plat was brought by the property owner to remedy a setback violation.
- 6) The abbreviated plat application was a precursor to the Planning Commission consideration of the CUP application to bring the subdivision into compliance with setback ordinances.
- 7) The abbreviated plat did not circumvent the conditional use permit process, it was predicate to the CUP application before the Borough Planning Commission.
- 8) Appellant's argument that the abbreviated plat circumvented the CUP process before the Borough Planning Commission is without support and is hereby rejected by the Platting Board.
- 9) The Appellant does not specify how the bulk fuel storage was "improperly sited."
- 10) The abbreviated plat was advertised in the Frontiersman Newspaper and public notices were mailed to all property owners within 600 feet of the parcels involved in the application. None of these agencies lodged objections to the proposed abbreviated plat application.
- 11) A notice and request for comments on the abbreviated plat application was sent to: AK Department of Fish and Game; US Army Corp of Engineers; Community Council #2 Gateway; Fire Service Area # 130 Central Matsu; Road Service area # 9 Midway; Borough Emergency Services; Community Development Department of Public Works; Borough Assessments; Borough Developments Services; Borough Planning Department; Borough Legal; Assembly member for District #3; US Postmaster; Matanuska-Electric Association; Matanuska Telephone Association; Enstar Natural Gas; and GCI.
- 12) The contention that the abbreviated plat application circumvented other agency intervention about concerns over public drinking water has not been demonstrated, is without merit, and is hereby rejected by the Platting Board.

These 12 items and 7 findings of fact are adopted as consideration of their decision.

MOTION: Platting Member Johnson moved to uphold the decision of the Platting Officer with 7 findings of fact. Platting Member Koan seconded the motion.

VOTE: The motion passed without objection.

Discussion ensued

Mr. Aschenbrenner reiterated to the board in regards to the "Order of the Decision."

- The Clerk will draw up an “Order of the Decision” to be signed by the Chair, with the 12 items listed above, along with findings, #1 through #7 from the staff report,

Mr. Burrill addressed the board

2:02 P.M. Alex Strawn left the room.

2:02 P.M. Fred Wagner stepped into the meeting and took his seat at the dais.

6. PUBLIC HEARINGS

- A. **RIDDLE:** The request is to vacate approximately 22,680 SQ. FT. \pm of dedicated right-of-way and create lots from Parcel 2, M.S.B Waiver Resolution # 98-81-PWm, to be known as **Riddle**, containing 9.45 acres +/- . The property is located south and west of E. Edgerton Parks Road, and east of N. Government Creek Road(Tax ID # 19N01E32D020); within the SE ¼ Section 32, Township 19 North, Range 01 East, Seward Meridian, Alaska. In the Fishhook Community Council and in Assembly District #1. (*Petitioner/Owner: Jeremy Riddle/Randy & Daphne Deschamps, Staff: Matthew Goddard, Case# 2023-057/058*)

Chair Leonard read the statement regarding Ex-Parte & Interest on quasi-judicial action into the record; there was no objection noted by the platting board.

Theresa Taranto provided the mailing report:

- Stating that 40 public hearing notices were mailed out on June 13, 2023.

Staff gave an overview of the case:

- Staff recommends approval of the case with findings of fact and conditions of approval.

Chair Leonard invited the petitioner/petitioner’s representative to give an overview.

The petitioner’s representative/ petitioner was not present.

Chair Leonard opened the public hearing for public testimony.

There being no one to be heard Chair Leonard closed the public hearing and invited the petitioner and/or the petitioner’s representative to give a brief overview.

The petitioner was present and chose not to speak.

The petitioner’s representative, Tim Carmen stated he was online for any questions for the board.

MOTION: Platting Member Salmon made a motion to approve with 7 findings of fact and 9 conditions. Platting Member Koan seconded the motion.

Discussion ensued

VOTE: The motion passed without objection.

- B. **KELTON'S CIRCLE:** The request is to create seven lots from Tax Parcel C7 (Parcel #3, MSB Waiver 76-4, recorded 79-245w) and create a 60' X 60' Public Use Easement on Tract 6, Kelton's Knob Hill, Plat No. 2006-98, to be known as **Kelton's Circle**, containing 15.82 acres +/- . Parcels are located east and south of N. Wasilla-Fishhook Road. Access is from N. Kelton Knob Circle, which is currently unconstructed (Tax ID#s 18N01W35C007/1384000T006); lying within the SW ¼ Section 35, Township 18 North, Range 01 West, Seward Meridian, Alaska. In the Tanaina Community Council and in Assembly District #6. (*Precision Homes LLC & Bennett J. & Rhonda A. Durgeloh, Staff: Amy Otto-Buchanan, Case # 2023-061*)

Chair Leonard read the statement regarding Ex-Parte & Interest on quasi-judicial action into the record; there was no objection noted by the platting board.

Theresa Taranto provided the mailing report:

- Stating that 101 public hearing notices were mailed out on June 13, 2023.

Staff gave an overview of the case:

- Staff recommends continuance to date uncertain.

Chair Leonard invited the petitioner/petitioner's representative to give an overview.

The petitioner's representative/ petitioner was not present.

Chair Leonard opened the public hearing for public testimony.

The following persons spoke:

- Nick Decovich

Chair left the public hearing open.

MOTION: Platting Member Johnson made a motion to continue Kelton's Circle to date uncertain. Platting Member Salmon seconded the motion.

Discussion ensued

VOTE: The motion passed without objection.

7. PLATTING STAFF & OFFICER COMMENTS

A. Adjudicatory (*if needed*)

B. Upcoming Platting Board Agenda Items

Platting Officer, Fred Wagner informed the board of upcoming items:

- We will wait to introduce Michelle Traxler until the next meeting.
- Fred Will not be at the July 20 meeting, Alex Strawn, Planning Director will fill in for him.

- Next meeting July 20, 2023. We have 2 cases on the agenda;
 - Legacy Hills Estate
 - Agnes Acres

Platting Clerk, Theresa Taranto stated the “Roberts Rules for Dummies” books are for them to keep.

BOARD COMMENTS.

- Platting member Salmon – no comment
- Platting member Koan – no comment
- Platting member Johnson – Welcome back Theresa, Thanks for Roberts Rules book and hopes Fred catches fish.
- Platting member Hallford – Sorry Theresa missed the one day of summer.
- Chair Leonard – Thank you.

8. ADJOURNMENT

With no further business to come before the Platting Board, Chair Leonard adjourned the meeting at **2:32 pm**.



ALAN LEONARD
Platting Board Chair

ATTEST:



THERESA TARANTO
Platting Board Clerk