

MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645 – 907-861-7874

PLATTING OFFICER
Fred Wagner

PLATTING
ADMINISTRATIVE SPECIALIST
Theresa Taranto



PLATTING TECHNICIANS
Amy Otto-Buchanan
Matthew Goddard
Chris Curlin

PLATTING ASSISTANT
Kayla Kinneen

ABBREVIATED PLAT AGENDA

ASSEMBLY CHAMBERS

350 EAST DAHLIA AVENUE, PALMER

REGULAR MEETING

8:30 A.M.

October 4, 2023

Public Participation: To participate in the Abbreviated Plat Hearing, you can attend in person, or you can submit written comments by email to platting@matsugov.us or by mail to Matanuska-Susitna Borough, Platting Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

1. INTRODUCTION

A. Introduction of Staff

2. UNFINISHED BUSINESS:

(None)

3. PUBLIC HEARINGS:

A. **WINDSONG 2023:** The request is to create one lot from Lots 34, 35, & 36, Block 10, Windsong, Plat No. 76-110 to be known as **Windsong 2023**, containing 1.377 acres +/- . The property is located south of Knik River, north of S. Old Glenn Highway and directly north of E. Wycoff Drive (Tax ID # 1169B10L034 / L035 / L036); within the SE ¼ Section 8, Township 16 North, Range 02 East, Seward Meridian, Alaska. In the Knik River Community Council and in Assembly District #1. (*Petitioner/Owner: MSB Land Management, Staff: Matthew Goddard, Case # 2023-106*)

THE ABBREVIATED PLAT HEARING WILL CONVENE AT **8:30 A.M.** on **October 5, 2023**, in **ASSEMBLY CHAMBERS** at the Dorothy Swanda Jones Building, 350 E. Dahlia Avenue, Palmer, Alaska.

Public Hearing Process

- **Platting Officer states/reads the case/item to be addressed into the record.**
- **Public Hearing Notices:** Secretary states the number of public hearing notices sent out and the date sent.
- **Staff Report:** The Platting Officer gives an overview of the project for the hearing and the public.
- **Public Testimony:** Members of the public are invited to sign in and testify before the officer.
 - 3-minute time limit per person for members of the public.
 - The time limit may be extended at the discretion of the Platting Officer.
- **The public hearing is closed by the Officer.** No further public input is appropriate.
- **Petitioner Comments:** Petitioner, or his/her representative, comes before the officer to discuss staff recommendations and compliance with Title 43 and other applicable regulations.
 - Testimony is limited to five (5) minutes for the petitioner/applicant.
 - The time limit may be extended at the discretion of the Platting Officer
- **Motion to Approve:** Motion to approve is made by the Platting Officer.
 - No further unsolicited input from petitioner is appropriate.
 - Conditions and Findings must be written for all decisions made regarding the action being taken, whether it passed or failed.
 - Decisions are final unless reconsidered by the platting board MSB 43.35.005 or appealed to the board of adjustments and appeals. MSB 43.35.015

STAFF REVIEW AND RECOMMENDATIONS
PUBLIC HEARING
OCTOBER 4, 2023

ABBREVIATED PLAT: **WINDSONG 2023**

LEGAL DESCRIPTION: **SEC 08, T16N, R02E S.M., AK**

PETITIONER: **MSB LAND MANAGEMENT**

SURVEYOR: **LAVENDER SURVEY & MAPPING**

ACRES: 1.377 +/- PARCELS: **1**

REVIEWED BY: MATTHEW GODDARD

CASE: 2023-106

REQUEST:

The request is to create one lot from Lots 34, 35, & 36, Block 10, Windsong, Plat No. 76-110 to be known as **WINDSONG 2023**, containing 1.377 acres +/- . The property is located south of Knik River, north of S. Old Glenn Highway and directly north of E. Wycoff Drive; within the SE ¼ Section 8, Township 16 North, Range 02 East, Seward Meridian, Alaska.

EXHIBITS:

Vicinity Maps **Exhibit A**

COMMENTS:

USACE **Exhibit B**
Code Compliance **Exhibit C**

DISCUSSION: The subject parcels are located within the Meadow Lakes Community Council. The proposed subdivision is heard under MSB 43.15.025, *Abbreviated Plats* and MSB 43.15.054(G), *Exemptions*. Elimination of common lot lines are exempt from survey and monumentation requirements and allows the surveyor to use record information from the prior plat.

COMMENTS:

There were no objections or concerns received from Borough departments, outside agencies or the public at the time of this staff report.

USACE (**EXHIBIT B**) notes that the property may contain waters of the U.S. including wetlands under the US Army Corps of Engineers jurisdiction. USACE authorization is required if anyone proposes to place dredged and/or fill material into waters of the U.S., including wetlands and/or perform work in navigable waters of the U.S.

CONCLUSION

The plat of Windsong 2023 is consistent with AS 29.40.070 *Platting Regulations*, MSB 43.15.025 *Abbreviated Plats* and MSB 43.15.054(G) *Exemptions*. Plats to remove lot lines are exempt from provisions of the code, which require soils report submittals, legal and physical access, as-built survey, and topographic information. There were no objections received from borough departments, outside agencies or the public at the time of this staff report.

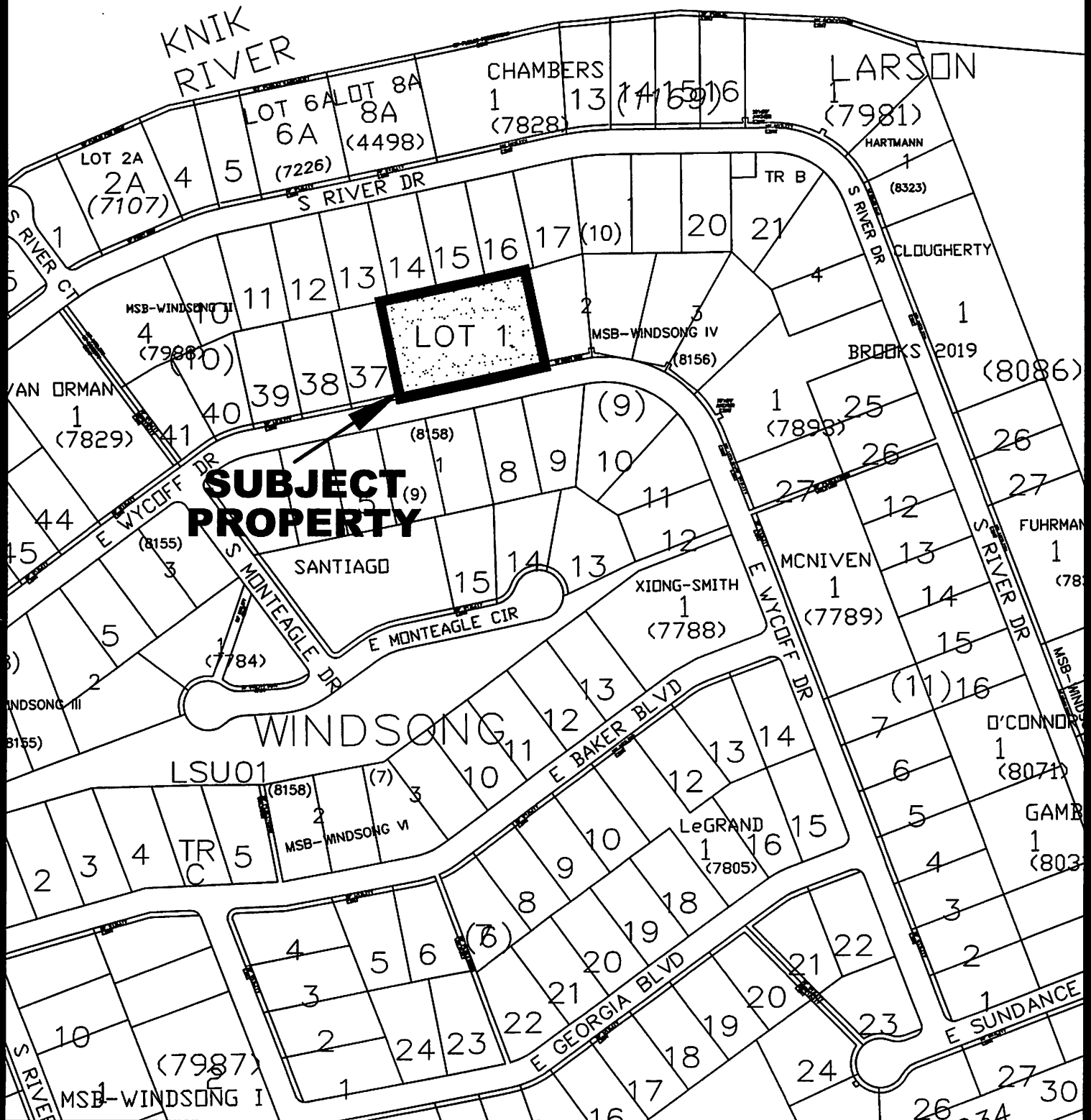
FINDINGS of FACT:

1. The abbreviated plat of Windsong 2023 is consistent with AS 29.40.070 *Platting Regulations*, MSB 43.15.025 *Abbreviated Plats*, and MSB 43.15.054(G) *Exemptions*.
2. This plat combines three lots within Windsong Subdivision, lessening the lot density in the area.
3. USACE notes that the property may contain wetlands under the jurisdiction of the U.S. Army Corps of Engineers.
4. There were no objections from any borough departments, outside agencies or the public.
5. An elimination of common lot line plat is exempt from provisions of the code, which require soils report submittals, legal and physical access requirements, as-built survey or topographic information.
6. MSB 43.15.054(G) allows the surveyor to use record information from the recorded plat of Treasure Island Subdivision (Plat #71-33), and does not require additional monumentation.

RECOMMENDED CONDITIONS OF APPROVAL:

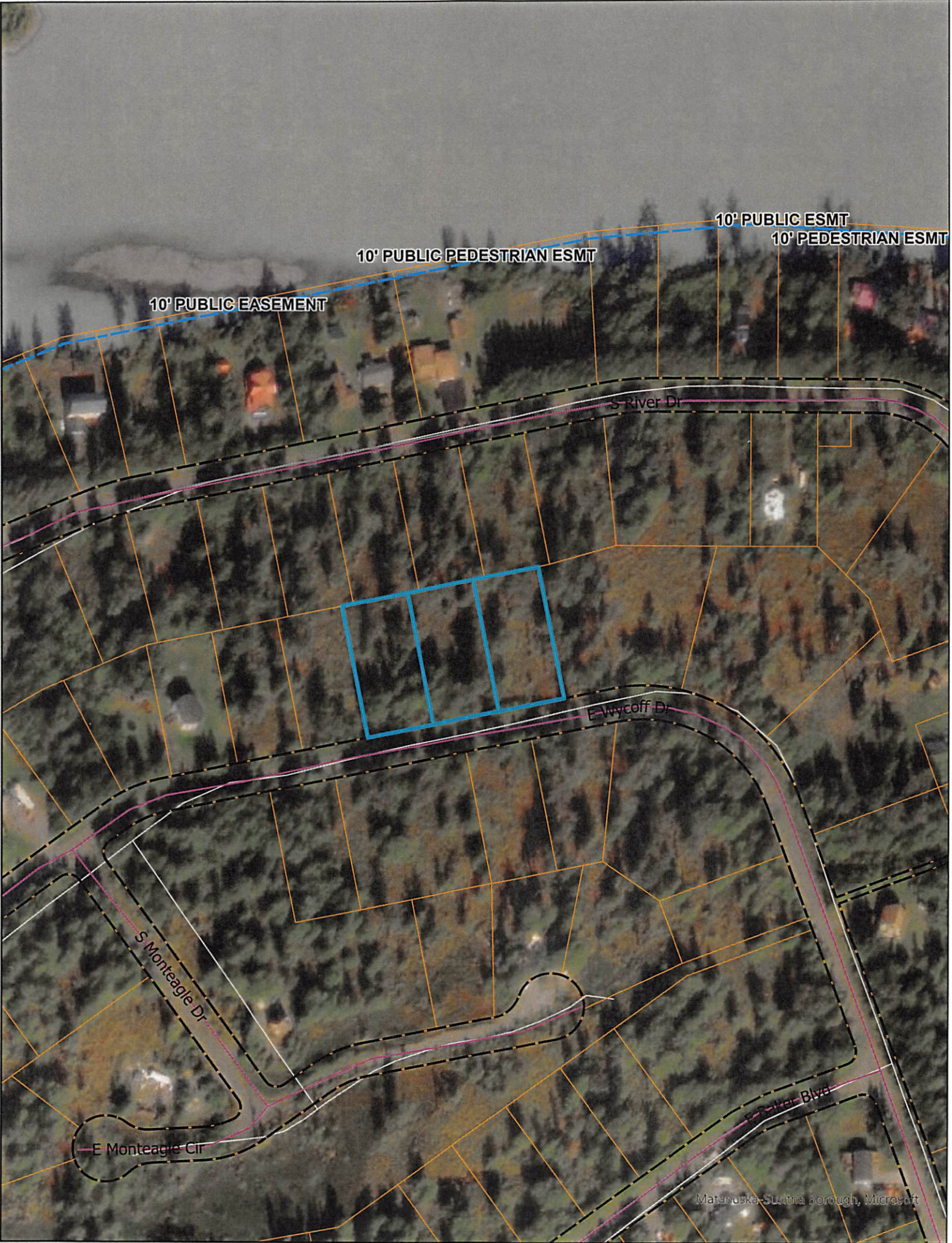
Staff recommends approval of the abbreviated plat of Windsong 2023 contingent on the following recommendations:

1. Pay postage and advertising fee.
2. Provide updated Certificate to Plat executed within 7 days prior to recording and provide beneficiary affidavits from holders of beneficial interest, if any.
3. Taxes and special assessments must be paid in full prior to recording the plat, per MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.
4. Submit recording fee payable to DNR.
5. Submit final plat in full compliance with Title 43.



VICINITY MAP

FOR PROPOSED WINDSONG 2023 SUBDIVISION
 LOCATED WITHIN
 SECTION 08, T16N, R02E, SEWARD MERIDIAN
 ALASKA



10' PUBLIC PEDESTRIAN ESMT

10' PUBLIC ESMT
10' PEDESTRIAN ESMT

10' PUBLIC EASEMENT

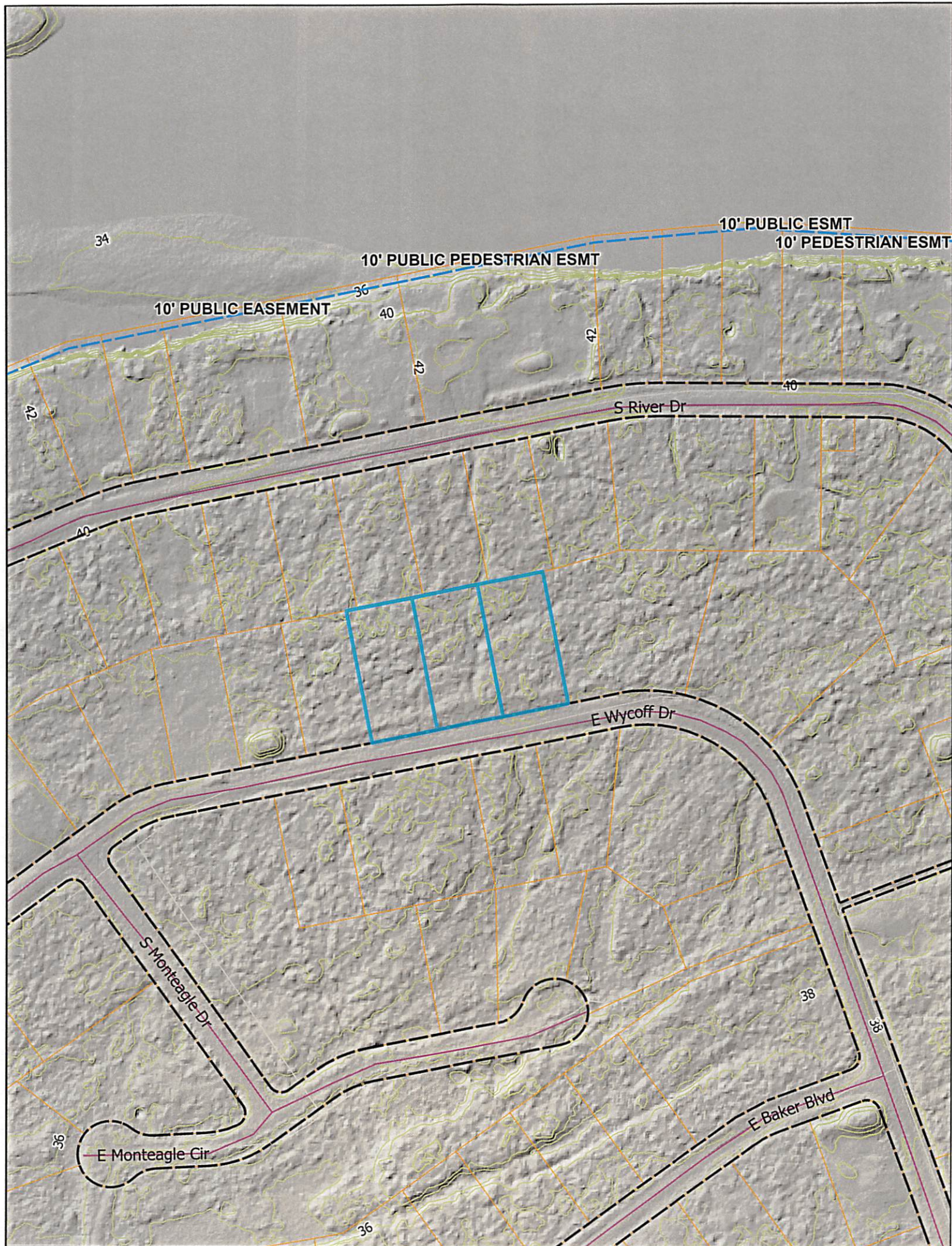
S River Dr

E Wycoff Dr

S Monteagle Dr

E Monteagle Cir

E Main Blvd





Matthew Goddard

From: Vullo, Emily N CTR (US) <Emily.N.Vullo@usace.army.mil>
Sent: Tuesday, September 12, 2023 7:53 AM
To: Matthew Goddard
Subject: RE: RFC Windsong 2023-USACE Comment

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

Good morning Mr. Goddard,

The Corps of Engineers (Corps) does not have any comments regarding combining the three lots into one lot. However, based on our review of the information you provided and available to our office, we have preliminarily determined the surrounding area to the subject property area may contain waters of the U.S. including wetlands under the Corps regulatory jurisdiction.

Department of the Army authorization is required if anyone proposes to place dredged and/or fill material into waters of the U.S., including wetlands and/or perform work in navigable waters of the U.S.

A copy of the DA permit application can be found online at www.poa.usace.army.mil/Missions/Regulatory.
Sample drawings can also be found on our website at
www.poa.usace.army.mil/Portals/34/docs/regulatory/guidetodrawings2012.pdf.

Section 404 of the Clean Water Act requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including jurisdictional wetlands (33 U.S.C. 1344). The Corps defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Section 10 of the Rivers and Harbors Act of 1899 requires that a DA permit be obtained for structures or work in or affecting navigable waters of the U.S. (33 U.S.C. 403). Section 10 waters are those waters subject to the ebb and flow of the tide shoreward to the mean high water mark, and/or other waters identified by the Alaska District. Aquaculture structures and work would require Section 10 Authorization.

Please feel free to contact our main line if you or the future owner have any questions or concerns at 907-753-2712.

Sincerely,
Emily

Emily Vullo
Project Manager
U.S. Army Corps of Engineers
Regulatory Division, CEPOA-RD
P.O. Box 6898
JBER, AK 99506-0898
Phone: 907-753-2704
<https://regulatory.ops.usace.army.mil/customer-service-survey/>

-----Original Message-----

From: Matthew Goddard <Matthew.Goddard@matsugov.us>

Sent: Friday, September 8, 2023 10:30 AM

To: Myers, Sarah E E (DFG) <sarah.myers@alaska.gov>; Percy, Colton T (DFG) <colton.percy@alaska.gov>; Code Compliance <Code.Compliance@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; pamelaj.melchert@usps.gov; Pagemaster, Reg POA <regpagemaster@usace.army.mil>

Subject: [Non-DoD Source] RFC Windsong 2023

Hello,

The following link is a Request for Comments on the proposed Windsong 2023 elimination of common lot line.

Please ensure all comments have been submitted by September 22, 2023 so they can be incorporated in the staff report that will be presented to the Platting officer.

Windsong 2023 <Blockedhttps://matsugovus-my.sharepoint.com/:f/g/personal/matthew_goddard_matsugov_us/EsjytS1WGNIMuhB656dp10IBUI9XO-A2OQNA6QY-1EDH6g?e=LW8Hhm>

Feel free to contact me if you have any questions.

Thank you,

Matthew Goddard

Platting Technician

907-861-7881

Matthew.Goddard@matsugov.us <<mailto:Matthew.Goddard@matsugov.us>>

Matthew Goddard

From: Code Compliance
Sent: Friday, September 8, 2023 11:56 AM
To: Matthew Goddard
Subject: RE: RFC Windsong 2023

No comments from Code Compliance.

Thank you,

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

From: Matthew Goddard <Matthew.Goddard@matsugov.us>
Sent: Friday, September 8, 2023 10:30 AM
To: Myers, Sarah E E (DFG) <sarah.myers@alaska.gov>; Percy, Colton T (DFG) <colton.percy@alaska.gov>; Code Compliance <Code.Compliance@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; pamelaj.melchert@usps.gov; regpagemaster@usace.army.mil
Subject: RFC Windsong 2023

Hello,

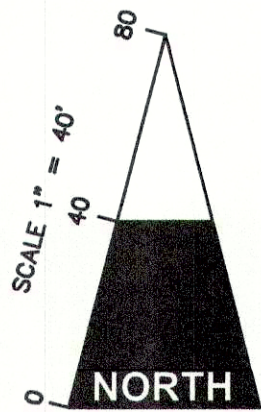
The following link is a Request for Comments on the proposed Windsong 2023 elimination of common lot line. Please ensure all comments have been submitted by September 22, 2023 so they can be incorporated in the staff report that will be presented to the Platting officer.

 [Windsong 2023](#)

Feel free to contact me if you have any questions.

Thank you,

Matthew Goddard
Platting Technician
907-861-7881
Matthew.Goddard@matsugov.us



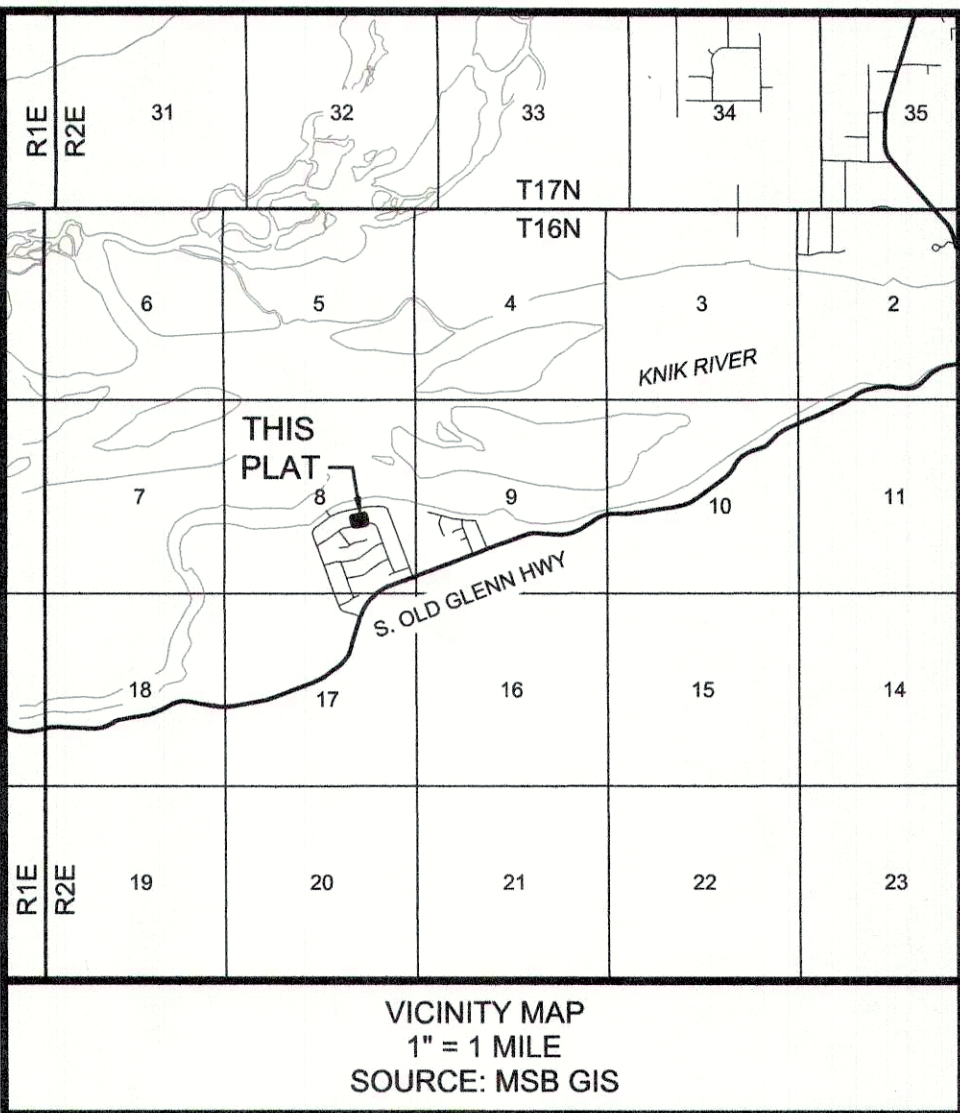
FLOOD
HAZARD
AREA

LEGEND
N 11°15'00" W 200.00' (R) RECORD PER PLAT 76-110
N 78°45'00" E 300.00' (C) COMPUTED PER PLAT 76-110
FLOOD HAZARD AREA

PLANNING & LAND USE DIRECTOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS SUBDIVISION PLAN 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. _____, DATE _____, 2023, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, IN WHICH THE PLAT IS LOCATED.

DATE _____ PLANNING & LAND USE DIRECTOR
ATTEST: _____
PLATTING CLERK

- NOTES
1. THERE MAY BE FEDERAL, STATE AND LOCAL REQUIREMENTS GOVERNING LAND USE. IT IS THE RESPONSIBILITY OF THE INDIVIDUAL PARCEL OWNER TO OBTAIN A DETERMINATION WHETHER SUCH REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN HEREON.
 2. COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS, INCLUDING TERMS AND PROVISIONS THEREOF, AS RECORDED ON MAY 17, 1976 IN BOOK 101 AT PAGE 837, AND AMENDED BY INSTRUMENT ON JUNE 11, 1976 IN BOOK 108 AT PAGE 26.
 3. WINDSONG SUBDIVISION PLAT NOTE #4 STATES: A 5 FOOT MEA CLEARING EASEMENT LIES ADJACENT TO ALL 10 FOOT UTILITY EASEMENTS.
 4. NOTES AS SHOWN ON THE PLAT OF WINDSONG SUBDIVISION, PLAT No. 76-110, AMENDED BY RESOLUTION 2001-069 ON JUNE 4, 2001, RECORDED BOOK 3856 AT PAGE 651, ANCHORAGE RECORDING DISTRICT.
 5. MATANUSKA-SUSITNA BOROUGH PLATTING BOARD RESOLUTION SERIAL NUMBER 2001-69, RECORDED AS BOOK 3856 AT PAGE 651, STATES THAT PLAT NOTE #6 OF ORIGINAL PLAT BE REPLACED TO READ: "NO INDIVIDUAL SEPTIC SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS SUCH SYSTEM IS LOCATED, CONSTRUCTED, AND EQUIPPED IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS, AND RECOMMENDATIONS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION. APPROVAL OF SAID SYSTEM AS INSTALLED SHALL BE OBTAINED FROM SAID AUTHORITY".
 6. MATANUSKA-SUSITNA BOROUGH PLATTING BOARD RESOLUTION SERIAL NUMBER 2001-069, RECORDED AS BOOK 3856 AT PAGE 651, ADDS A PLAT NOTE TO READ: "FLOOD HAZARD PERMIT IS TO BE OBTAINED PRIOR TO SEPTIC SYSTEM CONSTRUCTION".
 7. MATANUSKA-SUSITNA BOROUGH PLATTING BOARD RESOLUTION SERIAL NUMBER 2001-069, RECORDED AS BOOK 3856 AT PAGE 651, ADDS A PLAT NOTE THAT READS: "RESTRICTS USE OF THE LOTS TO SINGLE FAMILY DWELLINGS".
 8. THE PARCEL CREATED WITH THIS PLAT LIES WITHIN FLOOD ZONE AE, AS DEPICTED ON THE FEMA FLOOD MAP PANEL NUMBER 02170C8810F, EFFECTIVELY DATED SEPTEMBER 27, 2019.
 9. A BLANKET EASEMENT EXISTS IN FAVOR OF MATANUSKA-ELECTRIC ASSOCIATION AT BOOK 468, PAGE 210, ANCHORAGE RECORDING DISTRICT.
 10. A BLANKET EASEMENT IN FAVOR OF MATANUSKA-ELECTRIC EXISTS AT BOOK 1819 PAGE 486, ANCHORAGE RECORDING DISTRICT.
 11. A BLANKET EASEMENT IN FAVOR OF MATANUSKA ELECTRIC ASSOCIATION, INC EXISTS AT SERIAL NUMBER 2023-016331-0, ANCHORAGE RECORDING DISTRICT. AFFECTS LOT 35. EASEMENT TO REDUCE TO A 30' EASEMENT FOR OVERHEAD OR 20' EASEMENT FOR UNDERGROUND FACILITIES, UPON INSTALLATION, CENTER ON THE POWER LINE, POLES, GUY WIRES, ANCHORS, JUNCTION BOXES, TRANSFORMERS AND RELATED INFRASTRUCTURE.



OWNER'S CERTIFICATE
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAN AND THAT I ADOPT THIS PLAN OF SUBDIVISION BY MY FREE CONSENT.

MARY WEBB _____ DATE _____
12921 E. WYCOFF DRIVE
PALMER, AK 99645

NOTARY ACKNOWLEDGMENT
SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2023 FOR MARY WEBB.

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES _____

PHILLIP WILSON _____ DATE _____
12921 E. WYCOFF DRIVE
PALMER, AK 99645

NOTARY ACKNOWLEDGMENT
SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2023 FOR PHILLIP WILSON.

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES _____

MICHAEL BROWN _____ DATE _____
BOROUGH MANAGER
MATANUSKA-SUSITNA BOROUGH
350 E. DAHLIA AVENUE
PALMER, AK 99645

NOTARY ACKNOWLEDGMENT
SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2023 FOR MICHAEL BROWN.

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES _____

CERTIFICATION OF PAYMENT OF TAXES
I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS, THROUGH 2023, AGAINST THE PROPERTY, INCLUDED IN THE SUBDIVISION OR RESUBDIVISION, HEREON HAVE BEEN PAID.

DATE _____ MATANUSKA-SUSITNA BOROUGH TAX COLLECTION OFFICIAL

Agenda Copy



SURVEYOR'S CERTIFICATE
I, DAYNA M. RUMFELT LS 13322, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION USING RECORD DIMENSIONS FROM PLAT NO. 76-110.

PLAT OF
WINDSONG 2023
A REPLAT OF LOTS 34, 35, & 36, BLOCK 10, WINDSONG SUBDIVISION, PLAT No. 76-110, ANCHORAGE RECORDING DISTRICT
LOCATED WITHIN
SE 1/4 OF SECTION 8, TOWNSHIP 16 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, THIRD JUDICIAL DISTRICT, STATE OF ALASKA
CONTAINING 1.377 ACRES, MORE OR LESS.
LAVENDER
SURVEY & MAPPING
720 N. YETI CR., PALMER, AK 99645
(907)-361-9177-DAYNALAVENDERSURVEY.COM
DRAWN BY: SKT SCALE: 1" = 40' DWG: 23-117
CHECKED BY: DMR DATE: 7/24/2023 SHEET 1 OF 1