

AGENDA

MATANUSKA-SUSITNA BOROUGH

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

PLATTING OFFICER
Fred Wagner

PLATTING CLERK
Theresa Taranto

PLATTING SPECIALIST
Amy Otto-Buchanan

PLATTING TECHNICIANS
Matthew Goddard
Chris Curlin



PLATTING BOARD
Ron Johnson, District 1
Vacant, District 2
Eric Koan, District 3
Dan Bush, District 4
Michelle Traxler, District 5
Sandra Kreger, District 6
Alan Leonard, District 7
Amanda Salmon, Alternate A
Robert Hallford, Alternate B

PLATTING BOARD AGENDA **ASSEMBLY CHAMBERS** **350 E DAHLIA AVENUE PALMER**

PLATTING BOARD MEETING **1:00 P.M.** **November 16, 2023**

Ways you can participate in Platting Board meetings:

IN PERSON

IN WRITING: 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

TELEPHONIC TESTIMONY: (Audio only)

(We are having intermittent technical difficulties with our software; if you would like to submit comments, please submit comments to the email address above by the Wednesday before the meeting.)

- Dial 1-855-290-3803; you will hear “Joining conference” when you are admitted to the meeting.
- You will be automatically muted and able to listen to the meeting.
- When the Chair announces audience participation or a public hearing you would like to speak to, press *3; you will hear “Your hand has been raised.”
- When it is your turn to testify you will hear “Your line has been unmuted.”
- State your name for the record, spell your last name, and provide your testimony.

OBSERVE: Observe the meeting via the live stream video at:

- <https://www.facebook.com/MatSuBorough>
- Matanuska-Susitna Borough - YouTube

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. November 2, 2023

3. AUDIENCE PARTICIPATION & PRESENTATIONS

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

4. UNFINISHED BUSINESS

(None)

5. RECONSIDERATIONS/APPEALS

(None)

6. PUBLIC HEARINGS

A. **MCKINLEY VIEW RSB LOTS 12- 15 & ROW VACATION**: The request is to vacate a 15' wide right-of-way that runs from W. Field Avenue south to Kashwitna Lake, and attach the vacated right-of-way to Lots 12-15, McKinley View Subdivision, Plat No. 68-12, to be known as **LOTS 12A, 13A, 14A AND 15A**, containing 1.96 acres +/- . Petitioner is applying for a variance from MSB 43.20.060(C), as a portion of W. Field Avenue is only 30' wide and N. Williams Place is only 40' wide. The plat is located north of Kashwitna Lake, west of S. Parks Highway and south of W. Field Avenue (Tax ID#s 56212000L012-L015); within Section 07, Township 20 North, Range 04 West, Seward Meridian, Alaska. In the Willow Area Community Council and in Assembly District #7. (*Petitioner/Owner: Jess Adams; Donald & Irene Glaser; Dean & Kimberly Cagle, Staff: Amy Otto-Buchanan, Case #2021-056*)

7. ITEMS OF BUSINESS & MISCELLANEOUS

(None)

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: Theresa Taranto*)

- December 7, 2023, Platting Board Meeting; We have one case on the agenda.
 - Old Timber

9. BOARD COMMENTS

10. ADJOURNMENT

MINUTES

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES**

**REGULAR MEETING
November 2, 2023**

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on NOVEMBER 2, 2023, at the MSB Public Safety Building, Station 6-2, 4568 S Knik-Goose Bay Road, Wasilla, Alaska. Chair Leonard called the Meeting to order at 1:00 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
Ms. Michelle Traxler, District #5
Mr. Alan Leonard, District Seat #7, Chair

Platting Board members absent and excused were:

Mr. Dan Bush, District Seat #4
Mr. Sandra Kreger, District Seat #6
Ms. Amanda Salmon, Alternate A
Mr. Robert Hallford, Alternate B

Staff in attendance:

Mr. Fred Wagner, Platting Officer
Ms. Amy Otto-Buchanan, Platting Specialist
Ms. Theresa Taranto, Platting Clerk
Mr. Matthew Goddard, Platting Technician
Mr. Chris Curlin, Platting Technician

B. THE PLEDGE OF ALLEGIANCE

Platting member Traxler led the pledge of allegiance.

C. APPROVAL OF THE AGENDA

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

GENERAL CONSENT: The agenda was approved unanimously.

2. APPROVAL OF MINUTES

- October 19, 2023, Minutes were approved unanimously.

3. AUDIENCE PARTICIPATION & PRESENTATIONS

(None)

4. UNFINISHED BUSINESS

(None)

5. RECONSIDERATIONS/APPEALS

(No Reconsiderations/Appeals)

6. PUBLIC HEARINGS

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES**

**REGULAR MEETING
November 2, 2023**

- A. **PANORAMIC PRESERVE:** The request is to create 20 lots from Tract 1A, The Ranch Phase 7B, Plat No. 2021-14, to be known as **Panoramic Preserve**, containing 80.39 acres +/- . Lots to be served by a community water system. Parcels are located north of E. Nelson Road and south of E. Fetlock Drive. Access will be from dedicated interior streets, with the exception of Tract 1A-1 (Tax ID# 8101000T001A) lying within Sections 20 & 21, Township 17 North, Range 01 East, Seward Meridian, Alaska. In the Gateway Community Council and in Assembly District #3. (*Petitioner/Owner: Arctic Devco Inc., Staff: Amy Otto-Buchanan, Case # 2023-107*)

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 290 public hearing notices were mailed out on October 11, 2023.

Staff gave an overview of the case:

- Staff recommends continuation to date uncertain.
- Continuation to allow petitioner to redesign of the subdivision.

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

The petitioner/petitioner's representative was not present.

Chair Leonard opened the public hearing for public testimony.

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

The petitioner/petitioner's representative was not present.

MOTION: Platting Member Traxler made a motion to continue to a date uncertain.
Platting Member Johnson seconded the motion.

Discussion ensued.

VOTE: The motion passed without objection.

- B. **SHADOWRIDGE:** The request is to create 8 lots from the east 60' of the south 600' of the SE1/4 NE1/4 Sec. 32, T 18N, R. 1E, SM, AK, U.S. Gov. Lot 1 and N1/2 of U.S. Gov. Lot 5 Sec. 32, T.18N. R.1E. SM, AK, Except therefrom the west 660' of U.S. Gov. Lot 1 and U.S. Gov. Lot 6 and N1/2 of U.S. Gov. Lot 7 Sec.33, T.18N, R.1E. SM, AK excepting therefrom a portion of U.S. Gov. Lot 6 described in 2021-017480-0, to be known as **Shadowridge**, containing 68.81 acres +/- . All proposed lots will access N. Ridgewater Street, which is not certified or maintained by the Borough. Petitioner to construct and dedicate a temporary turnaround. Petitioner is requesting a variance from MSB 43.20.140 for conformance with the Subdivision Construction Manual regarding tangent between horizontal curves. The property is located west of Finger Lake, southeast of Finger Lake

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES**

**REGULAR MEETING
November 2, 2023**

Elementary School and directly west and east of N. Ridgewater Street (Tax ID # 9222000T00A/U001-17&99) lying within Sections 32 & 33, Township 18 North, Range 01 East, Seward Meridian, Alaska. In the North Lakes Community Council and in Assembly District #6. ****This case was continued from the November 17, 2022, public hearing.** (Petitioner/Owner: 6R Development Group LLC., Staff: Chris Curlin, Case #2022-052)

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 87 public hearing notices were mailed out on October 11, 2023.

Staff gave an overview of the case:

- Staff recommends this case be continued to January 4, 2024.
- Continuation to give the petitioner time to address issues regarding comments from MSB Public Works Department.

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

The petitioner/petitioner's representative was not present.

Chair Leonard opened the public hearing for public testimony.

The following persons spoke:

- Klay Kastning
- Terry Geisinger
- Erick Promenke
- Patricia Purcell
- Ryan Staten

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

The petitioner/petitioner's representative was not present.

MOTION: Platting Member Johnson made a motion to continue Shadowridge to January 4, 2024. Platting Member Traxler seconded the motion.

Discussion ensued.

VOTE: The motion passed without objection.

- C. **SETTLERS BAY SOUTH:** The request is to create 53 lots and one tract from Parcel #3, created by Waiver Resolution #200-80PWm, and vacate a 33' wide section line easement on the east boundary of the property to be known as **Settlers Bay South**, containing 76.66

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES**

**REGULAR MEETING
November 2, 2023**

acres +/- . The property is located west of Cottonwood Creek, north of Settlers Bay Park, and directly south and east of S. Knik Goose Bay Road (Tax ID # 16N02W04A008); within the NE 1/4 Section 04, Township 16 North, Range 02 West, Seward Meridian, Alaska. In the Knik-Fairview Community Council and in Assembly District #3. (*Petitioner/Owner: Olympic Investments, Inc., Staff: Matthew Goddard, Case #2023-094/095*)

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 236 public hearing notices were mailed out on October 11, 2023.

Staff gave an overview of the case:

- Petitioner has applied for a Variance pursuant to MSB 43.15.075.
- Staff recommends approval of the case with findings of fact and conditions of approval.

Platting Member Traxler had questions for staff.

Platting Member Koan had questions for staff.

Chair Leonard had questions for staff.

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

Ellory Gibbs, the petitioner's representative gave a brief overview of the case.

Chair Leonard opened the public hearing for public testimony.

The following persons spoke:

- Doug Wilber
- Mike Deuster
- Mary Wilber
- Rebecca Kline

Chair Leonard had questions for Mr. Wilber.

Chair Leonard had questions for Mr. Deuster.

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

Ellory Gibbs, petitioner's representative gave a further overview of the case.

Platting Member Johnson had questions for Mr. Gibbs, the petitioner's representative.

Chair Leonard had questions for Mr. Gibbs, the petitioner's representative.

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES**

**REGULAR MEETING
November 2, 2023**

Platting Member Traxler had questions for Mr. Gibbs, the petitioner's representative.

MOTION: Platting Member Johnson made a motion to approve the Variance request, Vacation of Section Line Easement, and the Preliminary Plat with 10 findings of fact and 11 conditions. Platting Member Koan seconded the motion.

Discussion ensued.

Platting Member Johnson withdraw the motion to approve the Variance request, Vacation of Section Line Easement, and the Preliminary Plat with 10 findings of fact and 11 conditions.

Discussion ensued.

MOTION: Platting Member Johnson made a motion for a continuance of Settlers Bay South to a date uncertain. Platting Member Koan seconded the motion.

Discussion ensued.

VOTE: The motion passed without objection.

7. ITEMS OF BUSINESS & MISCELLANEOUS

- 2024 Platting Board Meeting Calendar was approved unanimously.

8. PLATTING STAFF & OFFICER COMMENTS

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

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

- Next meeting November 16, 2023. We have one case on the agenda.
 - McKinley View RSB

Platting Board Clerk, Theresa Taranto thanked the board for being there today.

BOARD COMMENTS.

- Platting member Traxler – Have a great day.
- Platting member Koan – Have a great day.
- Platting member Johnson – Have a great day.
- Chair Leonard – Have a great day.

9. ADJOURNMENT

With no further business to come before the Platting Board, Chair Leonard adjourned the meeting at **2:35 PM**.

**MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES**

**REGULAR MEETING
November 2, 2023**

ALAN LEONARD
Platting Board Chair

ATTEST:

THERESA TARANTO
Platting Board Clerk

6A

**STAFF REVIEW AND RECOMMENDATIONS
PUBLIC HEARING
NOVEMBER 16, 2023**

PRELIMINARY PLAT: MCKINLEY VIEW RSB LOTS 12-15 & 30' WIDE ROW VACATION

LEGAL DESCRIPTION: SEC 07, T20N, R04W, SEWARD MERIDIAN AK

PETITIONERS: JESS ADAMS; DONALD & IRENE GLASER;
DEAN & KIMBERLY CAGLE

SURVEYOR: HANSON LAND SOLUTIONS

ACRES: 1.96 ± PARCELS: 4

REVIEWED BY: AMY OTTO-BUCHANAN CASE #: 2021-056/057/058

REQUEST: The request is to vacate a 15' wide right-of-way that runs from W. Field Avenue south to Kashwitna Lake, and attach the vacated right-of-way to Lots 12-15, McKinley View Subdivision, Plat No. 68-12, to be known as **LOTS 12A, 13A, 14A AND 15A**, containing 1.96 acres +/- . Petitioner is applying for a variance from MSB 43.20.060(C), as a portion of W. Field Avenue is only 30' wide and N. Williams Place is only 40' wide. The plat is located north of Kashwitna Lake, west of S. Parks Highway and south of W. Field Avenue (Tax ID#s 56212000L012-L015); within Section 07, Township 20 North, Range 04 West, Seward Meridian, Alaska.

EXHIBITS

Vicinity Map and Aerial Photos
Topo & As-Built
Petition for Vacation of Right-of-Way
Variance Application

EXHIBIT A – 4 pgs
EXHIBIT B – 4 pgs
EXHIBIT C – 8 pgs
EXHIBIT D – 4 pgs

AGENCY COMMENTS

Department of Public Works Operations & Maintenance
Development Services
ADF&G
Utilities

EXHIBIT E – 1 pg
EXHIBIT F – 1 pg
EXHIBIT G – 1 pg
EXHIBIT H – 3 pgs

DISCUSSION: The proposed subdivision is located north of Kashwitna Lake, west of S. Parks Highway and south of W. Field Avenue. Petitioner proposes to vacate the 15' wide right-of-way that runs from W. Field Avenue south to Kashwitna Lake. The vacated right-of-way will attach to Lots 12-15.

Access: Legal and physical access to the proposed lots are required pursuant to MSB 43.20.100 Access Required, MSB 43.20.120 Legal Access and MSB 43.20.140 Physical Access. W. Field Avenue is owned and maintained by MSB. However, the right-of-way width of a portion of the street is 30' and N. Williams Place is only 40' wide. Therefore, petitioner is applying for a variance from MSB 43.20.060(C); code allows for existing rights-of-way to be no less than 50' wide.

Variance from MSB 43.20.060(C):

Petitioner requests a variance from MSB 43.20.060(C) (**Exhibit D**) for the 30' wide portion of W. Field Avenue and the 40' wide N. Williams Place. Petitioner has provided answers to the criteria A-C of MSB 43.15.075 Variance; Standards for Approval (**Exhibit D**).

- A. The granting of the variance shall not be detrimental to the public health, safety or welfare, or injurious to adjacent property. *No detriment to public health, safety or welfare will result from the variance as no change will be made to the current road configurations. The proposed lots and short stub road have existed in their present condition since their creation in 1968. There have been no apparent public health, safety or welfare concerns resultant of that configuration in the ensuing 55 years. The present action merely maintains the historic configuration of the road with no additional traffic and it is safe to assume health and safety will not change.*
- B. The variance request is based upon conditions of the property that are atypical to other properties. *The condition of this request is atypical in that an existing Borough road has been maintained and used since it's creation in a 30' wide ROW. The petitioner has no way of widening ROW as the bordering lands do not belong to him. McKinley View Subdivision was created in 1968 per the existing MSB code at the time. Unlike most roads in the Borough, this short dead-end has had 55 years to establish it's sufficiency as an access.*
- C. Because of the unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB 43.20.120 and MSB 43.20.140 shall result in undue substantial hardship to the owner of the property. *The hardship attributable to a denial of this variance is that an unassociated issue will deprive the owner of a fair hearing regarding his actual request. With the originally platted and accepted lot and right-of-way configuration present, requiring a change to a full 60' wide right-of-way would further reduce the size of already substandard lots. While the present vacation request seeks to increase the size of the substandard lots, including the requirement to concurrently increase the width of N. Williams Place would result in a net reduction in lots size for Lots 12-14.*

Vacation of Right-of-Way: (Exhibit C):

Pursuant to MSB 43.15.035(B), a public use easement or right-of-way may be vacated if:
equal or better access exists to all areas affected, (B)(1)(a), or;
the surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed, (B)(1)(b) or;
the right-of-way is not being used, a road is impossible or impractical to construct and alternative access is provided (B)(1)(c).

The request for the vacation is a 15' wide right-of-way to Kashwitna Lake, created in 1968, by Plat No. 68-12, Talkeetna Recording District. The petitioner has owned and lived adjacent to the access on Lot 15 for 30 years. He states when he bought the property in 1993 no one was using, or had been using this 15' wide ROW. He also states that no one has used it since. A MSB code compliance officer has falsely state that "the PUE in questions was previously developed for public access to Kashwitna Lake with a rudimentary road." Mr. Adams is the only one that has done anything to improve the area of the ROW and this was done only to access his home. There never was any semblance of a road to the lake. Sufficient alternative public access to Kashwitna Lake is already provided. There are two other points along W. Field Avenue; one just 450' from the one under consideration and the other one is approximately 900' from the one under consideration. Just across the lake and about 3000' away is another access point. This is the very large

pull-out along the Parks Highway known as the Kashwitna Wayside, which offers a large paved parking area with delineated parking spaces, an informational kiosk and approximately 240' of readily accessible frontage on the water. A metal gate has been placed at the entrance to the right-of-way in recent years. Loitering just in the pull-off area along the road there has raised security concerns for the nearby residences.

Pursuant to MSB 43.10.065(G), a sign notifying the public of the vacation request and the date, time and location of public hearing, shall be posted and maintained by the applicant at the site for 30 days prior to the public hearing. Petitioner has submitted an affidavit to Platting staff, verifying the posting has been made. Posting Affidavit at **Exhibit C-5**.

ADF&G objects to the vacation, as Kashwitna Lake is categorized anadromous water and is important habitat for Coho salmon. ADF&G also stocks the lake yearly with rainbow trout. Pursuant to MSB 43.15.035(B)(2)(b), "the platting board shall not ordinarily approve vacations of public interests in land if the vacation is of a public right-of-way providing access to a lake, river or other area with public interest or value, unless alternate or better access is provided or exists and (d) objections to the vacation are made by persons with an interest in land adjacent to or affected by the vacation, or by any government agency or department which has a responsibility to the public which may be affected by the vacation (i) the platting board may approve the vacation if the following conditions are met (aa) there are currently no existing improvements within the subject easement of the easement beneficiary or a portion of the easement will remain which includes the improvements; (bb) if necessary a substitute easement is provided; and (cc) findings of facts support granting the vacation."

Comments: Department of Public Works Operations & Maintenance (**Exhibit E**) has no objections to the variance or vacation request, as long as the alternative lake access will not be constructed without prior approval from Department of Public Works. Development Services Division (**Exhibit F**) has no comments.

ADF&G: (**Exhibit G**) objects to this right-of-way vacation as it provided access to Kashwitna Lake, which is categorized anadromous water (AWC: 247-41-10200-2130-3011-0010) and is important habitat for Coho salmon. It is also stocked yearly by ADF&G with rainbow trout. Kashwitna Lake is a public water and provides significant recreation value and fishing opportunity. Access to the public should be preserved.

Utilities: (**Exhibit H**) MTA requests the 10' wide utility easement on the north boundary of the lots be extended through the 15' wide vacated right-of-way. *Staff notes this will be addressed on final plat.* Enstar has no comments, recommendations or objections. Enstar has no comments or recommendations

At the time of staff report write-up, there were no responses to the Request for Comments from US Army Corps of Engineers; Community Council Willow Area; Fire Service Area #35 Willow; Road Service Area #16 Caswell; MSB Emergency Services, Community Development, Assessments or Planning; MEA or GCI.

CONCLUSION: The preliminary plat of **McKinley View RSB Lots 12-15** is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.016 Preliminary Plats. The variance from MSB 43.20.060(C) is consistent with the requirements of MSB 43.15.075 Variance; Standards for Approval. The vacation of the 15' wide right-of-way is consistent with MSB 43.15.035(B). There were no further objections from any federal agencies, Borough departments, or utilities. ADF&G objected to the vacation

as Kashwitna Lake is anadromous water, is important habitat for Coho salmon and is stocked yearly with rainbow trout. The lake is public water and access should be preserved. There were no objections to the plat from the public in response to the Notice of Public Hearing. Legal and physical access will exist to the proposed lots, consistent with MSB 43.20.100 Access Required, MSB 43.20.120 Legal Access and MSB 43.20.140 Physical Access. Frontage for the subdivision will exist, pursuant to MSB 43.20.320 Frontage. A soils report was not required.

FINDINGS OF FACT FOR APPROVAL

1. The plat of McKinley View RSB Lots 12-15 is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.016 Preliminary Plats.
2. Pursuant to MSB 43.15.035(B)(2)(b), “the platting board shall not ordinarily approve vacations of public interests in land if the vacation is of a public right-of-way providing access to a lake, river or other area with public interest or value, unless alternate or better access is provided or exists and (d) objections to the vacation are made by persons with an interest in land adjacent to or affected by the vacation, or by any government agency or department which has a responsibility to the public which may be affected by the vacation
 - (i) the platting board may approve the vacation if the following conditions are met
 - (aa) there are currently no existing improvements within the subject easement of the easement beneficiary or a portion of the easement will remain which includes the improvements;
 - (bb) if necessary a substitute easement is provided; and
 - (cc) findings of facts support granting the vacation.”
3. Alaska Department of Fish & Game (ADF&G) objects to the vacation of the right-of-way.
4. The variance from MSB 43.20.060(C) is consistent with the requirements of MSB 43.15.075 Variance; Standards for Approval. Petitioner has provided answers to the criteria A-C of MSB 43.15.075 Variance; Standards of Approval:
 - a) The granting of the variance shall not be detrimental to the public health, safety or welfare, or injurious to adjacent property. *No detriment to public health, safety or welfare will result from the variance as no change will be made to the current road configurations. The proposed lots and short stub road have existed in their present condition since their creation in 1968. There have been no apparent public health, safety or welfare concerns resultant of that configuration in the ensuing 55 years. The present action merely maintains the historic configuration of the road with no additional traffic and it is safe to assume health and safety will not change.*
 - b) The variance request is based upon conditions of the property that are atypical to other properties. *The condition of this request is atypical in that an existing Borough road has been maintained and used since it's creation in a 30' wide ROW. The petitioner has no way of widening ROW as the bordering lands do not belong to him. McKinley View Subdivision was created in 1968 per the existing MSB code at the time. Unlike most roads in the Borough, this short dead-end has had 55 years to establish it's sufficiency as an access.*
 - c) Because of the unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB 43.20.120 and MSB 43.20.140 shall result in undue substantial hardship to the owner of the property. *The hardship attributable to a denial of this variance is that an unassociated issue will deprive the owner of a fair hearing regarding his actual request. With the originally platted and accepted lot and right-of-way configuration present, requiring a change to a full 60' wide right-of-*

way would further reduce the size of already substandard lots. While the present vacation request seeks to increase the size of the substandard lots, including the requirement to concurrently increase the width of N. Williams Place would result in a net reduction in lots size for Lots 12-14.

5. A soils report was not required, as this is a vacation plat and subject lots are increasing in size.
6. No road construction is required, as all lots have legal and physical access consistent with MSB 43.20.100, MSB 43.20.120 and MSB 43.20.140.
7. Each lot has the required frontage pursuant to MSB 43.20.320 and MSB 43.20.300(E).
8. A posting affidavit of vacation notice was provided to Platting staff.
9. At the time of staff report write-up, there were no responses to the Request for Comments from US Army Corps of Engineers; Community Council Willow Area; Fire Service Area #35 Willow; Road Service Area #16 Caswell; MSB Emergency Services, Community Development, Assessments or Planning; MEA or GCI.
10. There were no objections from any federal agencies, Borough departments or utilities.
11. There were no objections from the public in response to the Notice of Public Hearing.

FINDINGS OF FACT FOR DENIAL

1. Alaska Department of Fish & Game (ADF&G) objects to the vacation of the right-of-way.
2. Pursuant to MSB 43.15.035(B)(2)(b), "the platting board shall not ordinarily approve vacations of public interests in land if the vacation is of a public right-of-way providing access to a lake, river or other area with public interest or value, unless alternate or better access is provided or exists and (d) objections to the vacation are made by persons with an interest in land adjacent to or affected by the vacation, or by any government agency or department which has a responsibility to the public which may be affected by the vacation
 - (i) the platting board may approve the vacation if the following conditions are met
 - (aa) there are currently no existing improvements within the subject easement of the easement beneficiary or a portion of the easement will remain which includes the improvements;
 - (bb) if necessary a substitute easement is provided; and
 - (cc) findings of facts support granting the vacation."

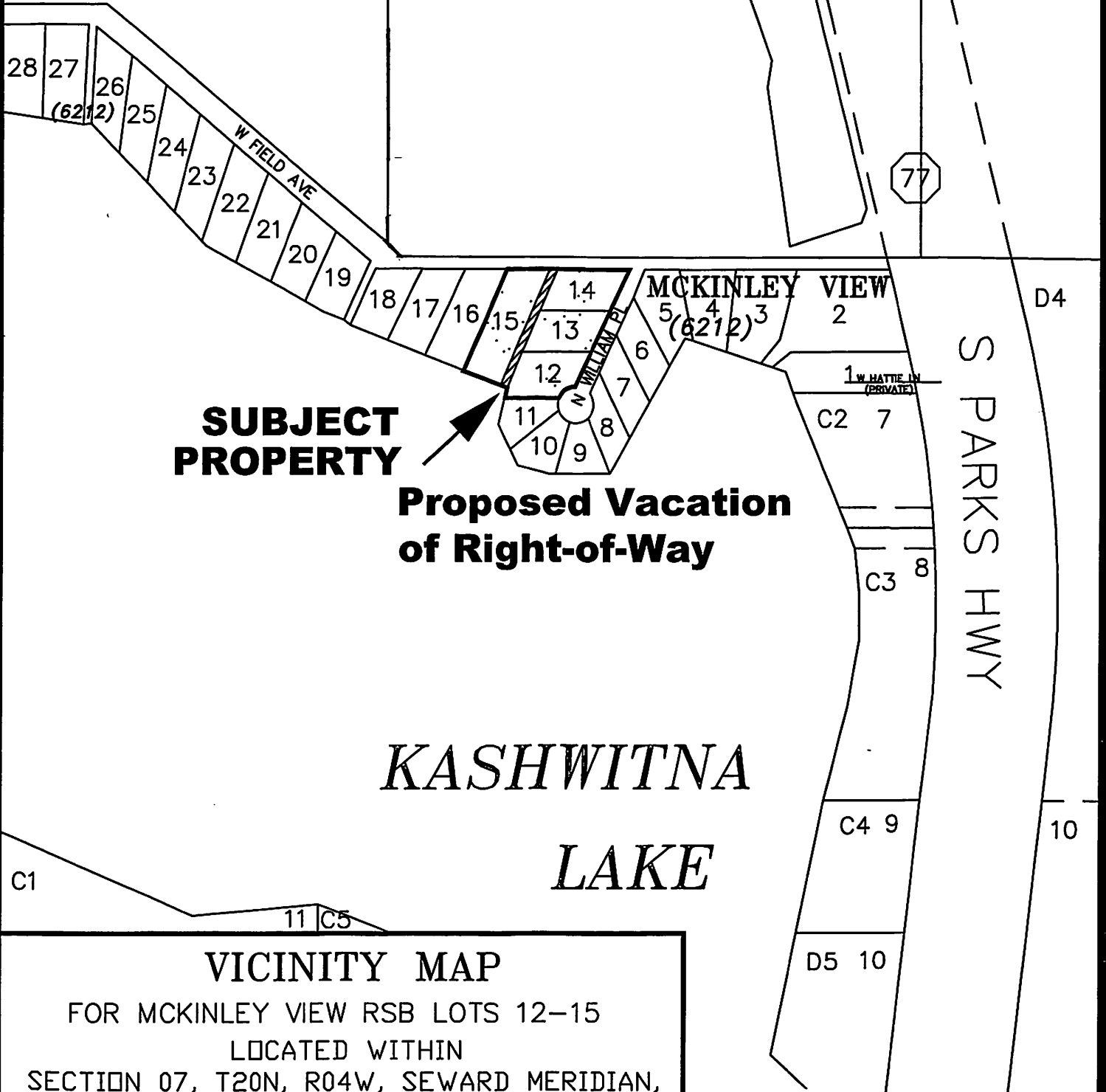
RECOMMENDATIONS OF CONDITIONS OF APPROVAL

Suggested motion: I move to approve the preliminary plat of McKinley View RSB Lots 12-15, the vacation of a 15' wide right-of-way, and the variance from MSB 43.20.060(C), Section 07, Township 20 North, Range 04W, Seward Meridian, Alaska, contingent on staff recommendations:

1. Obtain approval of the vacation from the Assembly within 30 days of the written decision.
2. Taxes and special assessments must be paid in full for the year of recording, pursuant to MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs), by CERTIFIED FUNDS OR CASH.
3. Provide updated Certificate to Plat executed within seven (7) days of recording of plat and submit Beneficiary Affidavit for any holders of a beneficial interest.
4. Pay postage and advertising fees.
5. Show all easements of record on final plat.
6. Submit recording fees, payable to Department of Natural Resources (DNR).
7. Submit final plat in full compliance with Title 43.

B2

A2



**SUBJECT
PROPERTY**

**Proposed Vacation
of Right-of-Way**

*KASHWITNA
LAKE*

VICINITY MAP

FOR MCKINLEY VIEW RSB LOTS 12-15
LOCATED WITHIN
SECTION 07, T20N, R04W, SEWARD MERIDIAN,
ALASKA

WILLOW 02 MAP

EXHIBIT A -1

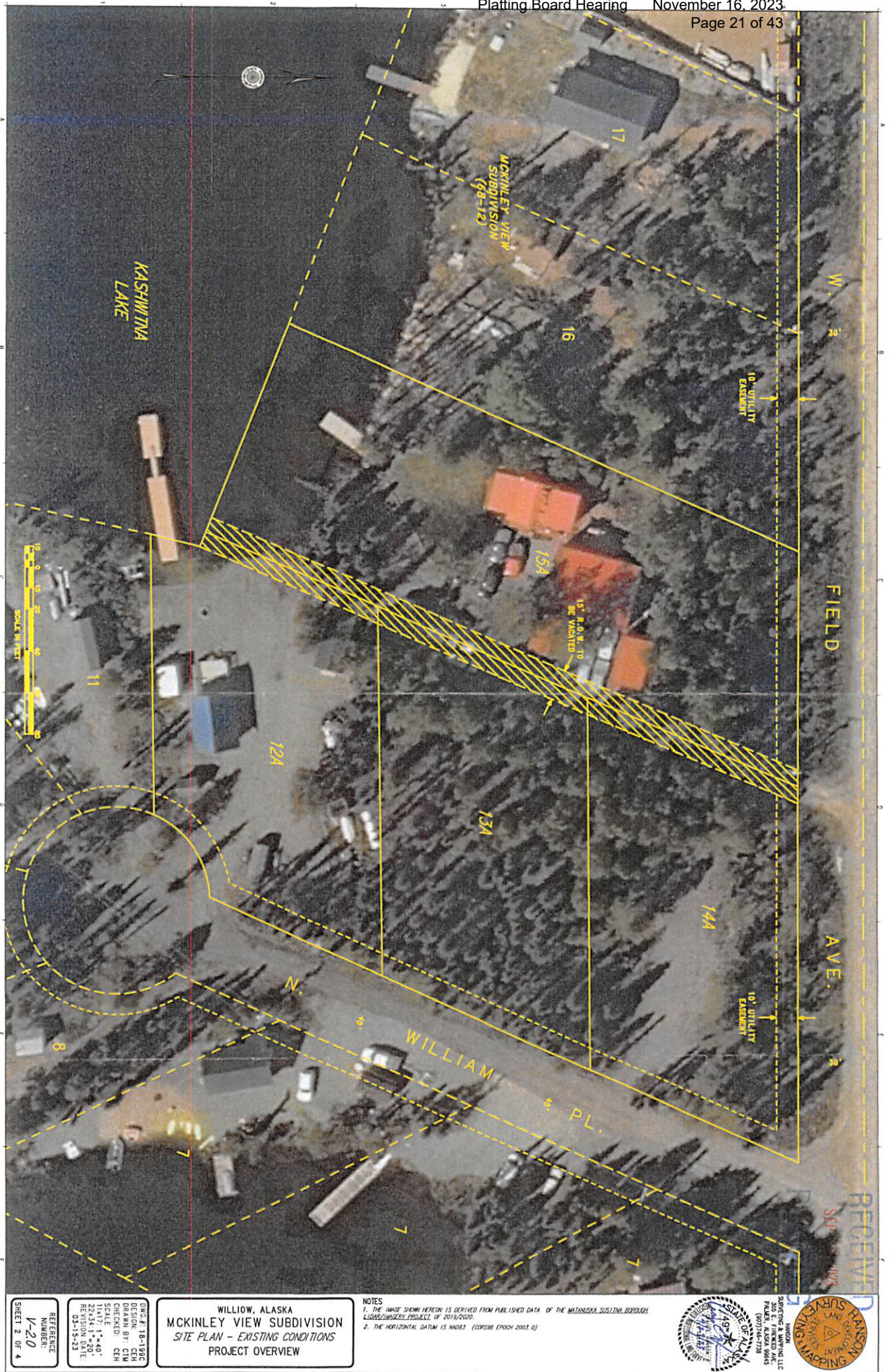


FIELD

WI01 1.14M

WI02





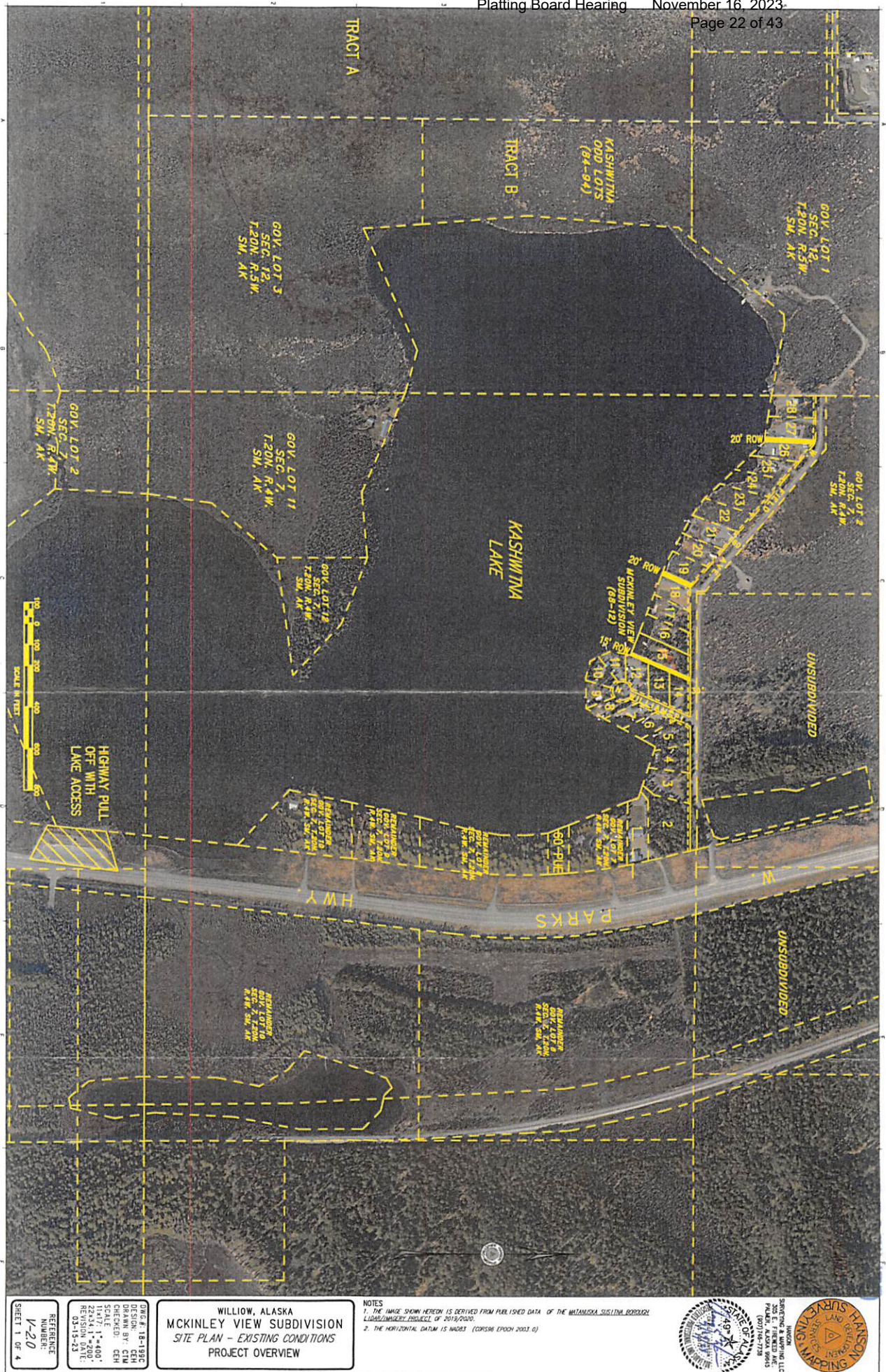
REFERENCE
NUMBER:
V-20
SHEET 2 OF 4

WILLIOW, ALASKA
MCKINLEY VIEW SUBDIVISION
SITE PLAN - EXISTING CONDITIONS
PROJECT OVERVIEW

NOTES
1. THE IMAGE SHOWN HEREON IS DERIVED FROM PUBLISHED DATA OF THE MATANUSKA SUSTAINABLE FORESTRY
LUMBER/BIOMASS PROJECT OF 2019/2020.
2. THE HORIZONTAL DATUM IS NAD83 (GEOID EPOCH 2003.0)



EXHIBIT B -1



REFERENCE
NUMBER:
V-20
SHEET 1 OF 4

DATE: 11-15-23
DESIGN: GEN
DRAWN BY: GEN
SCALE: 1"=200'
REVISIONS:
1. 11-15-23

WILLIOW, ALASKA
MCKINLEY VIEW SUBDIVISION
SITE PLAN - EXISTING CONDITIONS
PROJECT OVERVIEW

NOTES
1. THE IMAGE SHOWN HEREON IS DERIVED FROM PUBLISHED DATA OF THE MATANUSKA SUSITNA BOROUGH.
2. THE HORIZONTAL DATUM IS NAD83 (GEOID EPOCH 2002.0).



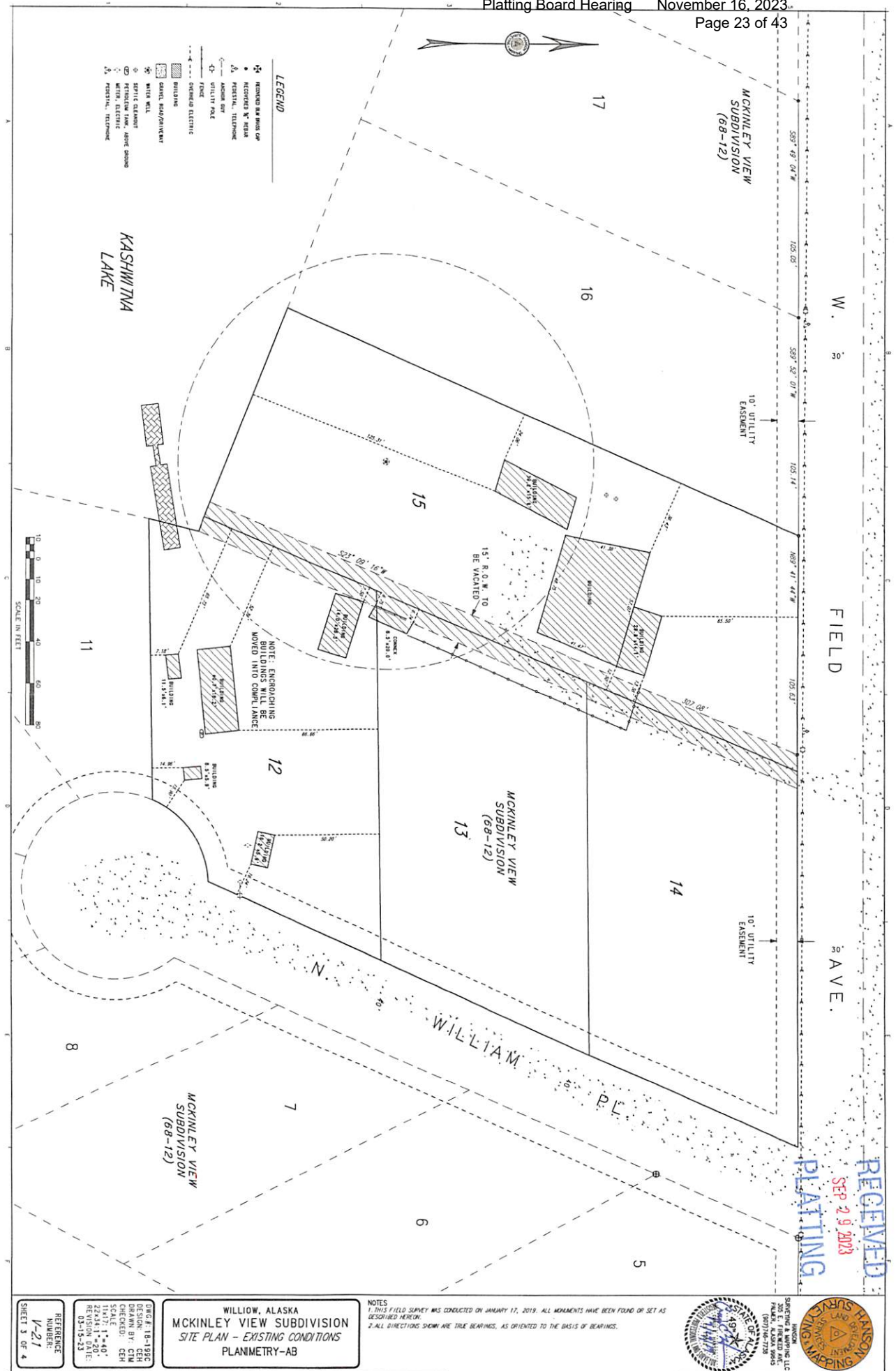


EXHIBIT B-3



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, Jess Adams, and petitions the Matanuska-Susitna Borough to vacate the right-of-way lying within the following described property, to-wit: McKinley View Subdivision (within T.20N. R.04W Sec. 7 SM)

Said right-of-way being more fully described as: between lot 15 and lots 12-14 of McKinley View
Subdivision

(ATTACH SUPPLEMENTAL SHEET IF APPLICABLE)

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.

RECEIVED
APR 16 2021
PLATTING

The action sought by this petition is for the following reason(s): (ATTACH PAGES, IF NEEDED)

See attached

APPLICANT Name: Jess Adams Email: _____
OR Mailing Address: PO Box 861 Wasilla, AK Zip: 99654
OWNER Contact Person: Jess Adams Phone: (907) 355-5373
SURVEYOR Name (FIRM): Hanson Land Solutions Email: platting@hlsalaska.com
Mailing Address: 305 E. Fireweed Ave. Palmer, AK Zip: 99645
Contact Person: Craig Hanson Phone: (907)746-7738

~~SIGNATURES OF PETITIONER(S):~~

Don E. Houser

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.

4/9/21
DATE


PLATTING DIVISION REPRESENTATIVE

SCHEDULED FOR PLATTING BOARD MEETING OF: 6/3/21

REC'D
SEP 29 2023
PLATTING

In support of the proposed ROW Vacation request:

The request is for the vacation of a 15' wide ROW to Kaschwitz Lake created in 1968 by plat 68-12, Talkeetna Recording District.

The petitioner has owned and lived adjacent to the ROW for 30 years. He states that when he bought the property in 1993, no one was using, or had been using, the ROW. He also states that no one has used it since.

Per petitioner Adams: A Mat-Su Borough code compliance officer has falsely stated that "*the PUE in question was previously developed for public access to Kaschwitz Lake with a rudimentary road*". Mr. Adams is the only one that has done anything to improve the area of the ROW and this was done only to access his home. There never was any semblance of a road to the lake.

Sufficient alternative public access to Kaschwitz Lake is already provided. There are 2 other points along Field Ave: One is just 450' from the one under consideration and the other one is approximately 900' from the one under consideration. Just across the lake and about 3,000' away is another access point. This is the very large pull-out area along the Parks Highway known as the Kaschwitz Wayside which offers a large paved parking area with delineated parking spaces, an informational kiosk, and approximately 240' of readily accessible frontage on the water.

A metal gate has been placed at the entrance to the ROW in recent years.. Loitering just in the pull off area along the road there has raised security concerns for the nearby residences.

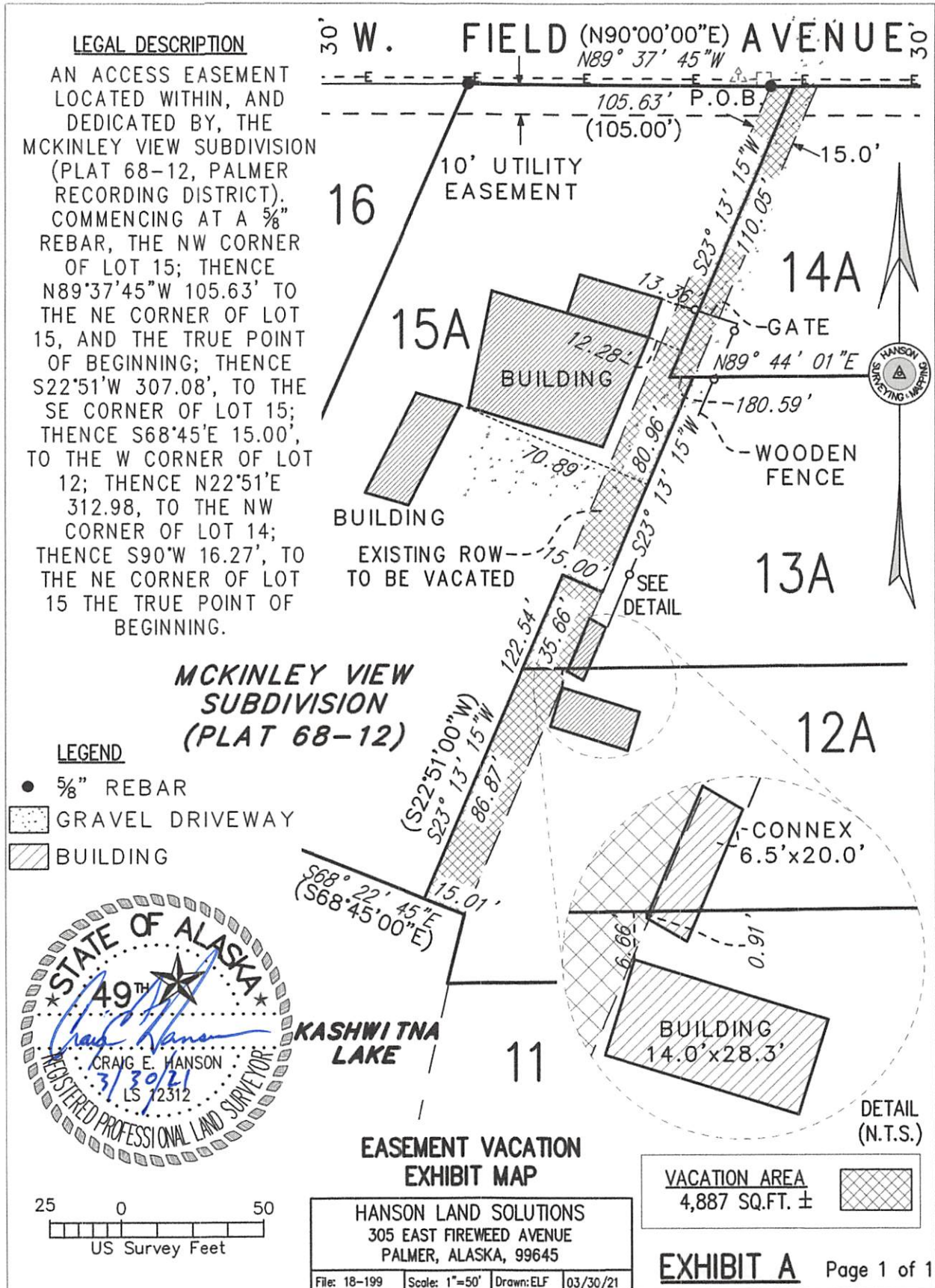


EXHIBIT C - 4

RIGHT-OF-WAY VACATION POSTING AFFIDAVIT

In accordance with MSB 43.10.065(G), I hereby certify that I posted the prescribed vacation notice for 30 days prior to the public hearing along the boundary of the property at all common points of access to that portion of the proposed right-of-way vacation.

Date Posted: 10/13/2023

Platting Case #: 2021-056/057/058

Public Hearing date: 11/16/23

Kimberly Cagle

Kimberly A. Cagle
Signature

Printed Name

(907) 440-8296

11000 Birch Rd

Mailing Address

Phone Number

Anchorage, AK

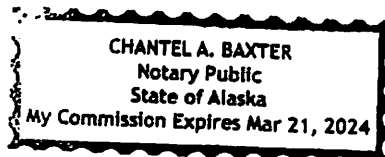
Zip: 99516

NOTARY CERTIFICATION

State of Alaska)
)ss
Third Judicial District)

SUBSCRIBED and SWORN to (or affirmed) before me this 13th day of October 2023
2023, by Kimberly A. Cagle
(name of signers(s))

[Signature]
(signature and seal of notary)
My commission expires: 03.21.24



**This form must be signed, notarized and submitted to the Platting Division
prior to the public hearing.**



EXHIBIT C - 6



Sent from my iPhone

EXHIBIT C - 7



MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Platting Division
350 East Dahlia Avenue • Palmer AK 99645
Phone (907) 861-7874 • Email: platting@matsugov.us

PUBLIC NOTICE OF VACATION OF A PUBLIC RIGHT-OF-WAY

LEGAL DESCRIPTION: **PUE OF MCKINLEY SUBDIVISION (68-12)**

POSTING DATE: 10/13/2023

MSB Platting Division Case #

**2021-056/057/
058**

Applicant: **HANSON LAND SOLUTIONS**
Mailing Address: **305 E. FIREWEED AVE.
PALMER, AK 99645**

To Whom It May Concern:

In accordance with MSB 43.10.065(G), the posting of this letter is to give the public every opportunity to comment on the above action prior to and/or at the public hearing. Please contact the Matanuska-Susitna Borough Platting Division for more information concerning this action.

The applicant, in accordance with MSB 43.10.065(G) is required to place a sign, notifying the public of the date, time, and place of the public hearing, at all common points of access to that portion of the easement or right-of-way that is subject of the application for 30 days prior to the public hearing.

THE PLATTING BOARD WILL CONVENE AT 1:00 P.M., **11/16/23**, in the Assembly Chambers of the Dorothy Swanda Jones Building, 350 E. Dahlia Avenue, Palmer, Alaska. Please send any comments regarding the proposed action to MSB, Platting Division, 350 E. Dahlia Ave., Palmer AK 99645. 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" packet the day of the meeting.

In order to be eligible to file an appeal from a decision of the Platting Board, a person must be designated an *interested party* Pursuant to MSB 15.39.010. An *interested party* means, (a) the applicant before the Platting Board; or (b) any person affected by the decision who appeared before the Platting Board and made an oral or written presentation. 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 located at (<http://www.matsugov.us>), or at various libraries within the borough.

VARIANCE APPLICATION

RECEIVED
PLATTING

This application is to the Matanuska-Susitna Borough Platting Board for a variance from the Subdivision Ordinance, Title 43. The application must include all of the information listed below. Incomplete applications will not be processed.

Legal description of property: ROW: NORTH WILLIAMS PLACE

MCKINLEY VIEW SUBDIVISION (RECORDED IN PLAT 68-12, PALMER RECORDING DISTRICT).

An application for a variance from a requirement of Title 43 shall contain:

1. The preliminary plat to which the variance pertains or, if presented separately, a graphic representation of what the future platting project would entail;
2. A description of the variance requested including the code section reference;
3. Explain the special circumstances for the variance *on separate pages*, addressing criteria A, B, & C as required in MSB 43.15.075.
 - A. *The granting of the variance shall not be detrimental to the public health, safety or welfare, or injurious to adjacent property; and*
 - B. *The variance request is based upon conditions of the property that are atypical to other properties; and*
 - C. *Because of unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB 43.20 shall result in undue substantial hardship to the owner of the property.*

I, HANSON LAND SOLUTIONS the owner (or owner's representative) of the above described property apply for a variance from Section 43.20.060 (C) of the Borough Code in order to allow:

FOR IN INCREASE IN THE SIZE OF EXISTING SUBSTANDARD LOTS WITH THE
VACATION OF A NEARBY ROW.

(Variances from Road Design Standards are variances from MSB 43.20.140, described within the Subdivision Construction Manual).

**APPLICANT
OR
OWNER**

Name: HANSON LAND SOLUTIONS Email: platting@hlsalaska.com
Mailing Address: 305 E. Fireweed Ave. Palmer, AK Zip: 99645
Signature: _____ Phone: 907-746-7738

SURVEYOR

Name (FIRM): HANSON LAND SOLUTIONS Email: platting@hlsalaska.com
Mailing Address: 305 E. Fireweed Ave. Palmer, AK Zip: 99645
Contact Person: Craig Hanson Phone: 907-746-7738

EXHIBIT D - /

HANSON LAND SOLUTIONS
SURVEYING & LAND DEVELOPMENT CONSULTING
305 E. FIREWEED AVE. PALMER, AK 99645

VARIANCE APPLICATION

VARIANCE REQUEST IS FROM:

43.20.060 (C) WHICH STATES:

(C) Roads shall be dedicated for access to all lots within the subdivision and parcels of land adjacent to the subdivision except that access to adjoining lands does not have to be provided where legal and constructible alternative access is available. Dedications shall be a minimum of 60 feet wide and sufficient to carry all traffic generated by the subdivision and to provide residential rights-of-way for projected traffic through the subdivision. Sixty-foot radius rights-of-way shall be dedicated at temporary and permanent cul-de-sacs.

Variance Application Item 3 questions:

- A. *The granting of the variance shall not be detrimental to the public health, safety or welfare, or injurious to adjacent property;***

The proposed lots and short stub road have existed in their present condition since their creation in 1968. There have been no apparent public health, safety or welfare concerns resultant of that configuration in the ensuing 55 years. The present action merely maintains the historic configuration of the road with no additional traffic and it is safe to assume health and safety will not change.

- B. *The variance request is based upon conditions of the property that are atypical to other properties; and***

McKinley View Subdivision (68-12) was created in 1968 per the existing MSB Code at the time. Unlike most roads in the Borough, this short dead-end has had 55 years to establish it's sufficiency as an access.

- C. *Because of unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB 43.20 shall result in undue substantial hardship to the owner of the property.***

With the originally platted and accepted Lot and ROW configuration present, requiring a change to a full 60' ROW would further reduce the size of already sub-standard lots. While the present Vacation request seeks to increase the size of the substandard lots, including the requirement to concurrently increase the width of N. Williams Place would result in a net reduction in lot size for lots 12-14.

VARIANCE APPLICATION

This application is to the Matanuska-Susitna Borough Platting Board for a variance from the Subdivision Ordinance, Title 43. The application must include all of the information listed below. Incomplete applications will not be processed.

Legal description of property: McKinley View Subdivision Lot 12, 13, 14, 15
15' ROW separating said lot 15 from said lots 12-14 - (Variance TO ROW
REQUIREMENT OF WIDTH ALONG W. FIELD AVENUE)

An application for a variance from a requirement of Title 43 shall contain:

1. The preliminary plat to which the variance pertains or, if presented separately, a graphic representation of what the future platting project would entail;
2. A description of the variance requested including the code section reference;
3. Explain the special circumstances for the variance on separate pages, addressing criteria A, B, & C as required in MSB 43.15.075.
 - A. The granting of the variance shall not be detrimental to the public health, safety or welfare, or injurious to adjacent property; and
 - B. The variance request is based upon conditions of the property that are atypical to other properties; and
 - C. Because of unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, or because of the taking of a part of the property through condemnation or because of surrounding development or conditions, the strict application of MSB 43.20 shall result in undue substantial hardship to the owner of the property.

I, Jess Adams the owner (or owner's representative) of the above described property apply for a variance from Section 43.20. 060(C) of the Borough Code in order to allow:

FOR A PLATTING ACTION THAT WILL VACATE AN ASSOCIATED ROW

(Variances from Road Design Standards are variances from MSB 43.20.140, described within the Subdivision Construction Manual).

APPLICANT OR OWNER	Name: <u>Jess Adams</u>	Email: _____
	Mailing Address: <u>P.O. Box 861</u>	Zip: <u>99688</u>
	Signature: <u>[Signature]</u>	Phone: _____
SURVEYOR	Name (FIRM): <u>Hanson Land Solutions</u>	Email: <u>info@hlsalaska.com</u>
	Mailing Address: <u>395 E. F. renewed Ave</u>	Zip: <u>99645</u>
	Contact Person: <u>Chig Hanson</u>	Phone: <u>(907) 746-7738</u>

Variance Application

Variance to MSB 43.20.060C is sought for the current platting action.

Per the Variance Application Requirements we offer the following explanations:

A: No detriment to public health, safety or welfare will result from the variance as no change will be made to the current road configuration

B: The condition of this request is atypical in that an existing Borough road has been maintained and used since it's creation within a 30' wide ROW. The petitioner has no way of widening ROW as the bordering lands do not belong to him.

C. The hardship attributable to a denial of this variance is that an un-associated issue will deprive the owner of a fair hearing regarding his actual request.

Amy Otto-Buchanan

From: Daniel Dahms
Sent: Wednesday, October 4, 2023 11:54 AM
To: Amy Otto-Buchanan
Cc: Brad Sworts; Jamie Taylor; Tammy Simmons
Subject: RE: RFC McKinley View RSB #2021-056

Amy,

The last page of the petition for vacation includes Access Exhibit Map. PD&E would like confirmation that this lake access will not be constructed without prior approval from Public Works. As long as this is the case, PD&E has no objections to the variance or vacation requests.

Daniel Dahms, PE
Department of Public Works
Pre-Design and Engineering Division

From: Amy Otto-Buchanan <Amy.Otto-Buchanan@matsugov.us>
Sent: Tuesday, October 3, 2023 11:30 AM
To: sarah.myers@alaska.gov; Percy, Colton T (DFG) <colton.percy@alaska.gov>; regpagemaster@usace.army.mil; pamelaj.melchert@usps.gov; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Ron Bernier <Ron.Bernier@matsugov.us>; waco_chair@waco-ak.org; admin@waco-ak.org; mcbrides@mtaonline.net; rgfnorth@mtaonline.net; Brian Davis <Brian.Davis@matsugov.us>; Richard Boothby <Richard.Boothby@matsugov.us>; Margie Cobb <Margie.Cobb@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Tom Adams <Tom.Adams@matsugov.us>; Permit Center <Permit.Center@matsugov.us>; Brad Sworts <Brad.Sworts@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Daniel Dahms <Daniel.Dahms@matsugov.us>; Tammy Simmons <Tammy.Simmons@matsugov.us>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; Katrina Kline <katrina.kline@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Alex Strawn <Alex.Strawn@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Andrew Fraiser <Andrew.Fraiser@enstarnaturalgas.com>; row@enstarnaturalgas.com; row@mtasolutions.com; OSP Design Group <ospdesign@gci.com>; MEA <mearow@matanuska.com>; msb.hpc@gmail.com
Subject: RFC McKinley View RSB #2021-056

The following link contains a Request for Comments to vacate a 15' wide right-of-way on 56212000L012-L015. Two variances are also requested for 30' & 40' wide rights-of-way. Comments are due by **October 30, 2023**. Please let me know if you have any questions. Thanks, A.

 [McKinley Vw RSB L12-15](#)

Amy Otto-Buchanan
Platting Specialist
amy.otto-buchanan@matsugov.us
907-861-7872

Amy Otto-Buchanan

From: Permit Center
Sent: Monday, October 9, 2023 3:48 PM
To: Amy Otto-Buchanan
Subject: RE: RFC McKinley View RSB #2021-056

No comments

Thank you,

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

From: Amy Otto-Buchanan <Amy.Otto-Buchanan@matsugov.us>
Sent: Tuesday, October 3, 2023 11:30 AM
To: sarah.myers@alaska.gov; Percy, Colton T (DFG) <colton.percy@alaska.gov>; regpagemaster@usace.army.mil; pamela.j.melchert@usps.gov; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Ron Bernier <Ron.Bernier@matsugov.us>; waco_chair@waco-ak.org; admin@waco-ak.org; mcbrides@mtaonline.net; rgfnorth@mtaonline.net; Brian Davis <Brian.Davis@matsugov.us>; Richard Boothby <Richard.Boothby@matsugov.us>; Margie Cobb <Margie.Cobb@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Tom Adams <Tom.Adams@matsugov.us>; Permit Center <Permit.Center@matsugov.us>; Brad Sworts <Brad.Sworts@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Daniel Dahms <Daniel.Dahms@matsugov.us>; Tammy Simmons <Tammy.Simmons@matsugov.us>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; Katrina Kline <katrina.kline@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Alex Strawn <Alex.Strawn@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Andrew Fraiser <Andrew.Fraiser@enstarnaturalgas.com>; row@enstarnaturalgas.com; row@mtasolutions.com; OSP Design Group <ospdesign@gci.com>; MEA <mearow@matanuska.com>; msb.hpc@gmail.com
Subject: RFC McKinley View RSB #2021-056

The following link contains a Request for Comments to vacate a 15' wide right-of-way on 56212000L012-L015. Two variances are also requested for 30' & 40' wide rights-of-way. Comments are due by **October 30, 2023**. Please let me know if you have any questions. Thanks, A.

 [McKinley Vw RSB L12-15](#)

Amy Otto-Buchanan
Platting Specialist
amy.otto-buchanan@matsugov.us
907-861-7872

Amy Otto-Buchanan

From: Percy, Colton T (DFG) <colton.percy@alaska.gov>
Sent: Thursday, October 26, 2023 11:39 AM
To: Amy Otto-Buchanan
Cc: Carter, Marla M (DFG); Smith, Tracy A (DFG); Myers, Sarah E E (DFG); Demma, Nick J (DFG); Ivey, Samuel S (DFG); Oslund, Samantha A (DFG)
Subject: RFC McKinley View RSB #2021-056

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

Hi Amy,

Alaska Department of Fish and Game (ADF&G) has reviewed this application to vacate a 15-foot wide Borough right-of-way going from W Field Ave. to Kashwitna Lake north of Willow. ADF&G **objects** to this ROW vacation as it provides access to Kashwitna Lake. Kashwitna Lake is a cataloged anadromous water (AWC: 247-41-10200-2130-3011-0010) and it is important habitat for Coho salmon. It is also stocked yearly by ADF&G with rainbow trout. Kashwitna Lake is a public water and provides significant recreation value and fishing opportunity. Access to the public should be preserved.

Colton Percy

Habitat Biologist

Access Defense Program

Alaska Department of Fish and Game
Division of Wildlife Conservation
333 Raspberry Rd
Anchorage, AK 99518
907-267-2118

From: Amy Otto-Buchanan <Amy.Otto-Buchanan@matsugov.us>
Sent: Tuesday, October 3, 2023 11:30 AM
To: Myers, Sarah E E (DFG) <sarah.myers@alaska.gov>; Percy, Colton T (DFG) <colton.percy@alaska.gov>; regpagemaster@usace.army.mil; pamela.j.melchert@usps.gov; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Ron Bernier <Ron.Bernier@matsugov.us>; waco_chair@waco-ak.org; admin@waco-ak.org; mcbrides@mtaonline.net; rgfnorth@mtaonline.net; Brian Davis <Brian.Davis@matsugov.us>; Richard Boothby <Richard.Boothby@matsugov.us>; Margie Cobb <Margie.Cobb@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Tom Adams <Tom.Adams@matsugov.us>; Permit Center <Permit.Center@matsugov.us>; Brad Sworts <brad.sworts@matsugov.us>; Jamie Taylor <jamie.taylor@matsugov.us>; Daniel Dahms <Daniel.Dahms@matsugov.us>; Tammy Simmons <Tammy.Simmons@matsugov.us>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; Katrina Kline <katrina.kline@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Alex Strawn <Alex.Strawn@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Andrew Fraiser <Andrew.Fraiser@enstarnaturalgas.com>; row@enstarnaturalgas.com; row@mtasolutions.com; OSP Design Group <ospdesign@gci.com>; MEA <mearow@matanуска.com>; msb.hpc@gmail.com
Subject: RFC McKinley View RSB #2021-056

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

The following link contains a Request for Comments to vacate a 15' wide right-of-way on 56212000L012-L015. Two variances are also requested for 30' & 40' wide rights-of-way. Comments are due by **October 30, 2023**. Please let me know if you have any questions. Thanks, A.

 [McKinley Vw RSB L12-15](#)

EXHIBIT G

Amy Otto-Buchanan

From: Cayla Ronken <cronken@mtasolutions.com>
Sent: Friday, October 6, 2023 1:32 PM
To: Amy Otto-Buchanan
Subject: RE: RFC McKinley View RSB #2021-056
Attachments: McKinley View Replat.pdf

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

Hi Amy,

MTA has reviewed McKinley View RSB 2021-056 and would like to request the 10' easement be extended through the 15' vacated ROW as highlighted on the attachment.

Thank you for the opportunity to comment.

Cayla Ronken, Right of Way Agent

1740 S. Chugach St., Palmer, Alaska 99645

Office: (907) 761-2465 | www.mtasolutions.com



Life. Technology. Together.

From: Amy Otto-Buchanan <Amy.Otto-Buchanan@matsugov.us>
Sent: Tuesday, October 3, 2023 11:30 AM
To: sarah.myers@alaska.gov; Percy, Colton T (DFG) <colton.percy@alaska.gov>; regpagemaster@usace.army.mil; pamelaj.melchert@usps.gov; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Ron Bernier <Ron.Bernier@matsugov.us>; waco_chair@waco-ak.org; admin@waco-ak.org; mcbrides@mtaonline.net; rgfnorth@mtaonline.net; Brian Davis <Brian.Davis@matsugov.us>; Richard Boothby <Richard.Boothby@matsugov.us>; Margie Cobb <Margie.Cobb@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Tom Adams <Tom.Adams@matsugov.us>; Permit Center <Permit.Center@matsugov.us>; Brad Sworts <Brad.Sworts@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Daniel Dahms <Daniel.Dahms@matsugov.us>; Tammy Simmons <Tammy.Simmons@matsugov.us>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; Katrina Kline <katrina.kline@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Alex Strawn <Alex.Strawn@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Andrew Fraiser <Andrew.Fraiser@enstarnaturalgas.com>; row@enstarnaturalgas.com; Right of Way Dept. <row@mtasolutions.com>; OSP Design Group <ospdesign@gci.com>; MEA <mearow@matanuska.com>; msb.hpc@gmail.com
Subject: RFC McKinley View RSB #2021-056

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☐ [McKinley Vw RSB L12-15](#)

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAN AND THAT WE ADOPT THIS PLAN OF SUBDIVISION BY OUR FREE CONSENT.

DEAN P. CAGLE _____ DATE _____
11000 BIRCH RD.
ANCHORAGE, AK 99516

KIMBERLY A. CAGLE _____ DATE _____
11000 BIRCH RD.
ANCHORAGE, AK 99516

NOTARY ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS

____ DAY OF _____, 20____,
FOR _____
FOR _____

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES: _____

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAN AND THAT WE ADOPT THIS PLAN OF SUBDIVISION BY OUR FREE CONSENT.

DONALD E. GLASER _____ DATE _____
P.O. BOX 127
WILLOW, AK 99688

IRENE S. GLASER _____ DATE _____
P.O. BOX 127
WILLOW, AK 99688

NOTARY ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS

____ DAY OF _____, 20____,
FOR _____
FOR _____

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES: _____

CTM

LEGEND

- ⊕ RECOVERED 3" BRASS CAP ON ON POST
- ⊕ RECOVERED 2" ALUMINUM CAP ON 3/4" REBAR
- RECOVERED 3/4" REBAR
- ⊕ SET PLASTIC CAP ON 3/4" x 30" REBAR
- (C) COMPUTED DATA
- MEASURED DATA
- RECORD DATA PER PLAT (68-12)
- 702 SURVEY POINT NUMBER

N74°58'11"W 255.65'
(N74°45'10") (254.70')



I HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THE PLAT ACTUALLY EXIST AS DESCRIBED AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

REGISTERED LAND SURVEYOR

Platting Board Hearing November 16, 2023

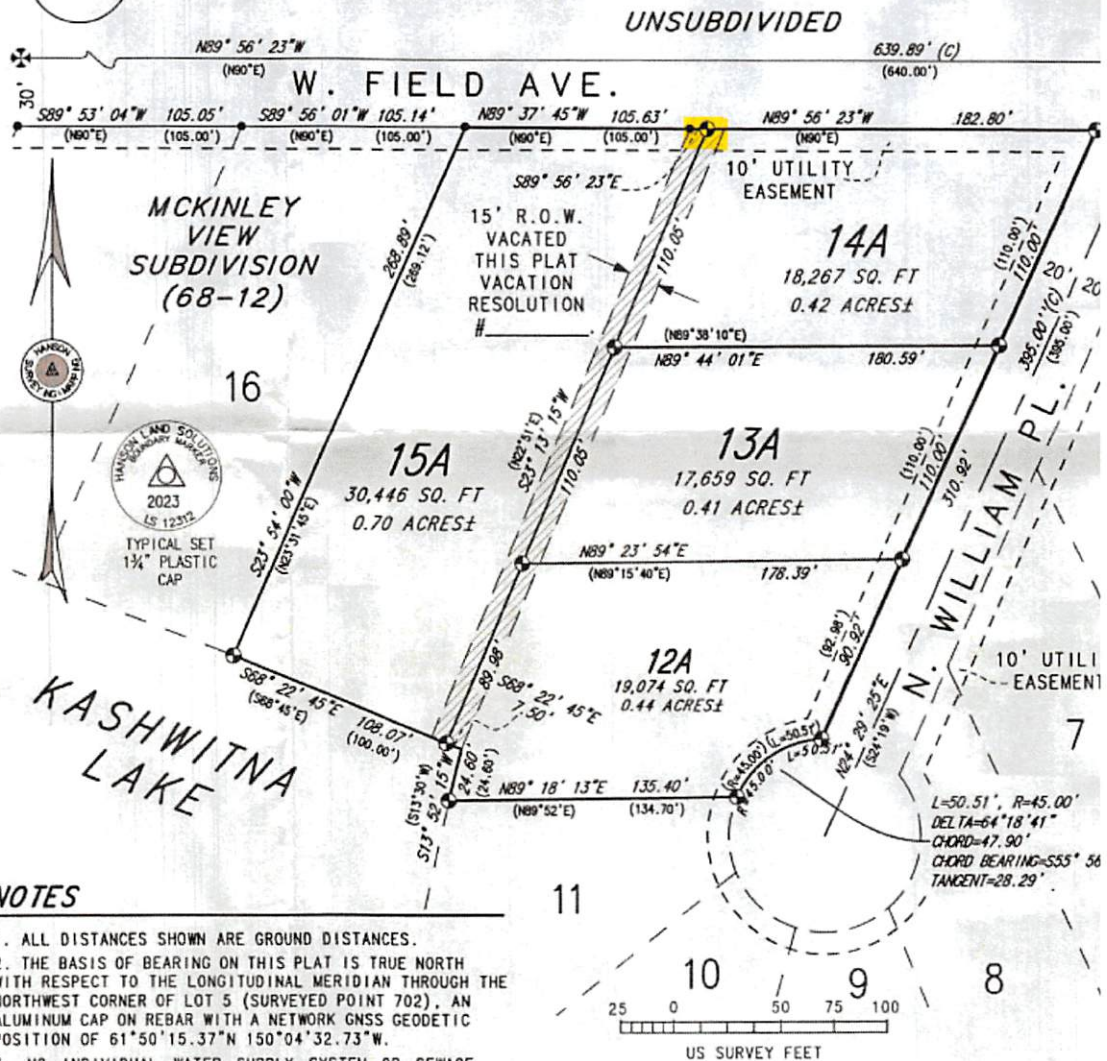
Page 41 of 43

PLANNING & LAND USE DIRECTOR

I CERTIFY THAT THIS SUBDIVISION PLAT HAS LAND SUBDIVISION REGULATIONS OF THE MATI. THE PLAT HAS BEEN APPROVED BY THE PLATT. NUMBER ____ DA. THIS PLAT HAS BEEN APPROVED FOR RECORD IN THE PALMER RECORDING DISTRICT, THIRD JUI IN WHICH THE PLAT IS LOCATED

PLANNING AND LAND USE DIRECTOR

ATTEST: _____
(PLATTING CLERK)



NOTES

1. ALL DISTANCES SHOWN ARE GROUND DISTANCES.
2. THE BASIS OF BEARING ON THIS PLAT IS TRUE NORTH WITH RESPECT TO THE LONGITUDINAL MERIDIAN THROUGH THE NORTHWEST CORNER OF LOT 5 (SURVEYED POINT 702), AN ALUMINUM CAP ON REBAR WITH A NETWORK GNSS GEODETIC POSITION OF 61°50'15.37"N 150°04'32.73"W.
3. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS THE SYSTEM IS LOCATED, CONSTRUCTED, AND EQUIPPED IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS, AND RECOMMENDATIONS OF THE STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION, WHICH GOVERNS THOSE SYSTEMS.
4. THERE MAY BE FEDERAL, STATE, AND LOCAL REQUIREMENTS GOVERNING LAND USE. THE INDIVIDUAL PARCEL OWNER SHALL OBTAIN A DETERMINATION WHETHER THESE REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN ON THE PLAT TO BE RECORDED.

CERTIFICATE OF PAYMENT OF TAXES

I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENT THROUGH _____, 20____, AGAINST THE PROPERTY, INCLUDED IN THE SUBDIVISION OR RESUBDIVISION, HEREON HAVE BEEN PAID.

TAX COLLECTION OFFICIAL
(MATANUSKA-SUSITNA BOROUGH)

DATE

MTA requests the 10' utility easement be extended across this 15' vacation to connect the adjacent lots (14A and 15A)

EXHIBIT H -2



ENSTAR Natural Gas Company, LLC
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

October 6, 2023

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

To whom it may concern:

ENSTAR Natural Gas Company has reviewed the following preliminary plat and has no comments or recommendations.

McKinley Veiw Subdivision
MSB Case #2021-056/057/058)

If you have any questions, please feel free to contact me at (907) 334-7911 or by email at sterling.lopez@enstarnaturalgas.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sterling Lopez", written over a horizontal line.

Sterling Lopez
Right of Way & Permitting Supervisor
ENSTAR Natural Gas Company, LLC
O: (907) 334-7911
C: (907) 764-6286

EXHIBIT H -3

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAN AND THAT WE ADOPT THIS PLAN OF SUBDIVISION BY OUR FREE CONSENT.

DEAN P. CAGLE DATE
11000 BIRCH RD.
ANCHORAGE, AK 99516

KIMBERLY A. CAGLE DATE
11000 BIRCH RD.
ANCHORAGE, AK 99516

NOTARY ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS

DAY OF 20

FOR

FOR

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES:

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAN AND THAT WE ADOPT THIS PLAN OF SUBDIVISION BY OUR FREE CONSENT.

DONALD E. GLASER DATE
P.O. BOX 127
WILLOW, AK 99688

IRENE S. GLASER DATE
P.O. BOX 127
WILLOW, AK 99688

NOTARY ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS

DAY OF 20

FOR

FOR

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES:

CTM

LEGEND

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(C) COMPUTED DATA

N74°58'11"W 255.65' MEASURED DATA
N74°45'W (254.70')

RECORD DATA PER PLAT (68-12)
SURVEY POINT NUMBER 702

I HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THE PLAT ACTUALLY EXIST AS DESCRIBED AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

REGISTERED LAND SURVEYOR



PLANNING & LAND USE DIRECTOR'S CERTIFICATE

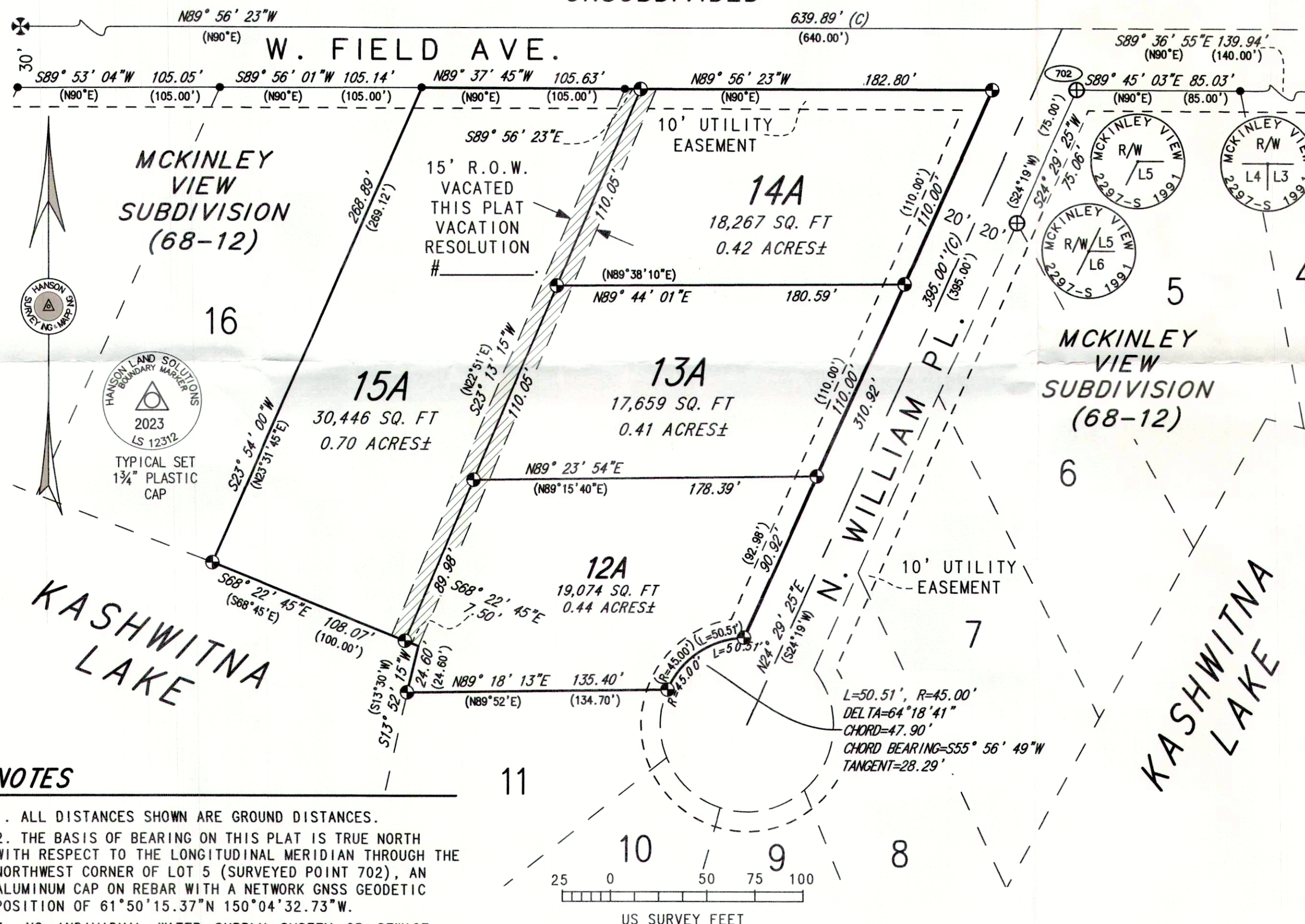
I CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION NUMBER _____ DATED _____, 20____, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, IN WHICH THE PLAT IS LOCATED

PLANNING AND LAND USE DIRECTOR

DATE

ATTEST: _____
(PLATTING CLERK)

UNSUBDIVIDED



NOTES

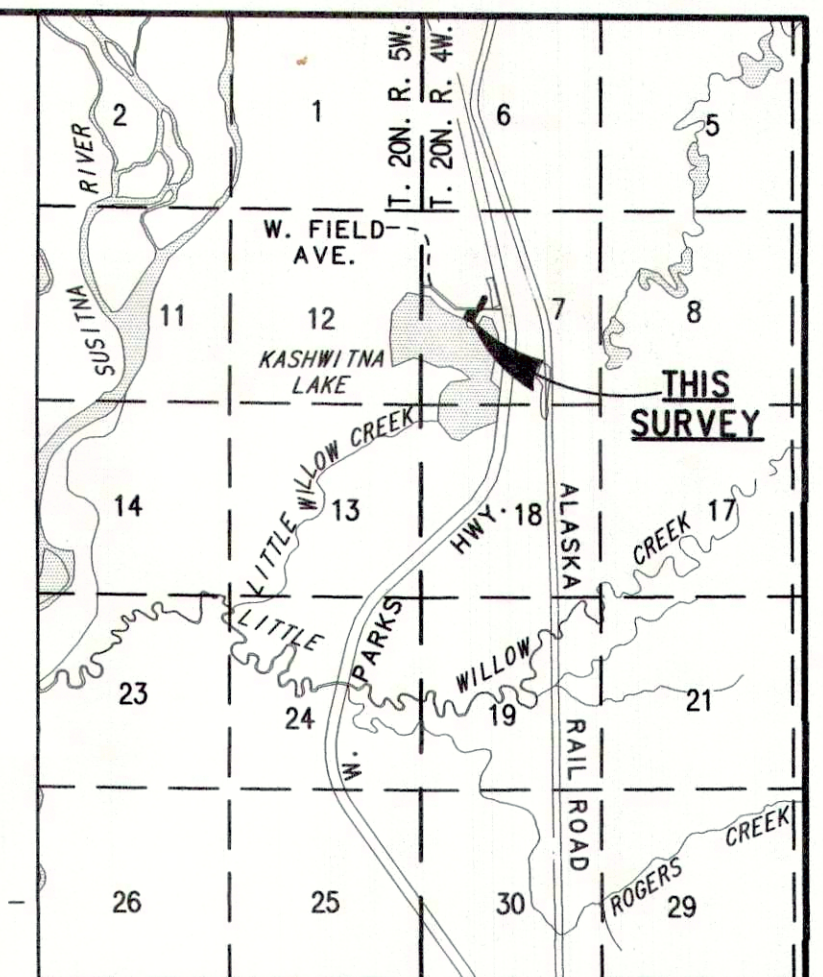
- ALL DISTANCES SHOWN ARE GROUND DISTANCES.
- THE BASIS OF BEARING ON THIS PLAT IS TRUE NORTH WITH RESPECT TO THE LONGITUDINAL MERIDIAN THROUGH THE NORTHWEST CORNER OF LOT 5 (SURVEYED POINT 702), AN ALUMINUM CAP ON REBAR WITH A NETWORK GNSS GEODETIC POSITION OF 61°50'15.37"N 150°04'32.73"W.
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TAX COLLECTION OFFICIAL
(MATANUSKA-SUSITNA BOROUGH)

DATE



SOURCE: MSB TAX MAP W100 1"=5280'

CERTIFICATE OF OWNERSHIP

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.

JESS ADAMS DATE
P.O. BOX 861
WILLOW, AK 99688

NOTARY ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS

DAY OF 20

FOR

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES:

Agenda Copy

A PLAT OF MCKINLEY VIEW SUBDIVISION LOTS 12A, 13A, 14A, & 15A

A REPLAT OF LOTS 12 THRU 15 AND VACATING A PUBLIC RIGHT-OF-WAY ADJACENT TO LOTS 12 THRU 15 OF MCKINLEY VIEW SUBDIVISION (PLAT 68-12)

PALMER RECORDING DISTRICT
STATE OF ALASKA
LOCATED WITHIN
SW¼ SEC. 7, T.20N. R.4W. SM, AK
CONTAINING 1.96 ACRES MORE OR LESS

HANSON
LAND SOLUTIONS
ALASKA BUSINESS LICENSE #1112804
305 EAST FIREWEED AVENUE
PALMER, ALASKA, 99645
(907)746-7738

FILE: FB18-199 CK: CEH SCALE: 1"=50' 03/09/23 1 OF 1

RECEIVED
SEP 29 2023
PLATTING