

SUBJECT: VACATE A PORTION OF THE E. MARIAH DRIVE RIGHT-OF-WAY ON THE NORTH SIDE AND DEDICATE AN EQUAL AMOUNT OF RIGHT-OF-WAY ON THE SOUTH SIDE; ELIMINATE THE UTILITY EASEMENTS ADJACENT TO E. MARIAH DRIVE; AND GRANT NEW UTILITY EASEMENTS MATCHING THE CHANGED ALIGNMENT. LOCATED IN SECTION 19, TOWNSHIP 18 NORTH, RANGE 01 WEST, SEWARD MERIDIAN, ALASKA.

AGENDA: NOVEMBER 22, 2022

ASSEMBLY ACTION:

*Approved under the consent agenda
11-22-22 BSA*

MANAGER RECOMMENDATION: Present to the assembly for consideration.

APPROVED BY MIKE BROWN, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Platting Officer	<i>FL</i>	
	Planning Director	<i>[Signature]</i>	
	Borough Attorney	<i>[Signature]</i>	
	Borough Clerk	<i>BSA for Item</i>	

ATTACHMENT (S): Fiscal Note: Yes _____ No X

Platting Board Minutes	(3 pages)
Notification of Action	(2 pages)
Vicinity Map	(1 page)
As-Built	(1 page)

SUMMARY STATEMENT: On October 20, 2022 (written decision October 26, 2022) the Platting Board approved the plat of Cooper Woods PH II Block 1, Lot 16A & Block 2 Lot 8A along with the modification (vacation and replacement) of a portion of the existing right-of-way (ROW) for E. Mariah Drive and adjacent utility easements. The proposed plat will shift the ROW and adjoining easements south 5.8 feet at the widest point tapering down on either end. Request is to alleviate a setback violation on a new construction home. The Platting Board's decision to modify a portion of E. Mariah Drive ROW is consistent with MSB 43.15.035(B)(1)(a); the vacation is conditioned upon the final approval of a plat affecting the same land which provides equal or better access to all areas affected by the vacation. The modification of the utility easements is consistent with MSB 43.15.032(A)(1)(a); there are no existing improvements within the easements, the utility companies had no objection, and substitute easements will be provided on the new plat.

RECOMMENDATION OF ADMINISTRATION: Staff recommends the assembly approve the vacation of ROW and modification of utility easements.

MATANUSKA-SUSITNA BOROUGH
PLATTING BOARD MINUTES

REGULAR MEETING
OCTOBER 20, 2022

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on OCTOBER 20, 2022, at the Matanuska-Susitna Borough 350 E Dahlia Ave, Palmer, Alaska. The Meeting was called to order at 1:00 p.m. by Vice Chair Leonard.

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. Emmett Leffel, District Seat #2
Mr. John Shadrach, District Seat #3
Mr. Dan Bush, District Seat #4
Ms. Linn McCabe, District Seat #5
Mr. Alan Leonard, District Seat #7, Vice Chair

Platting Board members absent and excused were:

Mr. Wilfred Fernandez, District Seat #6, Chair
Ms. Amanda Salmon Alternate A
Mr. Eric Koan, Alternate B

Staff in attendance:

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

B. THE PLEDGE OF ALLEGIANCE

Mr. Bush led the pledge of allegiance.

C. APPROVAL OF THE AGENDA

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

GENERAL CONSENT: The agenda was approved without objection.

2. APPROVAL OF MINUTES

- October 6, 2022 approve minutes as corrected to move from all cases except _____ unfinished to Public Hearing McCabe/ seconded by Mr. Leffel.

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
(*No Reconsiderations/Appeals*)

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6. PUBLIC HEARINGS

- A. **COOPER WOODS PHASE II RSB:** The request is to adjust the utility easements and the Right-of-Way of E. Mariah Drive that lies between Lots 8, Block 2 and 16, Block 1, Cooper Woods PH II, Plat # 2020-31, to be known as Block 1, Lot 16A and Block 2 Lot 8A, containing 2.35 acres +/- . The property is located south and east of N. Wasilla-Fishhook Road, and Directly west of E. Gemini Lane (Tax ID # 7995B01L016 & 7995B02L008); within the NE 1/4 Section 19, Township 18 North, Range 01 East, Seward Meridian, Alaska. In the North Lakes Community Council and in Assembly District #6. (*Petitioner/Owner: Hanson Land Solutions/Cutting Edge Homes/Cabins, LLC, Staff: Matthew Goddard, Case # 2022-129/130*)

Vice 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 106 public hearing notices were mailed out on September 29, 2022.

Staff gave an overview of the case:

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

Platting Board member, Mr. Cottini had questions for the staff.

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

The petitioner/petitioner's representative passed on giving a brief overview at this time.

Vice Chair Leonard opened the public hearing for public testimony.

The following person spoke:

- Eileen Everett

Platting Officer, Fred Wagner answered public's questions.

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

Craig Hanson, petitioner's representative gave a brief overview.

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

Discussion ensued

VOTE: The motion passed without objection.

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7. ITEMS OF BUSINESS & MISCELLANEOUS

(There is no Items of Business & Miscellaneous)

8. PLATTING STAFF & OFFICER COMMENTS

A. Adjudicatory *(if needed)*

B. Upcoming Platting Board Agenda Items

- November 3rd meeting will be at Station 6-2 Mile 7 Knik Goose Bay Rd,
- we have 4 cases on the agenda.
- Planning Commission Meeting – Title 43 amendments and moved forward to the Assembly

BOARD COMMENTS

- Platting member

9. ADJOURNMENT

With no further business to come before the Platting Board, Vice Chair Leonard adjourned the meeting at 1:24 pm.

WILFRED FERNANDEZ
Platting Board Chair

ATTEST:

THERESA TARANTO
Platting Board Clerk

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MATANUSKA-SUSITNA BOROUGH

Platting Division

350 East Dahlia Avenue • Palmer AK 99645
Phone (907) 861-7874 • Email: platting@matsugov.us

PLATTING BOARD ACTION LETTER

October 26, 2022

Cutting Edge Homes/Cabins, LLC
1174 N Leatherleaf Loop
Wasilla, AK 99654

Case #: 2022-129/130

Case Name: COOPER WOODS PHASE II RSB

Action taken by the Platting Board on October 20, 2022 is as follows:

THE PRELIMINARY PLAT FOR COOPER WOODS PHASE II RSB WAS APPROVED AND WILL EXPIRE ON OCTOBER 26, 2028 SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL. FINDINGS OF FACT SUPPORTING THIS DECISION ARE ALSO INCLUDED.

ALL DECISIONS OF APPROVAL OR DISAPPROVAL BY THE PLATTING AUTHORITY SHALL BE FINAL UNLESS APPEALED TO THE BOARD OF ADJUSTMENT AND APPEALS, MSB 15.39. A PETITION WHICH IS TABLED BY THE BOARD SHALL BE DEEMED DENIED UNLESS THE APPLICANT BRINGS THE MATTER BACK BEFORE THE BOARD WITH ALL CONDITIONS MET WITHIN THE TIME ALLOWED BY THE BOARD OR BY LAW.

If this is in reference to a plat application, recordation at the appropriate District Recorder's Office of the plat is required before any transfer of title can occur. Should you have any questions or require a copy of the minutes of the meeting, please feel free to contact this office.

Kindest regards,

Mr. Fred Wagner, PLS
Platting Officer

tt

cc:

Hanson Land Solutions
305 E Fireweed Avenue
Palmer, AK 99645

Additional Plat Reviews After 2nd Final are \$100.00 Each

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FINDINGS of FACT:

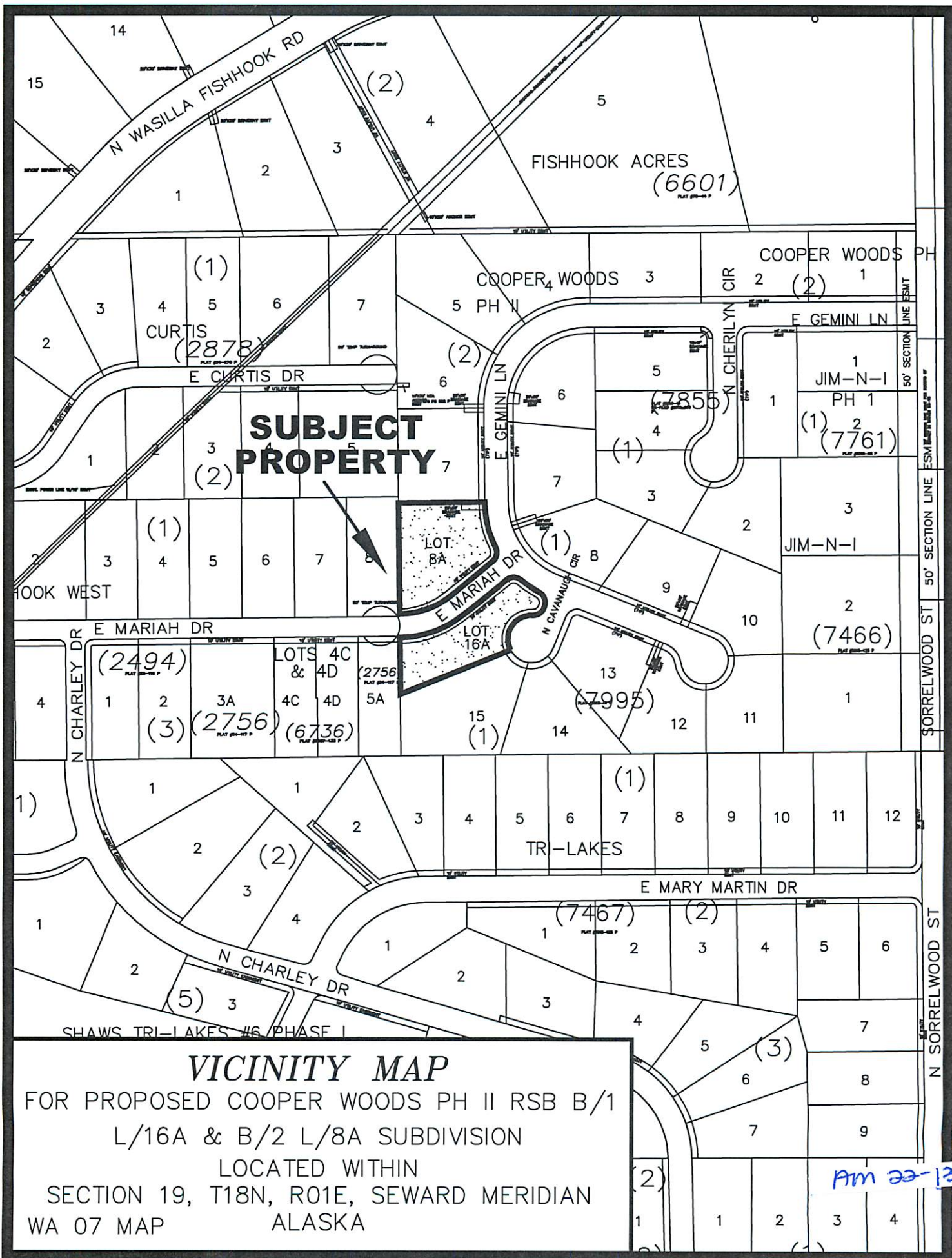
1. The plat of Cooper Woods Phase II B/1 L/16A & B/2 L/8A is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.016 Preliminary Plats.
2. The vacation of E. Mariah Drive is consistent with AS 29.40.120 through AS 29.40.160 and MSB 43.15.035 Vacations.
3. The utility easement modification is consistent with MSB 43.15.032 Elimination or Modification of Utility, Slope, Snow Storage, Buffer, and Screening Easements.
4. The vacation was posted in accordance with MSB 43.10.065(G)
5. A soils report was not required per MSB 43.20.281(A)(i)(ii).
6. All lots have the required frontage pursuant to MSB 43.20.320.
7. At the time of staff report write-up, there were no responses to the Request for Comments from ADF&G; US Army Corps of Engineers; North Lakes Community Council; Fire Service Area #130 Central Mat-Su; Road Service Area #28 Gold Trail; MSB Community Development, Assessments or Planning; or MEA
8. There were no objections from any federal or state agencies, Borough departments, or utilities.
9. There were no objections from the public in response to the Notice of Public Hearing.

CONDITIONS of APPROVAL:

The Platting Board approved the preliminary plat for Cooper Woods Phase II RSB contingent upon the following:

1. Obtain approval of the vacation of the portion of E. Mariah Drive affected by this Plat from the Assembly within 30 days of written Platting Authority Action Letter.
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 plat in full compliance with Title 43.

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RECEIVED

JUL 05 2022

PLATTING

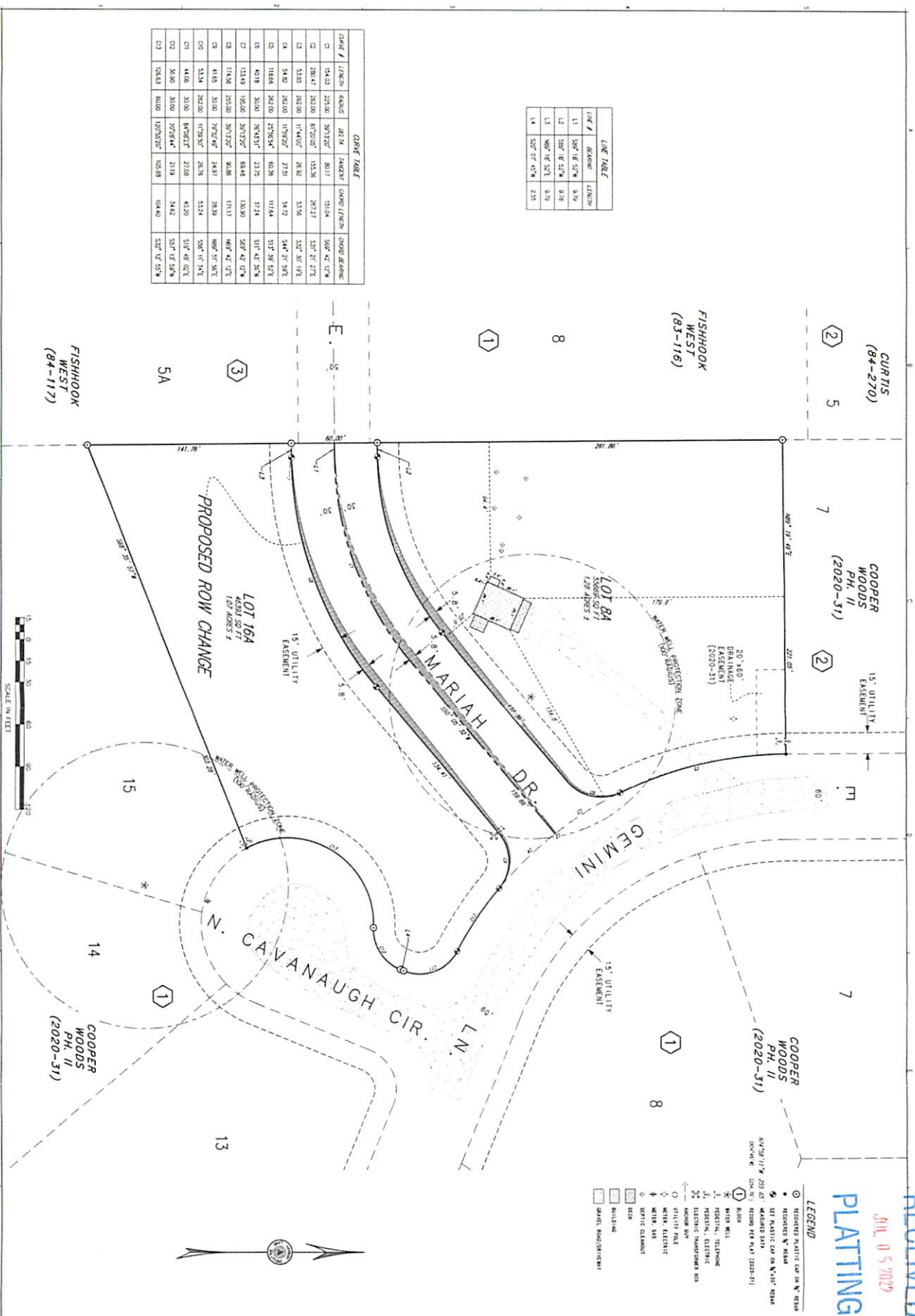
LEGEND

- 1. 20' FEET DRAINAGE EASEMENT (2020-31)
- 2. 15' UTILITY EASEMENT
- 3. 10' UTILITY EASEMENT
- 4. 5' UTILITY EASEMENT
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NOTES:
1. THIS FIELD SURVEY WAS CONDUCTED ON MARCH 28, 2022. ALL MONUMENTS HAVE BEEN FOUND OR SET AS DESCRIBED HEREON.
2. ALL DIRECTIONS SHOWN ARE TRUE BEARINGS, AS ORIENTED TO THE BASIS OF BEARINGS.

WASILLA, ALASKA
COOPER WOODS PH. II,
L16A, B1 & L8A B2
PROPOSED ROW CHANGE

DATE: 22-12-2022
DRAWN BY: ELP
CHECKED: CEH
SCALE: 1"=40'
REVISION DATE: 06/30/22
SHEET 1 OF 1



LINE #	BEARING	LENGTH
L1	S08°16'27\"	9.79
L2	S08°16'27\"	9.79
L3	S08°16'27\"	9.79
L4	S08°16'27\"	2.55

LINE #	BEARING	LENGTH	LINE #	BEARING	LENGTH
C1	S14°03'22\"	225.50	C17	S08°42'27\"	151.04
C2	S08°42'27\"	151.04	C18	S08°42'27\"	151.04
C3	S08°42'27\"	151.04	C19	S08°42'27\"	151.04
C4	S08°42'27\"	151.04	C20	S08°42'27\"	151.04
C5	S08°42'27\"	151.04	C21	S08°42'27\"	151.04
C6	S08°42'27\"	151.04	C22	S08°42'27\"	151.04
C7	S08°42'27\"	151.04	C23	S08°42'27\"	151.04
C8	S08°42'27\"	151.04	C24	S08°42'27\"	151.04
C9	S08°42'27\"	151.04	C25	S08°42'27\"	151.04
C10	S08°42'27\"	151.04	C26	S08°42'27\"	151.04
C11	S08°42'27\"	151.04	C27	S08°42'27\"	151.04
C12	S08°42'27\"	151.04	C28	S08°42'27\"	151.04
C13	S08°42'27\"	151.04	C29	S08°42'27\"	151.04
C14	S08°42'27\"	151.04	C30	S08°42'27\"	151.04
C15	S08°42'27\"	151.04	C31	S08°42'27\"	151.04
C16	S08°42'27\"	151.04	C32	S08°42'27\"	151.04