

# MATANUSKA-SUSITNA BOROUGH

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

PLATTING OFFICER  
Fred Wagner

PLATTING  
ADMINISTRATIVE SPECIALIST  
Kayla Kinneen



PLATTING TECHNICIANS  
Matthew Goddard  
Chris Curlin  
Natasha Heindel

PLATTING ASSISTANT  
Connor Herren

## ABBREVIATED PLAT AGENDA

ASSEMBLY CHAMBERS

350 EAST DAHLIA AVENUE, PALMER

### REGULAR MEETING

8:30 A.M.

October 23, 2024

**Public Participation:** To participate in the Abbreviated Plat Hearing, you can attend in person, or you can submit written comments by email to [plattling@matsugov.us](mailto:plattling@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. **CLARK ACRES:** The request is to create one lot from Lots 1 & 2, Block 1, West Knik (Plat 84-186), to be known as **CLARK ACRES**, containing 2.32 acres +/- . The subject property is located northwest of S. Knik Goose Bay Road, south of W. Clay Chapman Road, west of S. Alix Drive, and directly north of S. Foxworth Drive (Tax ID#s 2801B01L001/L002); within Section 07, Township 16 North, Range 02 West, Seward Meridian, Alaska. In the Knik-Fairview Community Council and Assembly District #5. *(Petitioner/Owner: Gary Clark, Staff: Natasha Heindel, Case #2024-115)*

THE ABBREVIATED PLAT HEARING WILL CONVENE AT **8:30 A.M** on **October 23, 2024**, in the **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

3A



**STAFF REVIEW AND RECOMMENDATIONS**  
**PUBLIC HEARING**  
**OCTOBER 23, 2024**

ABBREVIATED PLAT: CLARK ACRES  
LEGAL DESCRIPTION: SEC 07, T16N, R02W S.M., AK  
PETITIONER: GARY CLARK  
SURVEYOR: BULL MOOSE SURVEYING  
ACRES: 2.32 +/- PARCELS: 1  
REVIEWED BY: NATASHA HEINDEL CASE: 2024-115

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**REQUEST:** The request is to create one lot from Lots 1 & 2, Block 1, West Knik (Plat 84-186), to be known as **CLARK ACRES**, containing 2.32 acres +/- . The subject property is located northwest of S. Knik Goose Bay Road, south of W. Clay Chapman Road, west of S. Alix Drive, and directly north of S. Foxworth Drive; within Section 07, Township 16 North, Range 02 West, Seward Meridian, Alaska. In the Knik-Fairview Community Council and Assembly District #5.

**EXHIBITS**

Vicinity Map and Aerial Imaging **EXHIBIT A – 5 pp**

**COMMENTS**

USACE Comments **EXHIBIT B – 1 p**  
Division of Development Services **EXHIBIT C – 2 pp**

**DISCUSSION:** The proposed subdivision is heard under MSB 43.15.025, *Abbreviated Plats* and MSB 43.15.054(G), *Exemptions*. Eliminations of common lot lines are exempt from survey and monumentation requirements and allows the surveyor to use record information from the prior plat. Staff notes that the surveyor has used record information from Plat No. 84-186.

**COMMENTS:**

U.S. Army Corps of Engineers (USACE) (Exhibit B) notes that it appears that there may be aquatic resources in the northwest corner of the property. A Department of Army (DA) authorization is required if anyone proposes to place dredged and/or fill material into waters of the US, including wetlands and/or perform work in navigable waters of the US. A copy of the DA permit application can be found online. 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). Section 10 of the Rivers and Harbors Act of 1899 requires a DA permit be obtained for structures or work in or affecting navigable waters of the US (33 USC 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.

MAT-SU BOROUGH: Division of Development Services (**Exhibit C**) notes that there is a driveway permit required for the subject property (see *Recommendation #3*).

At the time of this staff report, there were no responses to the Request for Comments from the following: State of Alaska Department of Fish and Game (DF&G), or US Post Master. No public comments were received at the time of this staff report.

**CONCLUSION**: The plat of **Clark Acres** 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. No objections were received from any federal or state agencies, or Borough departments at the time of this staff report. No objections were received in response to the Notice of Public Hearing.

**FINDINGS of FACT**:

1. The abbreviated plat of **Clark Acres** 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 two lots within Plat No. 84-186, lessening the lot density in the area.
3. No objections were received from outside agencies.
4. No objections were received from the public in response to the Notice of Public Hearing.
5. At the time of this staff report, no responses were received from State of Alaska Department of Fish and Game (DF&G); or US Post Master.
6. 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.
7. MSB 43.15.054(G) allows the surveyor to use record information from the recorded plat of West Knik (Plat 84-186) and does not require additional monumentation.

**RECOMMENDED CONDITIONS OF APPROVAL**:

Staff recommends approval of the abbreviated plat of **Clark Acres**, contingent on the following recommendations:

1. Taxes and special assessments must be paid in full prior to recording the plat, pursuant to MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.
2. Provide updated Certificate to Plat executed within seven (7) days prior to recording and provide beneficiary affidavits from holders of beneficial interest, if any.
3. Obtain a driveway permit for the existing driveway on Lot 1 per comments from MSB Development Services Division. Provide a copy of application to Platting staff.
4. Pay postage and advertising fee.
5. Submit recording fee payable to Department of Natural Resources (DNR).
6. Submit final plat in full compliance with Title 43.

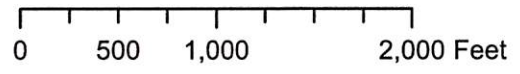




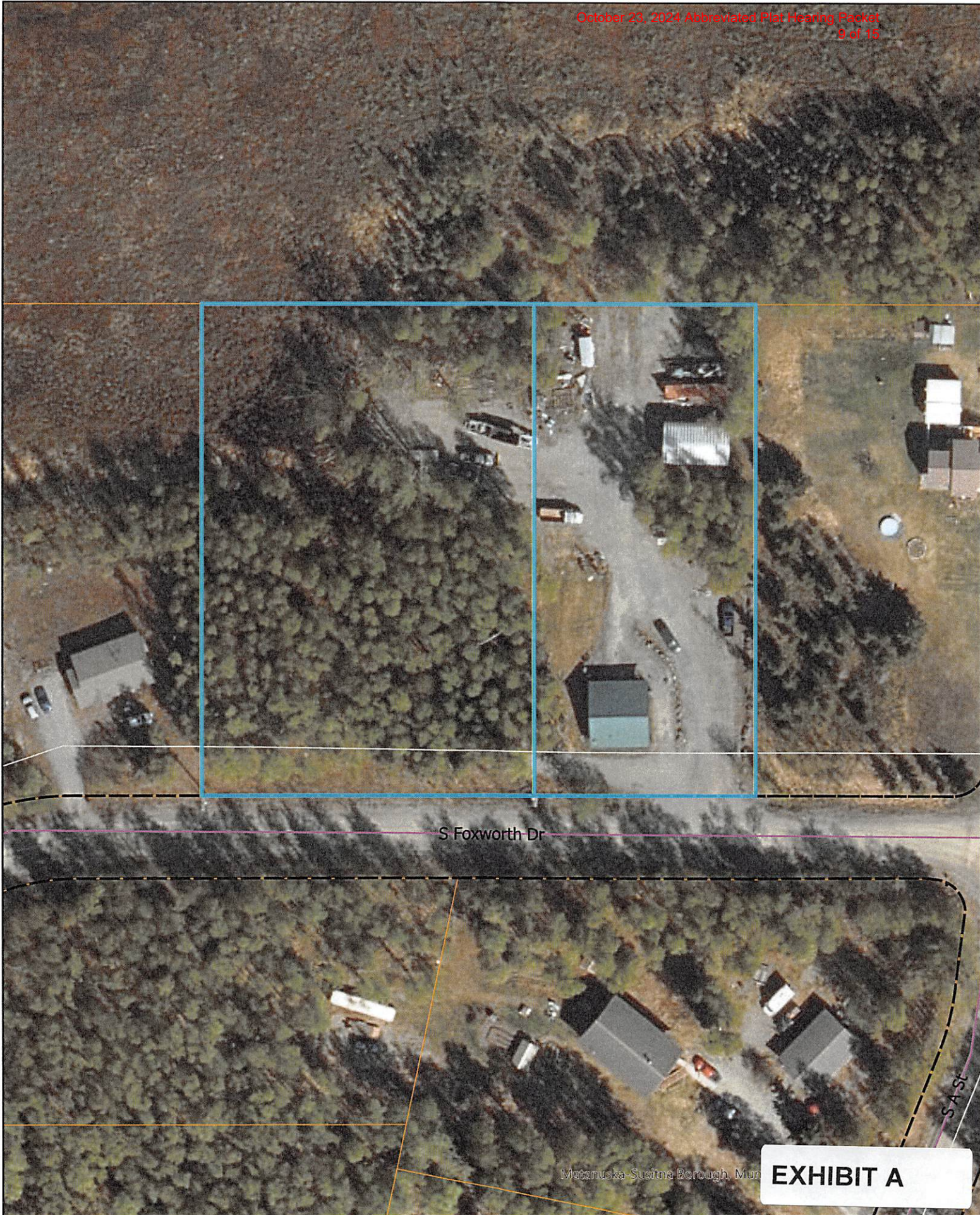




**EXHIBIT A**





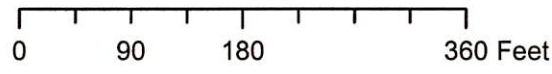


S Foxworth Dr

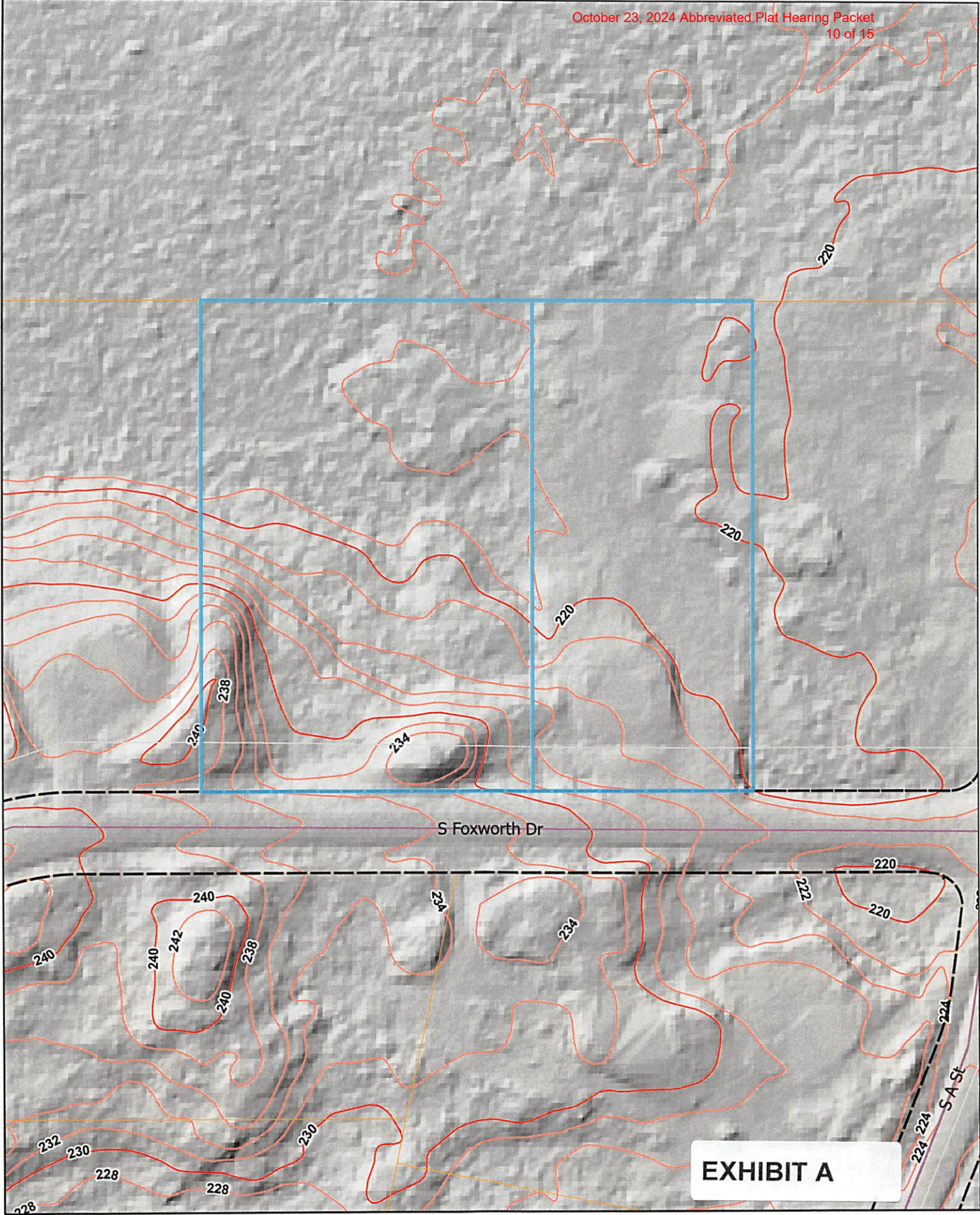
S A St

Matanuska-Susitna Borough, Municipality

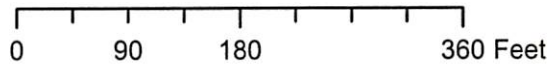
**EXHIBIT A**







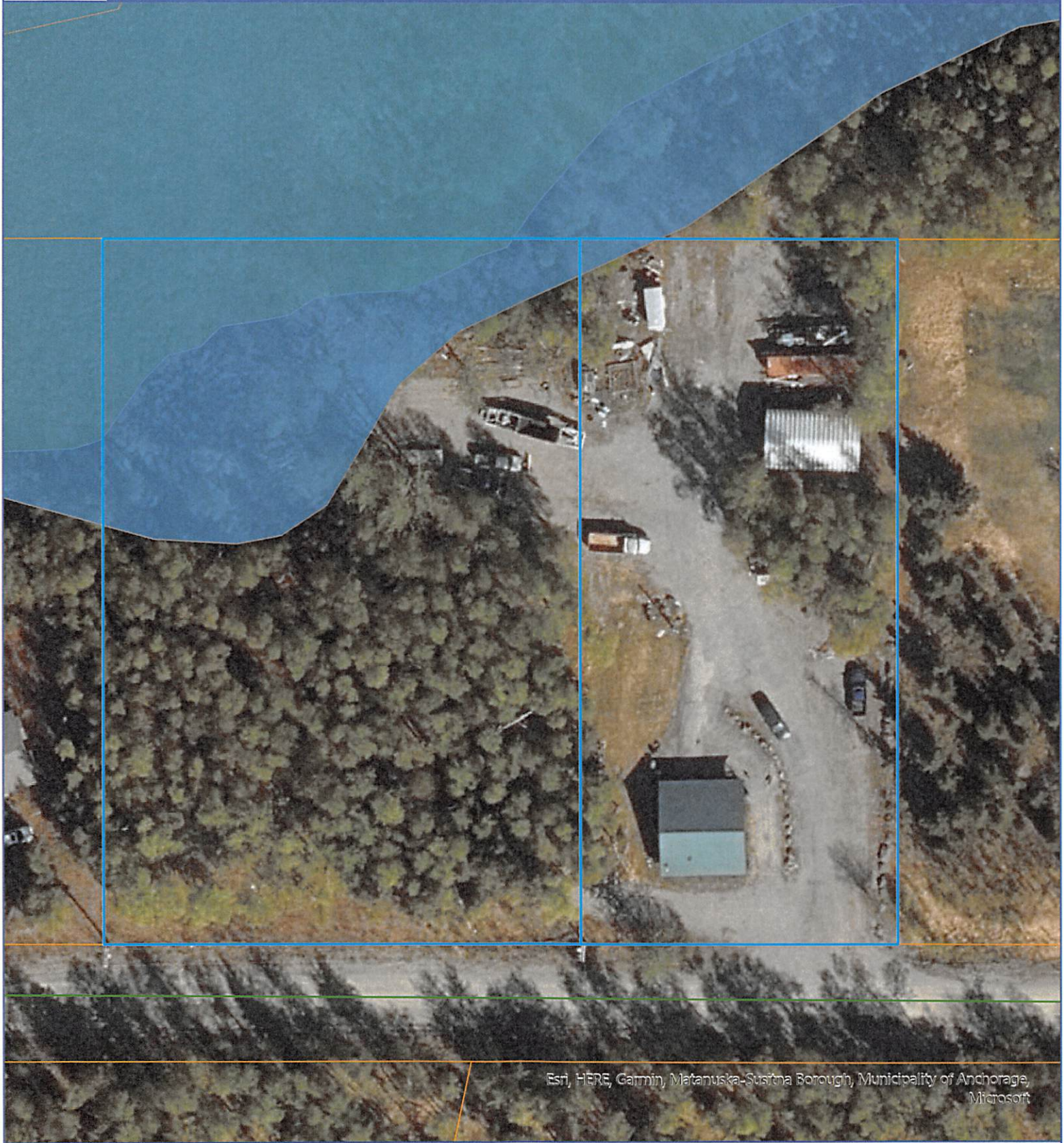
**EXHIBIT A**










# Mat-Su Borough Wetlands Viewer



Esri, HERE, Garmin, Matanuska-Susitna Borough, Municipality of Anchorage, Microsoft

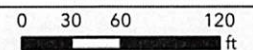


-  Mat-Su Borough Parcels
-  Kettle
-  Freshwater Emergent Wetland

This map is solely for information purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7858.

Printed on Oct 11, 2024

## EXHIBIT A





## Natasha Heindel

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**From:** Ortiz, Olivia K CIV USARMY CEPOA (USA) <Olivia.K.Ortiz@usace.army.mil>  
**Sent:** Friday, September 27, 2024 8:52 AM  
**To:** Natasha Heindel  
**Subject:** RFC Clark Acres (ECLL)

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

Good morning Ms. Heindel,

Thank you for bringing this project to our attention and for allowing us to comment. The Corps of Engineers does have a comment regarding the proposed Clark Acres Subdivision. Based on aerial imagery and the national wetland inventory (NWI), it appears that there may be aquatic resources in the northwest corner of what is considered Lot 2.

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](http://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](http://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.

The applicant is welcome to submit a preapplication meeting request, a jurisdictional determination request, or a permit application directly to our general mailbox ([regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil)) and they will be assigned a project manager to assist them. Please feel free to contact our main line if you or the applicant have any questions or concerns at 907-753-2712.

Thank you,  
Olivia Ortiz  
Regulatory Specialist  
Alaska District | POA  
U.S. Army Corps of Engineers  
P: (907) 753-2586

## Natasha Heindel

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**From:** Permit Center  
**Sent:** Friday, September 27, 2024 8:34 AM  
**To:** Natasha Heindel  
**Subject:** RE: RFC Clark Acres (ECLL)  
**Attachments:** Screenshot 2024-09-27 083306.png

Good morning! They'll need to apply for a DW permit as shown. No other comments.

**Brandon Tucker**  
Permit Technician  
[Matanuska-Susitna Borough Permit Center](#)  
350 E Dahlia Ave  
Palmer AK 99645  
P (907) 861-7871  
F (907) 861-8158

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**From:** Natasha Heindel <Natasha.Heindel@matsugov.us>  
**Sent:** Thursday, September 26, 2024 12:18 PM  
**To:** Percy, Colton T (DFG) <colton.percy@alaska.gov>; sarah.myers@alaska.gov; regpagemaster@usace.army.mil; eric.r.schuler@usps.gov; Permit Center <Permit.Center@matsugov.us>; Code Compliance <Code.Compliance@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>  
**Subject:** RFC Clark Acres (ECLL)

Hello team,

The following link contains a Request for Comments for Clark Acres, MSB Case 2024-115.  
Comments are due by **Tuesday 10/08/2024**.

[Clark Estate](#)

Please let me know if you have any questions.

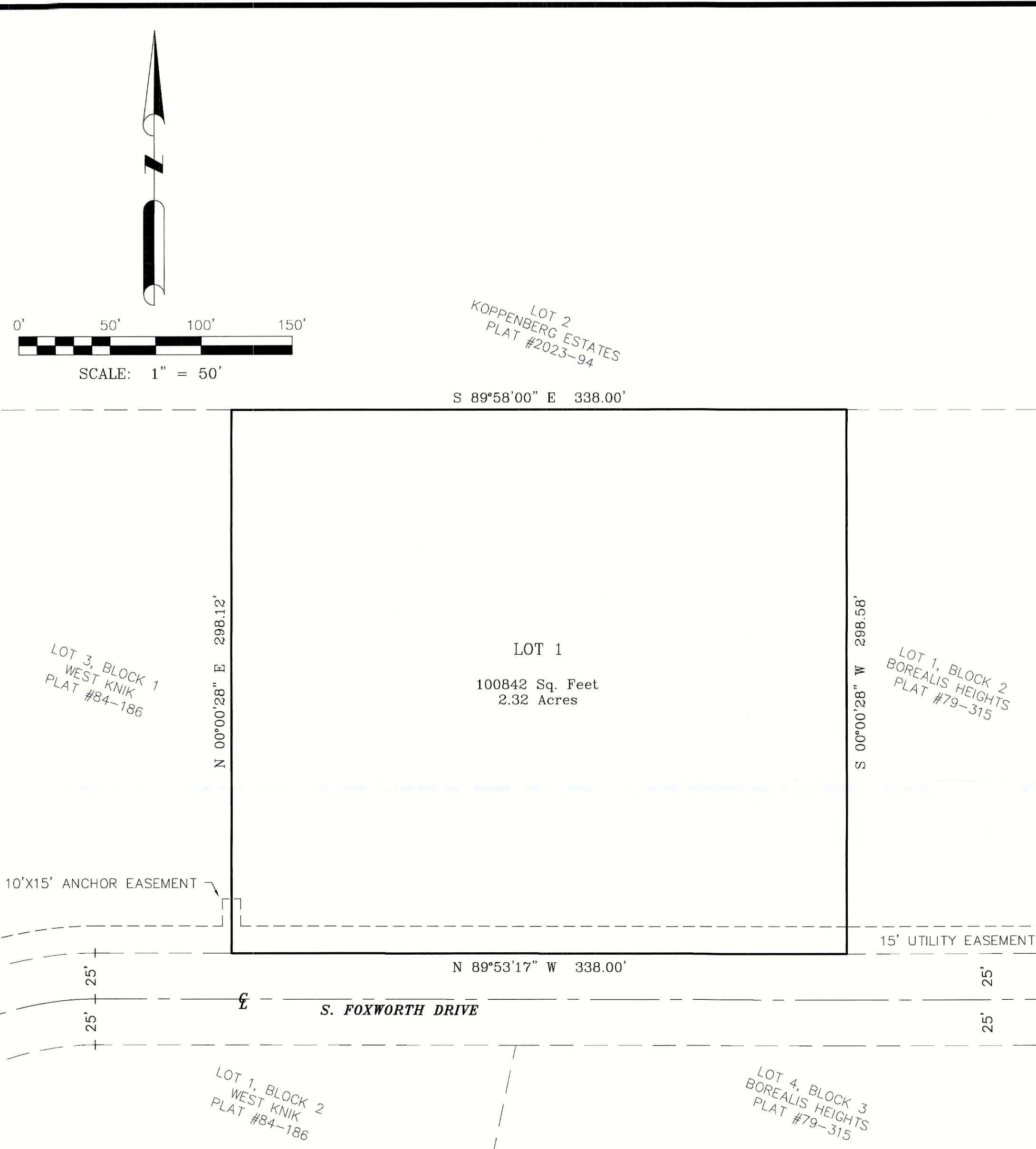
Have a great day,

*Natasha Heindel*

Platting Technician  
Mat-Su Borough Planning Department  
350 E. Dahlia Ave. Palmer, Alaska 99645  
Desk: (907) 861-7872  
[Natasha.Heindel@matsugov.us](mailto:Natasha.Heindel@matsugov.us)







**NOTES**

1. 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.
2. 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 GOVERN THOSE SYSTEMS.
3. EASEMENT(S) AS DELINEATED THE PLAT OF WEST KNIK, PLAT #84-186, TO THE RECORD OF WHICH REFERENCE IS HEREBY MADE.
4. ELECTRICAL & TELEPHONE EASEMENT GRANTED TO: MATANUSKA ELECTRIC ASSOCIATION, INC. RECORDED JUNE 26, 1958 IN BOOK 20, PAGE 143.
5. ELECTRICAL & TELEPHONE EASEMENT GRANTED TO: MATANUSKA ELECTRIC ASSOCIATION, INC. RECORDED DECEMBER 6, 1966 IN BOOK 9 MISC, PAGE 223
6. COVENANTS, CONDITIONS, RESTRICTIONS, AND/OR EASEMENTS: RECORDED: SEPTEMBER 27, 1984 IN BOOK 381, PAGE 236

**PLANNING & LAND USE DIRECTOR'S CERTIFICATE**

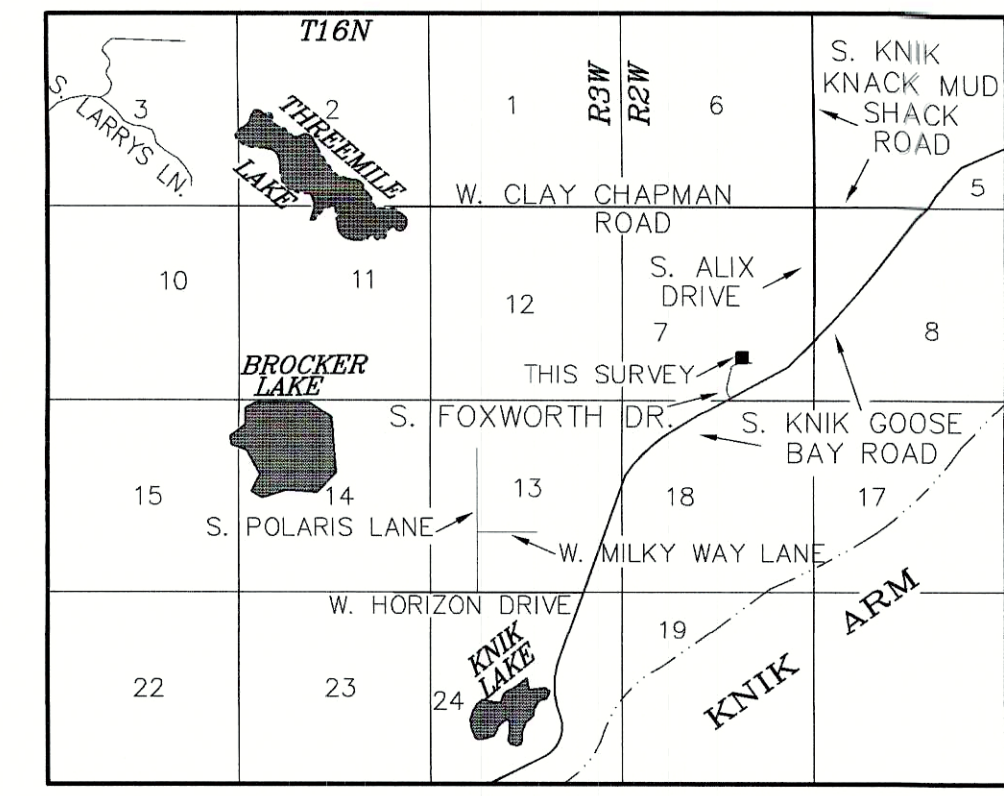
I CERTIFY THAT THIS SUBDIVISION PLAN HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA - SUSITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY

PLAT RESOLUTION NO. \_\_\_\_\_

DATED \_\_\_\_\_ 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 THIS PLAT IS LOCATED.

PLANNING AND LAND USE DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

ATTEST: \_\_\_\_\_ PLATTING CLERK



VICINITY MAP: 1" = 1 MILE

**CERTIFICATE OF OWNERSHIP**

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED IN THIS PLAN AND THAT I ADOPT THIS PLAN OF SUBDIVISION BY MY FREE CONSENT.

GARY LEE CLARK \_\_\_\_\_ DATE \_\_\_\_\_  
8046 S FOXWORTH DR  
WASILLA, AK 99623

**NOTARY ACKNOWLEDGEMENT**

SUBSCRIBED AND SWORN BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
FOR GARY LEE CLARK  
NOTARY FOR THE STATE OF ALASKA  
MY COMMISSION EXPIRES \_\_\_\_\_

**PRELIMINARY**

**Agenda Copy**  
**RECEIVED**  
JUN 18 2024  
**PLATTING**

**CERTIFICATE OF PAYMENT OF TAXES**

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

DATE \_\_\_\_\_ BOROUGH TAX COLLECTION OFFICIAL \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT I AM A REGISTERED 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 #84-186



ROBERT S. HOFFMAN, P.L.S. \_\_\_\_\_ 6/12/2024  
LS 10609 PROFESSIONAL LAND SURVEYOR \_\_\_\_\_ DATE

A PLAT OF  
**CLARK ESTATE**

A REPLAT OF:  
LOTS 1 & 2, BLOCK 1  
WEST KNIK  
PLAT #84-186

LOCATED WITHIN:  
SECTION 7, T16N R2W  
SEWARD MERIDIAN, ALASKA  
PALMER RECORDING DISTRICT  
THIRD JUDICIAL DISTRICT  
STATE OF ALASKA  
CONTAINING 2.32 ACRES MORE OR LESS

**BULL MOOSE SURVEYING LLC**  
LICENSE #200746  
200 HYGRADE LANE OFFICE: (907) 357-6957  
WASILLA, ALASKA 99654 office@bullmoosesurveying.com

DRAWN BY: RSD	DRAWING SCALE: 1"=50'
DATE: 6/12/2024	SHEET 1 OF 1
CHECKED BY: TGC	