

## **FNSB PLATTING BOARD**

# **MINUTES**

**December 14, 2005**

A regular meeting of the Fairbanks North Star Borough Platting Board was held in the Assembly Chambers, 809 Pioneer Road, Fairbanks, Alaska. The meeting was called to order at 3:05 p.m. by Janet Matheson, Vice Chairman.

**PRESENT:** Oliver Backlund  
Willie Bliss  
Margery Kniffen  
Janet Matheson, Vice Chair  
Bill Mendenhall  
Lee O'Hare  
John Reeves

**ABSENT:** Ronald McIntosh, Chairman  
Hubert Griffin

**ALSO PRESENT:** Loriann Quakenbush, Platting Officer  
Martin Gutoski, Platting Officer  
Bernardo Hernandez, Dir, Community Planning  
Randy Johnson, FNSB Public Works  
Todd Boyce, FNSB Transportation Planner  
Renee Broker, FNSB Borough Attorney  
Rachel Boyd, Recording Clerk

The minutes of the November 16, 2005 Platting Board meeting and the agenda for this meeting were approved.

### **COMMUNICATIONS TO THE BOARD**

**Hernandez** briefed the Board on the progress of the Title 17 road standards committee and the status of its work, which will be ready for the Platting Board to review at a work session in January. A public hearing will follow before the Platting Board, and then the document will be sent on to the Assembly.

**Hernandez** announced the 20-year milestone of Ms. Willie Bliss on the Platting Board and noted that this would be her last meeting. He presented a certificate of appreciation and read a proclamation in her honor from the Borough mayor, which noted that she was the longest-serving member in the history of the Platting Board. He also presented her a gift certificate to Pikes Landing Restaurant.

**Bliss** briefly reviewed the background of her interest in serving on the Platting Board and Board of Equalization. She expressed her enjoyment of the years she had served and accepted the honor of being the longest-serving member, though she didn't think she looked the part. ☺

## APPLICATIONS

### Preliminary Applications

1. **NR 001-06** – A request by Karl H. Monetti to rename a portion of road within Tract E, Sec 16, T3S R3E, FM AK, ASLS 84-63, from Jen St to Sawmill Trail (located at the intersection of Eielson Farm Rd and Old Valdez Trail).

**Gutoski** gave the staff report; staff recommended preliminary approval with no condition.

The road name change was approved without objection.

APPROVED

2. **SD 044-06 Fox Den Subdivision** - A request by Design Alaska on behalf of Ralph and Peggy Ann Beistline to subdivide Tax Lot 2107, a 4.95 acre parcel, into two lots of approximately 1.5 acres and 2.4 acres, and to dedicate additional right-of way for Ski Boot Hill Rd and Bruhn Rd within NE¼ NE¼ of Sec 21, T1N R1W, FM AK (located on Ski Boot Hill Rd and Bruhn Rd).

**Matheson** asked the Borough Attorney if her being employed by the firm that is handling the following subdivision constitutes a conflict of interest. She has absolutely no connection to this project.

**Broker** said it did not if she has no financial interest in the outcome.

**Quakenbush** gave the staff report; staff recommended preliminary approval with four conditions: Note # 5 shown on the preliminary plat be deleted (not shown on the final plat). GVEA review and comment on the final plat. The hatched area be clearly labeled on the final plat as public road right-of-way dedication. Note be placed on the final plat prohibiting access from Lot 2 onto Ski Boot Hill Road.

Findings of fact: Road construction is not required in conjunction with this subdivision as Ski Boot Hill Road meets Title 17 minor collector standards. This subdivision will result in very little impact to the service area roads as only one additional lot will be created. This subdivision meets the applicable requirements and purposes of Title 17.

**Reeves** asked where the service area commissioner got her information about the presence of permafrost and wetlands.

**Quakenbush** did not know; neither the soils report submitted by the engineer nor the wetlands mapping indicated either wetlands or permafrost.

**Reeves** asked if staff required the additional right-of-way.

**Quakenbush** replied that the application came in showing the dedication.

**Eric Gabrielson**, Design Alaska, was present and had no comment.

APPROVED

3. **SD 042-06 / RP 055-06 / VA 008-06 Denali Elementary Tract** - A request by Design Alaska on behalf of the Fairbanks North Star Borough to replat Lots 1 and 2, Blk 144, Weeks Field Subdivision, into one tract of approximately 8.7 acres, and to vacate the public thoroughfare easements located at the corner of 10<sup>th</sup> Ave and Lathrop St and at the corner of Crosson Ave and Lathrop St within Sec 9, T1S R1W, FM AK (located on Lathrop St, 10th Ave, Stewart St, and Crosson Ave).

*Matheson noted that she has no connection to this project.*

**Quakenbush** gave the staff report; staff recommended preliminary approval with three conditions: Easements, 10' x 10', be reserved around the fire hydrants for the benefit of GHU. 20' radius corner rounding easements be reserved on the final plat on all four corners of the Denali Elementary Tract. GHU and GVEA review and comment on the final plat utility easement provisions.

Staff noted that the vacation had been dropped from this request.

Finding: This replat meets the applicable technical requirements and purpose of Title 17.

**Eric Gabrielson**, Design Alaska, was present and had no comment.

APPROVED

4. **RP 012-06** - A request by Laurence Irving on behalf of Kenneth Webeck to replat Lot 1, Kauffman-Campbell Subd into two parcels of approximately 1.03 acres and 1.04 acres within Sec 20, T1N R1E, FM AK (located at the intersection of Vernal St and the Old Steese Hwy).

**Quakenbush** gave the staff report; staff recommended preliminary approval with five conditions: Note be placed on the final plat stating; "No direct access from Lot 1-B shall be allowed onto the Old Steese Highway." A note be placed on the final plat stating that any new or reconstructed driveway onto a service area road requires an FNSB driveway permit. The last sentence of Note number 3 on the preliminary plat not be shown on the final. GVEA review and comment on the final plat. GCI and Tan Terra Road Service Area be given 10-days to review and comment on the final plat.

Findings: The current owner is providing roadway easement across his property to accommodate the existing alignment of Vernal Street. This replat meets the applicable requirements and purposes of Title 17.

**Kenneth Webeck**, applicant, was present and had no comment.

APPROVED

5. **SD 045-06 / RP 056-06 Knoche Subdivision** - A request by Laurence Irving on behalf of Michael Knoche to subdivide Lot 2, Unity Estates, a 4.6 acre parcel, into two lots of approximately 1.8 acres and 2.7 acres within Sec 11, T1N R2W, FM AK (located on Jones Rd and Horsetail Trail).

**Quakenbush** gave the staff report; staff recommended preliminary approval of a variance from Title 17.60.070.B to allow the subdivision without upgrading Horsetail Trail to minor collector standards.

Staff also recommended preliminary approval of the replat / subdivision, with six conditions: The lots on the final plat be designated as Lots 1 and 2. The width of the Jones Road right-of-way be accurately depicted on the final plat. Verification be submitted with the final plat that the sauna meets the setback requirements of the RF-2 zone. Easements of record be shown on the final plat, and GVEA review and comment on the final plat. Prior to final plat submittal, ACS and the Jones RSA be given 10 days to review and comment on the subdivision. A note be placed on the final plat stating that "Access for Lot 2 shall be from Horsetail Trail only, and no new access will be allowed from Lot 1 onto Jones Road."

Findings of fact: With the variance and its findings, this subdivision meets the applicable requirements and purposes of Title 17.

**Quakenbush** read into the record a letter of comment from Jason Dollard and Heather Welshans, owner of Lot 1, Unity Estates, who objected to the widening of Horsetail Trail as it would invade his privacy and take out some very beautiful trees he has worked hard to keep healthy. He asked that the old variance be re-instated and access from Lot 2A be from Jones Rd and that the Unity Estates covenants be carried forward for the two new lots.

**Matheson** cautioned the Board that they cannot enforce covenants.

**Quakenbush** noted that the existence of covenants is automatically noted on the final plat. That may take care of the neighbors' concern.

**Laurence Irving**, surveyor, understands there is to be no new access to Lot 2. He asked for further clarification.

**Quakenbush** explained that the existing driveway serving Lot 2A may remain, but no additional access for 2A.

A roll call vote was taken on the motion to approve a variance from Title 17.60.070.B to allow the subdivision without upgrading Horsetail Trail to minor collector standards, with the following findings of fact: This property is already developed with two existing residential structures, and the purpose of the subdivision is to create a separate lot for each structure. Requiring upgrade of Horsetail Trail when the subdivision will not create additional impact on the road would be a substantial hardship to the applicant. Horsetail Trail is currently constructed to a standard that allows reasonable year round access; therefore, granting the variance will not jeopardize public health and safety. Approval was unanimous.

#### VARIANCE APPROVED

**Backlund** wished to delete condition #6.

**Bliss** felt that having the note would save time for any owner who might wish to construct a driveway in the future.

A roll call vote was taken on the motion to delete the sixth condition, dealing with the note limiting access to the lots. The motion passed with Backlund, Kniffen, Mendenhall, Reeves, and Matheson voting to approve and Bliss and O'Hare voting in opposition. Condition #6 was deleted, by Backlund, Kniffen, Mendenhall, Reeves, and Matheson voting in the affirmative and Bliss and O'Hare voting in the negative.

#### CONDITION #6 DELETED

A roll call vote was taken on the motion to approve the subdivision with five conditions. Approval was unanimous.

#### SUBDIVISION APPROVED

6. **SD 046-06 / VA 007-06 Mendone Subdivision** - A request by Ralph Mathews on behalf of Interior Regional Housing Authority to subdivide SE $\frac{1}{4}$  NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Gov't Lots 5 and 10 (Tax Lot 1247) and a portion of Gov't Lot 1 (Tax Lot 1365), 145.3 acres, into 62 lots varying in size from 1.8 acres to 2.2 acres and to vacate a portion of the 66 ft wide section line easement between Sections 12 and 13 and a portion of a 20 ft-wide access easement off Persinger Dr within Sections 12 and 13, T1S R1E, FM AK. (located on Persinger Dr and Pleasure Dr).

**Gutoski** gave the staff report; staff recommended approval of two vacations: the 66' wide by 400' long section line easement, and the 20' wide by 300' long portion of a 60' wide by 300' long "easement for dedication of roadway for construction of public road."

Staff also recommended preliminary approval with ten conditions: Provide drainage protection notes or easements within the subdivision, as determined necessary by FNSB Public Works. Provide a copy of the Storm Water Pollution Prevention Plan and EPA notification of permit coverage. Provide a copy of the approved ADOT&PF Driveway Permit for the new road intersections. GVEA and ACS review and comment on final plat utility easement provisions. Approved US Army Corps of Engineers wetlands permit be provided for construction and gravel extraction within designated areas. A note be placed on the final plat stating that no direct access shall be allowed onto Persinger Dr. Yukeen Drive be constructed to minor collector standards as part of the Phase 1 improvements. Pleasure Drive extension from the existing road within Pleasureland to Yukeen Drive be built to pioneer road standards as part of Phase 1 improvements. Pleasure Drive connection with Pleasureland be upgraded to minor collector standards as part of Phase 2 improvements. Flood Zone A notes, TBM, and BFE be established for final plat within designated areas.

Findings: As conditioned this subdivision meets the applicable requirements and purposes of Title 17. The impact of the connection with Pleasure Drive in Pleasureland as part of Phase 1 will be reduced when Yukeen Drive is constructed. The alternate way out using Pleasure Drive afforded by connecting with Yukeen Drive benefits not only Mendone Subd but Pleasureland lots and those off Feliz St also that presently have only one way out. The consent to annexation petition has been submitted for the property to be added to the Pleasure Road Service Area. DOT traffic counts indicate that access using Persinger Drive splits nearly equally between vehicles going west to Fairbanks and those going east to North Pole, thereby allowing Yukeen Drive to absorb traffic from this subdivision and adjoiners.

**Jim Chase**, 453 Pleasure Dr and road service commissioner, gave the Board a petition bearing 54 signatures.

**Matheson** read the petition into the record

**Chase** objected to the extension of Pleasure Dr into Mendone Subdivision because of the subsequent degradation of safety, quality of life, and roads. Construction traffic across Pleasure Dr and Feliz St would result in Pleasureland Service Area having to absorb the increased repair costs and raise taxes. Even after grading, Feliz has numerous potholes,

limiting speed of vehicles to less than 10 mph. Pleasure Dr is better because it has less traffic, but if the traffic from Mendone Subd is put on these roads, they will both deteriorate further, making both roads extremely difficult to navigate. During the summer of 2005, survey vehicles, a caterpillar, and large trucks damaged Pleasure Dr near the access point into Mendone Subd. Repair cost was absorbed by the taxpayers of Pleasureland Service Area. Pleasure Dr is not wide enough to allow a truck and a car to pass. The safety and quality of life for the residents of the Pleasureland Service Area will be reduced to unacceptable levels if the plat of Mendone Subd is approved. In a regular Assembly meeting of Jan 8, 2004, it was stated that Pleasure Dr would not be used for access to the Mendone Subd because it could not handle the weight or traffic. After this was stated, the rezone was approved at the Jan 22, 2004 Assembly meeting. All the lots in the subdivision could be accessed by cul-de-sacs off the central road. The residents of Pleasureland Service Area do not want to subsidize the developer of this proposed subdivision by having to repair the major damage that will occur when Feliz and Pleasure are used as construction roads.

**Kniffen** asked if the developer's building the north-south road first would alter the residents' objection to an ultimate connection to provide an alternate ingress/egress for both subdivisions.

**Chase** replied there would be no need for a connection. An appeal to double access is not reasonable. His house has been there since 1985 with only one access, as have most of the others in the service area.

**Arlene Chase** testified that the extension of Pleasure Dr would reduce safety and quality of life for the residents of Pleasureland Subd. Many people walk and socialize along Pleasure Dr almost every day. If the construction traffic uses Pleasure Dr, it will be too dangerous for pedestrian traffic. She asked the Board not to extend Pleasure Dr into Mendone Subd.

**Brian Coffman**, 459 Pleasure Dr, recommended the Board delete the connection between Pleasure Dr and the new development in the interest of safety, quality of life, access, and fairness. Kids and dogs are on the road every day. Dust from increased number of vehicles will adversely affect the health of his family member who has respiratory problems. Their quiet cul-de-sac road and single lane road will turn into a quagmire construction zone with 3 to 8 times the amount of traffic. He is a pilot with a medivac company, so he must be able to get out at all times. The developers will ruin the roads maintained by the taxes of the service area residents, and the developers will have no legal obligation to repair or replace them. He is certain the new road will never be built across the swamp. The developer has already shown this by bringing in their construction equipment to retrieve their drilling rigs that got stuck in the swamp. They damaged the road and walked away.

**Art Thorness**, 1667 Hammock Ave, said the bottom line is money. Their roads will go to pieces in the near future, even without the increased traffic. The roads are 33 years old, and there is no fabric under them. This is going to have to be dealt with very soon. Increased usage will make it happen faster.

**Mendenhall** explained that the Board doesn't like long subdivisions with no secondary egress. He asked if Thorness would object if the connection were made afterward if Yukeen Dr were looped at the end and completely constructed. Obviously, the Board is convinced that the construction traffic shouldn't be on Pleasureland roads.

**Thorness** understands the value of the dual access. He discussed the slough problem. In the 32 years he has lived there, Pleasure Dr has washed out three times. FEMA has replaced the culverts. If that washes out again, there would be no access to the upper part of the new subdivision. If the Mendone residents could be taxed to help with the roads, that would be one thing, but this situation appears to be just a bad deal for the Pleasureland residents.

**Kniffen** pointed out that the applicant signed a consent form to be annexed to the service area.

**Al Trettel**, 587 Pleasure Dr, has been a commissioner different times. He asked if there is any plan for public access to the river in this area. He would like to see that.

**Kniffen** said that half of the residents along Badger Rd would be coming to access the river, turning around and parking boat trailers in the private driveways. Public access is a two-edged sword.

**Ralph Mathews**, surveyor for the applicant, thought it needs to be recognized that there is a slough crossing required on Yukeen Dr. The intent is get the heavy equipment in while the ground is still frozen, but it will be a big project to deal with the slough crossing and build 4000' of road. The slough crossing will be the same construction as is used at Pleasure Dr and Keeling Rd. He has done everything he knows to do to keep from affecting the neighboring roads. As much as it can be avoided, he doesn't want circular truck traffic going around from one end to the other.

**O'Hare** referred to the comment from the Transportation Planner that the emphasis should be on getting Yukeen Dr built to minimize or eliminate the need to use Pleasure Dr for construction traffic. She wanted the construction traffic eliminated.

**Mathews** pointed out there is a lot of road to build to get Yukeen Dr down from the top to the slough crossing. It may be that much of this can be accomplished on frozen ground, but there will come a point in the spring where that will end.

**O'Hare** asked if Coldsnap Ct could be continued up to Yeanen Rd.

**Mathews** noted that would require yet another slough crossing. The reason for the location of Yeanen Rd is to provide access into a relatively land-locked area. That is the only way this area will be developed, because it is not economical to do a slough crossing for five lots. Road construction is the major portion of subdivision development cost. This subdivision as proposed contains about 6,000 ft of constructed road.

**Bliss** asked if prior to this subdivision proposal there was any public access to the river.

**Mathews** said there had never been.

**Kniffen** mentioned she had learned that this property is non-taxable for several years after development.

**Reeves** asked If separating Mendone's road system from Pleasure Dr would make good subdivision planning sense.

**Mathews** replied that it would from one perspective; however, it would be a negative in regard to emergency vehicle access and circulation. He also believes that once Yukeen Dr is built, it will invite traffic from Pleasureland Subd because of being a better road than Pleasure and Feliz - it certainly won't be a 10 mph road. At some time in the future, the developer may very well choose to close the loop on Yukeen Dr at the north, if for no other reason than to use it as a dike to keep the river from backwashing into the gravel pit while extraction is going on.

In response to a question from **Mendenhall**, **Mathews** said that if this connection is not made, the only other outlet would be that *eventually* there would be one to the east when Yenghee Rd is built and is *eventually* extended to reach Keeling Rd. That would be all. There is no way for Yeanen Rd to connect westward to Feliz.

**Mendenhall** likes connections between subdivisions, but he understands the problems created during construction. He, too, thought that if Yukeen is built to a high enough standard, it will end up being used for access to Pleasureland Subd.

**Reeves** asked for Broker to explain the tax exempt nature of this project.

**Broker** explained that IRHA is tax exempt and the purchasers of these lots will not really take ownership for 20 to 30 years. It will be a significant length of time before these property owners pay anything more than a 10% PILT (payment in lieu of taxes). When the Feds provide funding for these types of projects, local governments have to agree to reduce the taxes to nothing more than the 10% PILT. This developer is a regional housing authority, but she believes the primary source of funding is federal.

**Matheson** asked how the adjoining road service area would receive any revenue from this development.

**Broker** said they might receive a percentage of the 10%. It would probably be allocated between area-wide, non-area-wide, and service areas, but it wouldn't be commensurate to the neighbors' taxes.

**Reeves** wanted the access to Pleasure Dr limited to maybe six lots; he also wanted the loop on Yukeen closed.

**Mathews** didn't think many lots would choose to use Pleasure and Feliz when there is a better road closer to Persinger Dr. He also thought connections are an important part of planning.

**Todd Boyce**, FNSB Transportation Planner, studied the probable traffic patterns and closest way to get out. From Phase I (16 lots), traffic going toward Fairbanks or Fort Wainwright, the route over Pleasure Dr and Feliz will be shorter. For traffic headed toward North Pole or Eielson, Yukeen would be shorter. He looked at the traffic split on Persinger Dr now: 60% are on the western end, and 40% are on the eastern end. Splitting the 16 lots that way would mean 11 are going to find it easier to go over Pleasure and Feliz.

**Kniffen** pointed out that Boyce's traffic projection was based on both routes being equal.

**Boyce** agreed that if one route is significantly better maintained than the other, it would certainly draw most or all of the traffic.

**Kniffen** asked if approval of the vacations would carry forward even if the approval of the subdivision is denied.

**Gutoski** said the plats would have to be concurrent. The vacations are contingent on the subdivision and the roads being in place. A revision of the subdivision design could change the vacations.

A roll call vote was taken on the motion to approve vacation of the 66' wide by 400' long section line easement with the findings that the request meets both requirements of 17.40.030.E.1, *that the area proposed for vacation is no longer practical for the uses or purposes intended or that other provisions have been made which are more beneficial to the public*. The angle of the section line easement with Persinger Drive is less than 45 degrees, which is not permitted under 17.60.150.C.1. Yukeen Drive and Dewdrop Court will provide better access onto Persinger Drive. Adjoining property to the east will still be able to use the unvacated portion of the easement for access onto Keeling Rd. No existing road is contained within the area to be vacated. The vacation was approved with Backlund, Kniffen, Mendenhall, O'Hare, Reeves, and Matheson voting to approve and Bliss voting to deny.

#### VACATION APPROVED

A roll call vote was taken on the motion to approve vacation of a 20' wide by 300' long portion of a 60' wide by 300' long "easement for dedication of roadway for construction of public road." The vacation was approved with Backlund, Kniffen, Mendenhall, O'Hare, Reeves, and Matheson voting to approve and Bliss voting to deny.

#### VACATION APPROVED

Findings: It meets the criteria required under 17.40.030.E.1, *that other provisions have been made which are more beneficial to the public*. The easement did not connect with the intended phase for Goldenwood Subd in 1986. Coldsnap Court will provide better access onto Persinger Drive. Adjoining property to the west will still be able to use the unvacated portion of the easement for access onto Persinger Drive. No existing road is contained within the area to be vacated.

**Backlund** wanted the loop on Yukeen closed because the North Star Fire Service recommended it.

**Reeves** recommended severing the connection to Pleasure Dr and just creating a loop on the end of Yukeen Dr.

**Gutoski** reminded the Board that regardless of their conditions, Pleasure Dr connects to the western boundary of Mendone Subd, and this developer has the right to bring his equipment in over Pleasure Dr to get onto his land.

**Matheson** asked the surveyor to express his opinion of Reeves' proposal.

**Mathews** didn't care for it, but he sees no problem with completing the loop. It isn't a good idea to eliminate the connection to Pleasure Dr. It is a mistake not to have that access through there. Why is that any different from connecting the road to the east? It is a mistake from the perspective of long-term planning. What needs to be solved is the money issue. There should be some way for Mendone Subd to pay its share of the cost of

maintaining the roads. The applicant would have no objection to whatever could be done to accomplish that. That keeps it fair.

**Matheson** asked if a road outside a new subdivision had ever been required to be repaired or reconstructed after the new subdivision was completed.

**Gutoski** said there is nothing like that in the ordinance. It had been added to one of the drafts but was soon removed. There is the proviso about having been approved under a prior Title. He supported Mathews' statement about long-range planning. If Tracts B, C, and D get developed and then the now undeveloped portions of Goldenwood Subd want to tie into Yukeen Dr, and the undeveloped portions to the east want to do the same, and are all prevented from doing so by the objection of the residents on Yukeen Dr, there is no road network resulting, just stub roads that go no place. That is a safety concern. Roads are dedicated to the boundary for the purpose of connecting to future subdivisions; this creates a road network.

**Mendenhall** plans to vote for the plat as submitted. He did hope as much traffic as possible could be diverted from Pleasure Dr.

The Board voted on a condition to be added saying that the two cul-de-sacs shown in Phase I be connected as a loop road, and appropriate street name be provided. The motion passed with Backlund, Bliss, Kniffen, O'Hare, Reeves, and Matheson voting to approve and Mendenhall voting to deny.

#### CONDITION ADDED

The Board discussed not extending Pleasure beyond the western boundary and accessing all lots off Yukeen Dr and cul-de-sacs off that.

**Gutoski** pointed out this leaves Pleasure Dr as a 1500' cul-de-sac. Then Yukeen becomes a cul-de-sac 4000' long. He suggested postponement.

**Matheson** asked how the surveyor would feel about postponement.

**Mathews** reiterated that the Board is setting up a 6000' cul-de-sac if the connection to Pleasure Dr is not made. That was certainly part of his design criteria, because Title 17 is clear about that. He has no problem providing a cul-de-sac at the end of the existing Pleasure Dr, which would then serve the two Lot 1's fronting on Pleasure Dr. A 6000' cul-de-sac is not in the cards according to the Title. From Persinger Dr on north there is no way out of Yukeen Dr. It will do a dead-end loop back on itself, but it will essentially be a cul-de-sac with a gravel pit in the middle. There will be no way out: that is the point. The Title 17 maximum length for a road with a cul-de-sac is 1320'.

**Kniffen** thought that Pleasure Dr was approved under a prior Title, so the 1500' maximum length would not be a problem.

**Gutoski** recommended the Board consider the preamble to Title 17: The purpose of this title is to do the following: 1) Promote and provide for adequate and efficient street and road systems; 2) Prevent congestion on streets and promote traffic safety.... This design was offered to do that. There is opposition to connecting the roads, and the Board has to determine if this meets that part of the Title.

A roll call vote was taken on the motion to postpone so the applicant has a chance to look at this in more detail with the staff. Approval was unanimous.

### POSTPONED

**Matheson** reminded the audience that their testimony has been recorded and is part of the official record.

*Mendenhall departed.*

7. **SD 043-06 Bakkenwood Estates** - A request by RCH Surveys on behalf of Edward and Michelle Daml to subdivide Tax Lot 3010, a 40-acre parcel, into 30 lots varying in size from 0.92 acres to 2.2 acres within SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Sec 30, T1S R2E, FM AK. Subdivision is being proposed in four phases with the last phase being completed by 2013 (located on Scougal Rd off Bradway Rd).

**Quakenbush** gave the staff report; staff recommended approval of a variance from Title 17.60.070.B.1 to allow Bakkenwood Subdivision, Phase I without providing physical access to minor collector standards.

Staff also recommended preliminary approval of Bakkenwood Subd Phase I only with one condition: GVEA review and comment on the final plat.

**Jeremy Stark**, RCH Surveys, was present and had no comment.

A roll call vote was taken on the motion to approve a variance from Title 17.60.070.B.1 to allow Bakkenwood Subdivision, Phase I without providing physical access to minor collector standards, with the following findings of fact: Phase I will create only one lot that is already developed and has physical access by an existing driveway. This variance is likely to be temporary, as road access to Lot 10, Block 1 will be constructed to Title 17 standards on later phases of the subdivision. Requiring construction of 1,000 feet of road for one lot would be a substantial hardship to the applicant. This variance will not jeopardize public health and safety. Approval was unanimous.

### VARIANCE APPROVED

A roll call vote was taken on the motion to approve the subdivision. Approval was unanimous.

### APPROVED

8. **RP 052-01 / VA 013-01** – A request by RCH Surveys on behalf of JEM, LLC and William D. Fenderson to replat Tract A and a portion of Tract B, Endecott Subdivision, totaling 2.8 acres, by relocating their common interior lot line 29' northwesterly to create two lots of 1.1 acres and 1.7 acres and to vacate a 66' section line easement within Sec 13 and 18, T1S R1E, FM AK (located on Badger Rd and Peede Rd).

**Gutoski** gave the staff report; staff recommended approval of the vacation of the 66' wide section line easement as requested.

Staff also recommended preliminary approval of the replat, with three conditions: A note be placed on the final plat prohibiting any new driveway access onto Badger and Peede Rds.

**Kniffen** noted that the driveway access from both Badger and Peede aren't too well defined. She didn't know how the driveway access could be limited to no new driveway when most of the frontage is already driveway.

**Gutoski** said that if there is a change to the driveways, the owners will have to get a DOT permit.

GVEA review and comment on final plat utility easement provisions. BFE and TBM be established for the property within Flood Zone A.

Findings of fact for approval of the lot line adjustment between the two tracts: The lot line adjustment is simply to resolve building encroachments. The lot line adjustment would have met the Quick Plat criteria without the separate section line vacation action. The smaller southern tract is adding less than 3000 sq feet from the larger northern tract resulting in lots larger than one acre.

**Jeremy Stark**, RCH Surveys, was present and had no comment.

A roll call vote was taken on the motion to approve the vacation of the 66' wide section line easements as requested, with the findings that it meets the criteria of 17.40.030.E.1, *that other provisions have been made which are more beneficial to the public*, alternate access for the tracts is available on Badger and Peede Rds, DOT acquired additional right-of-way for Badger Rd and Peede Rd in 1990 as part of a major upgrade that did not need to use any of the area proposed for vacation, DOT does not object to the vacation, and the existing tracts have approved DOT driveway permits for their access onto Badger and Peede Rds. Approval was unanimous.

VACATION APPROVED

A roll call vote was taken on the motion to approve the replat / vacation. Approval was unanimous.

REPLAT / VACATION APPROVED

9. **VA 003-05 / RP 038-05** - A request by RCH Surveys on behalf of Kevin Shields, et al, to replat Lots 15 and 16 and Tract A of Blk 1, and Lots 9 and 10, Blk 2 of Twin Lakes Subd into two lots of approximately 1.09 acres and 1.19 acres and one tract of approximately 3.9 acres, and to vacate a 305' length of Shoreline Dr within S $\frac{1}{2}$  SW $\frac{1}{4}$ , Sec 14, T1S R2W, FM AK (located on Roland Rd, Shoreline Dr, and Sea Way).

**Gutoski** gave the staff report; staff recommended approval of the vacation for the 305'-long portion of Shoreline Dr with the conclusion that the access now available through MidChena Subd meets the criteria of 17.40.030.E.1, *that other provisions have been made which are more beneficial to the public*.

Staff also recommended preliminary approval of the replat / vacation with five conditions: Tract A-1 and Lot 10A be prohibited from direct access onto Seaway. The 10' easement on Tract A-1 be depicted for MidChena drainage into Twin Lakes West pond, and a note be placed on final plat protecting the drainage easement and lake from alterations. Existing gravel intersection with Seaway at Shoreline Dr be demolished and removed to adequately prohibit through traffic. Appropriate traffic signage be placed to warn motorists of the change in road access at both ends. GVEA and ACS review and comment on final plat utility easement provisions.

**Kniffen** noted that she owns ten lots in the Chena Hills Service Area, probably three miles away from this action. She didn't think the outcome of this vacation decision would have more than a minimal impact on her road service area taxes.

**Broker** said it would not be a conflict of interest under those circumstances.

**David Beyers**, Commissioner, Chena Marina Road Service Area, was opposed to this vacation. It is the safest and best access to Chena Pump Rd for at least half of his subdivision. The reason the Assembly denied this last year is that a better access was not provided. Shields has made three attempts to close this road. Traffic will find the route of least resistance, and this is the way everyone is going. The other roads are narrow with no shoulder, the edges drop off, buses can't pass. Chena Marina S/A has only about a \$12,000 budget, which maintains the sub-standard road they have. This depletes their entire budget. He would withdraw his opposition to vacating this if the Borough would extend Sea Way. That would then satisfy the condition of better access. He would like to see the Assembly mandate that the Borough prioritize this and get it done next year. If they do that, he will withdraw his opposition. His service area can maintain the roads, including a new Sea Way, but they have no money to build roads.

**Ray Cane**, Lot 1, Blk 13, Chena Marina 2<sup>nd</sup>, lives on Sea Way. He doesn't care whether or not the road is vacated. If Sea Way were opened, no one would be using Shield's road to access Chena Pump.

**Matheson** asked about the status of the section line easement for Sea Way.

**Gutoski** said the surveyor demonstrated that there is an 83' easement section line easement all the way to Chena Pump Rd.

**Cane** added that the man who blocked extension of Sea Way is not the owner, but is only a renter. A couple of years ago, there were six or eight cars in the ditch on the same day on MidChena Dr. It is so narrow they can't pass. It is a good road if there is only one person on it.

**Steve Hollenbeck**, Lot 3, Blk 2, Twin Lakes Subd, was just on MidChena Dr. There is room for two cars to pass head-on if they slow down. That is the trouble with them going through Twin Lakes: so long as there is traction, they will do the maximum speed around the corner. That traffic is terrible. Leaving the road open makes it possible for a lot of people to come through a 12-lot subdivision, asking these 12 lots to maintain the road for the other people's convenience. This has gone on a long time, and there has been no attempt made by Chena Marina to correct it by opening Sea Way. They have roads that were there when they bought their land. They didn't contribute anything to the construction of the road in Twin Lakes.

**Robin Hall** read a letter from **Jeff Barney**, who supported the vacation and replat as he felt the expense of the road, curb, and gutter construction was for the small subdivision it is in, not for the convenience of all of Chena Marina, which has numerous access roads of its own. Twin Lakes Subd safety is compromised because this adjoining subdivision uses this road as a main artery for others, including the airport and RV park. Residents bought in Twin Lakes for safety, and now other people are using that road like a freeway. They disobey the speed limits and disregard the property owners. Twin Lakes residents pay a higher mill rate than

those in Chena Marina and are thus subsidizing them. This volume of traffic ruins the reason he bought in Twin Lakes Subd.

**Robin Hall**, 1010 Shoreline Dr, pointed out that Chena Marina Subd has two roads in their own service area exiting to Chena Pump Rd. All the houses in Twin Lakes Subd have children. These drivers passing through give no regard to stop signs, speed limits, or pedestrians walking along the road. Some drivers fail to turn at the intersection of Twin Lakes Dr and Shoreline Dr, then use her private circular drive to get back onto Shoreline Dr. Several times in the middle of the night, someone came into their driveway and shot firecrackers at their house. A bike was stolen from in front of their house. They have been heckled and flipped off when they have asked people to slow down when driving through their neighborhood. Last winter eight vehicles slid through the intersection and landed in her front yard. So far this winter, six vehicles have done that, one coming close to taking out the transformer. In the summer, RVs use the roads to get to the Chena Marina RV Park. They also use the cul-de-sac in front of her house to make adjustments to their equipment, i.e., tie downs, etc. They also use metal jacks, which cut into the road and cause damage. Vehicles purposely drive off the end of Twin Lakes Dr cul-de-sac, driving straight through behind her house and through two private yards to get to Sea Way Rd. There have been fuel delivery trucks, dump trucks, cement trucks, water delivery trucks, and rubber-tired heavy equipment using this road for access to Chena Marina, damaging Twin Lakes' roads as they go through. Twin Lakes' roads were designed for light traffic for a subdivision of about 10 homes. The house behind her that is being built is being occupied at night by a vagrant. The owner has had to board up the windows and doors to try to keep him out and has thrown him off the property several times. This is a nice neighborhood, which will generate good tax revenue from the nice homes being built there. For the safety of their children and families, this vacation needs to be approved. Chena Marina Subd has very accessible access to Chena Pump Rd from within their own subdivision and service area.

**Dennis Swarthout**, 2615 Roland Rd, drove the various routes and found there is a 30-second difference (if observing the speed limit) between driving Shoreline Dr and driving MidChena. If Chena Marina's roads are dangerous, the Borough should be addressing that, but it shouldn't be at the expense of Twin Lakes Subd. This area used to be Roland Pit, the gravel source for Chena Pump extension, as well as being a place to party, dump junk and stolen cars, ride motocross, etc. This used to be a wild, untamed no-man's land. Since then a lot of money has been expended there by the developer and the home owners in Twin Lakes to make this a nice subdivision. Every home is valued at over \$400,000. It is a nice neighborhood. The intention was not for the streets to be a throughfare. Chena Marina Subd has three or four other routes to Chena Pump Rd. This very morning he watched 10 cars go through the stop sign without stopping. In the summer, all of the cars exceed the 20 mph speed limit through their subdivision. This subdivision has done a lot for the area and for Fairbanks, but it is not the quaint subdivision it was envisioned to be. The home owners in Twin Lakes deserve to be considered.

**Suzanne Spanjer**, 1145 Shypoke Ave, owns the RV park in Chena Marina. She emphatically tells her residents not to go through Twin Lakes. She tells them it is not a commercial street and is not meant to be used that way. She, herself, does drive through Twin Lakes because it is much shorter. Vacating the connection will not stop snowmachines, ATVs, etc, from driving through people's back yards. It is not all the people in Chena Marina doing this. She really appreciates people having the use of Twin Lakes roads because when that traffic all used to go past her place, there was a horrible amount of dust. Most of the people live on

the back side of the float pond; there are a lot of businesses and homes there. Something needs to be done about the traffic situation. It isn't right for all this traffic to go through Twin Lakes; Sea Way needs to be opened. There are always fire departments and police that need to respond to accidents at the airport, and there needs to be a more direct route. For some reason the man who is blocking the construction of Sea Way has buffaloed everyone to the point that they won't touch him. Can't something be done? He is impacting everyone.

**Andrew Roe**, 2580 Twin Lakes Dr, hopes the Board will approve the vacation. At various times he has spent time counting traffic. During the summer they average 300+ cars per day through Twin Lakes; even in the winter, it is about 150. This is not local traffic. In the summer, less than 3% of the traffic is from Twin Lakes residents; even in the winter, the residents account for less than 3-5% of the traffic. The problem should be resolved based on principle. The existing subdivision with several egresses of its own suddenly re-routed through the new subdivision. Twin Lakes Dr has a 22' wide travelway. Downwind Dr is slightly narrower in spots, but it looks narrower because the snow is not being plowed. In the three hours he was there yesterday, one car passed. That road seems abandoned in favor of the Twin Lakes roads. Downwind and MidChena have a 4½' ditch. He didn't want anyone on the Board to be guilted into thinking that if they approve the vacation they would be creating an unsafe situation. There are many miles of roads in the Borough that are potentially more hazardous because they are on an incline. The roads in Chena Marina are all on flat ground and are plenty safe.

**Jeremy Stark**, RCH Surveys, said that when this was platted in 1999, it was intended to be residential roads serving Twin Lakes Subd. The Borough, because of Title 17, forced the developer to make the connection – so now the roads serve as a collector for an entirely different neighborhood – an airport, a gravel pit, all sorts of commercial activity. He believes this vacation request meets the requirements of the Title. The alternative access is more beneficial to the public because the access for Chena Marina Service Area is within its own service area – that is more beneficial to the public. Their own roads are also safer; someone going into the ditch is a lot less concerning than someone running over a child in a residential neighborhood. A car can be extracted from a ditch whereas there is no going back from the other. That is the issue. Alternative access is there, and it is better access. It stays within their own service area, and it is safer for the residents of the Borough. This connection has ruined the neighborhood. It is a real tragedy for those who have invested so much in this nice neighborhood. There is a lot of variation in these two: Chena Marina has an airport, a gravel pit, an RV park, and all sorts of commercial ventures – things that don't necessarily mesh with Twin Lakes. Why should those two neighborhoods have to mix at the expense of the Twin Lakes residents when there is alternative access that is equal. They can maintain their own access. There is not a safety problem; their roads were approved by the Borough engineer. People driving too fast and going into a ditch is not a safety problem. No one is going to get hurt going into a ditch, whereas people driving 50 mph through a residential neighborhood creates a real safety hazard.

**Greg Milles**, 975 Shoreline Dr, will be moving into Twin Lakes Subd in a month. His biggest concern is that they don't feel safe walking on the roads. He watched a car go into the ditch in front of his new home because it was going too fast. After about half an hour it was able to drive out. Children and families are at risk. Multiple cars have parked on his property so the people could use the lake for recreation with their dogs or children. This is private property, and these people are trespassing. With a cul-de-sac at the end of Shoreline, this would be lessened significantly. This subdivision doesn't need the double access, and it should be closed off as soon as possible.

**Linette Jordan** is building on Lot 1, Blk 1. People have slept in their house while it is under construction, even urinating in their rooms. They had to board everything up. While her dad was up on the scaffolding, people drove through their property. They are also concerned about people driving across their well and sewer system. She has three children. This is a real safety issue. She has seen buses go into the ditch on the corner. People drive through her lot even if their family vehicle is parked there.

**Kevin Shields**, applicant, heard someone ask earlier, "Why doesn't the Borough take care of the extension of Sea Way?" There is quite a bit of history there, but his one remark is that he didn't have any help to build the roads through his subdivision. It was out of his pocket that the roads were paved. He never agreed to the connection of the roads. He put up a bond to stop this from happening; at some point through Emergency Services and because the bond was there, he was forced to put it in. Herb Mann, the platting officer who handled this subdivision, told him on more than one occasion that he never intended for all this traffic to come flying through Twin Lakes Subdivision. He also made that statement on the public record. He doesn't know if Bachner, the developer of MidChena Subd, should complete Sea Way or whether the service area should do it, but there is no benefit in having all that traffic flow through their neighborhood. There has been an increase in vandalism since connecting the road. His children constantly come home with stories of almost being hit while walking to or waiting for the school bus. It really is a safety problem. His house was broken into and thousands of dollars worth of items stolen. He believes that with the closed cul-de-sac they used to have, this never would have happened. There never was a problem when it was like that. With the smallness of this subdivision, it would be fairly easy for neighbors to see what is going on if there weren't 150-300 cars going by. It has become a thoroughfare for commercial trucks. It galls him to think that he paid \$70,000 for the asphalt and then to see Home Depot trucks, water trucks, and concrete trucks going across that asphalt and then to walk out and see all the cracks and breaks that are being made by this heavy traffic. He knows the users are not going to pay to repair it. It is ridiculous to have that type of commercial traffic through their subdivision. He pled with the Board to correct this and to vacate the connection. The design was never intended to work this way.

**Rebecca Clark** was one of the few people [39] notified of this meeting. She said the connection is supposed to be there because of the danger of the roads in Chena Marina Subd. Not everyone in Chena Marina is out to terrorize the folk in Twin Lakes. Shoreline Dr is the safest way to Chena Pump from her home, and it would be a safety concern if its connection to Sea Way were closed. Chena Marina roads are sub-standard; they flood in the spring, they aren't wide enough for two vehicles to pass most of the time, and most of the roads have a deep drop-off. A plane crashed just outside her yard last year, and it was very difficult for the emergency responders to get in. The possible closure of this road is a major concern to the people in Chena Marina. It is not a reasonable request from the standpoint of those in Chena Marina who need a safe way to drive and access Chena Point Rd. It is not a matter of convenience; it is a matter of safety.

**Patrick Campanella** recently purchased Lot 6, Blk 2, in Twin Lakes Subd. In the short time he has owned the lot, he has seen more traffic in one little neighborhood than he has ever seen. He is really surprised. Trucks have driven right off the end of the cul-de-sac, right across his lot, across his foundation, and across \$20,000 worth of dirt work that he will have to re-groom and redo because of several large-wheeled vehicles going across between two existing homes. The sooner Sea Way is opened for Chena Marina, the better off everyone will be. Safety is a problem. Twin Lakes roads are not designed for 30-40 mph traffic, which he has witnessed again and again. This needs to be resolved.

**Kelly Milles** and her husband are building on 975 Shoreline Dr. They were standing on their property and watching when the plane wrecked last summer. They ran over to it. The emergency vehicles came right through the Chena Marina roads with no problem. She didn't understand the earlier comment made about their having a problem. Safety is more of an issue for the Twin Lakes residents; they don't feel safe either walking or driving on their road. Sometimes she has to stop and let someone go by her because they are so close to her that she is afraid she will slide off into the ditch.

**Broker** felt obligated to emphasize that when the Board has asked a developer to give a dedication to the public, that is a very serious decision. Fairness needs to be considered at that time, but once that is done, the dedication falls within the public trust, and the Borough then has the fiduciary responsibility over that dedication. That is why the Board is being asked whether or not that should be returned to private ownership. The law in this Borough is clear that there must be provided *more beneficial* access to the public. It doesn't matter if there are 25 access points in existence; 24 is less beneficial. Under the standards given in Title 17, the discussion about whether there is more than one outlet is irrelevant when talking about giving back public property. It is the applicant's burden to prove that what has been provided is more beneficial. Close calls go to keeping it within the public ownership. A public road means exactly that: it is a public road; people can use it for their convenience; people can use it regardless of whether or not they pay. Once it is in the public ownership, it becomes equally available to all members of the public. Bad driving and inconsiderate neighbors are not addressed in a vacation. It is the Board's obligation to consider the public as a whole. When Sea Way is completed and does provide more beneficial access, it would certainly be appropriate to consider the vacation at that time.

**Matheson** reminded the Board that Title 17.10.010 states the purpose to 1) Promote and provide for adequate and efficient street and road systems; 2) Prevent congestion on streets and promote traffic safety...; and probably the most important is 5) Protect and improve the health, safety, and general welfare of the people of the Borough. The Board has to listen to what the people are experiencing and look at the success and failure of the road systems, then make some judgment calls.

**O'Hare** pointed out that the dedication of the connector was more of a taking than a giving by the developer. She thinks that makes a difference.

**Reeves** wants to grant the vacation because it is not this developer's job to do what the Borough should be doing, which is provide access. The Chena Marina area is large and has a lot of activity. There is serious business activity back there, a lot of tourism, all sorts of things. People are taking the path of least resistance. This developer has shown what can be done with an old pond. It is no longer a pond; it is waterfront. It is the fiduciary responsibility of the Borough to make good, not this developer. There won't be the political will to open Sea Way as long as Shoreline is open. Everyone agrees Sea Way would be the better way. The people in Chena Marina wouldn't want to see the same thing happen to their subdivision that has happened in Twin Lakes. He is going to go with the staff's recommendation to approve the vacation. His only question is "How long will it take to shut it down?"

**Matheson** also is going to go with the staff's recommendation. She has sat through this before. She was on the Board when MidChena was developed, so she has heard this several

times over, and the situation is only getting worse. This is a case where people have to be present and be heard; that will apply to the Assembly meeting that will follow this Platting Board meeting.

**O'Hare** has listed homes for sale in the Chena Marina area, and she has experienced no problem with the roads at all. There seemed to be plenty of access.

**Bliss** is going to approve the vacation because sometimes the Board has to right a wrong, and in this case the Board has the opportunity.

**Kniffen** believes there is a safety issue in Twin Lakes, and one of the ways to eliminate that safety issue is to eliminate this access. So far as this being a public asset now, yes, it is. One of the charges to the Board is that when it is no longer of benefit or when the benefit is less than the detriment, then the Board can give up a public asset. At this point she believes the vacation is more beneficial to Twin Lakes, and it is not as detrimental to MidChena as it is beneficial to Twin Lakes; therefore, the weight of the scale is on the side of vacation.

**Backlund** will vote to vacate the right-of-way because he doesn't see an over-riding need for one additional access.

A roll call vote was taken on the motion to approve the 305'-long vacation of Shoreline Dr, with the following findings of fact: Alternate access for Seaway onto Chena Pump Rd has been provided by MidChena Subd through Downwind and MidChena Drives. The lots in Chena Marina Subdivision have two other ways out for access onto Chena Pump Rd. There is a disparity between the two service areas' level of road maintenance that will be resolved by disconnecting Shoreline Dr from Seaway. There will still be a 66'-wide section line easement available through Tract A-1 in Twin Lakes to connect with Roland Rd and an 83' road right-of-way for Seaway to connect with Chena Pump Rd. The Chena Marina Service Area has requested \$56K in the FY 2006 budget to connect the last 700' of Seaway to Chena Pump Rd.

Approval was unanimous.

#### VACATION APPROVED

**Reeves** wished the Board to include support for the service area's request for \$56,000 from the Assembly to construct the remainder of Sea Way.

**Gutoski** advised that the findings from the Board's vacation vote will go to the Assembly, which has previously considered the funding request.

**Kniffen** thinks it inadvisable for the Board to get into that since there are any number of other service areas and subdivisions that need road improvement or an extension built.

A roll call vote was taken on the motion to approve the replat / vacation. Approval was unanimous.

#### VACATION / REPLAT APPROVED

**Matheson** noted that this approval will be sent forward for the January 12, 2006 Assembly agenda. She suggested the public keep watching the newspaper for that agenda.

10. **SD 035-06 / RP 042-06 Sawdust Subd** – A request by Kelly and Jenny Brown to subdivide two parcels totaling 38.5 acres into 10 lots ranging in size from 1.8 to 8.2 acres, comprised of Gov't Lot 2, Sec 18 and Tract A, Ester Heights Alaska Subd, Sec 7, T1S R2W, FM AK (located on Old Nenana Hwy).

**Gutoski** gave the staff report; staff recommended approval of variances from 17.60.150.C.7. to allow a 4% landing to be less than 100', from 17.60.150.B.1. to allow a 12% grade for 100' on Flux Street, and from 17.60.060.G.2. to allow 20' wide flag stems for Lots 7, 9 and 10.

Staff also recommended preliminary approval of the subdivision, with eleven conditions: Flux Street landing onto the Old Nenana Hwy be built to allow an emergency vehicle to park and still provide 20' of roadway width as requested by the Ester Fire Dept. As-built centerline and letter from professional engineer responsible for design be provided indicating Flux Street and drainage provisions are built according to plan. Flux Street be built 22' wide as part of the condition for granting approval of variances #1 and 2. A note be placed on the final plat stating that the flag staff for Lots 7, 9, and 10 cannot be built to Title 17 road standards. Further subdivision of these lots is not possible using the 20' wide stems unless alternate constructed access is available from an FNSB approved road. A note be placed on the final plat prohibiting any direct lot access onto the Old Nenana Hwy. Provide on-site wastewater disposal notes for areas with steep grades. Provide a traffic signage plan for Flux St to FNSB Public Works for review and approval with appropriate signage to be installed as part of the required road improvements. Common driveway easement within the flag stems for Lot 7, 9, and 10 be constructed to *Pioneer Rd width only* for the first 200' from the terminus of Flux St. Common driveway easement for Lots 7, 9, and 10 be provided and signed with a non-duplicate private street name. Flux Street name tag be changed to Court to reflect its status as a permanent cul-de-sac. GVEA and ACS review and comment on final plat utility easement provisions.

Finding: As conditioned and with the variance approvals, this replat meets the applicable requirements of Title 17.

**Kniffen** asked about the buildable area on Lot 3 after all the section line easements and public utility easements are taken out.

**Gutoski** said that if the Board is concerned, they can ask the surveyor to make sure there is at least 40,000 sq ft of usable area. It looks as though there may be at least 20,000 sq ft now. The lot line could be shifted to take some of the larger adjoining Lot 2.

**Kelly Brown**, applicant, said that Lot 3 will have room for a small cabin. He plans to keep it and put a place on it that will fit.

A roll call vote was taken on the motion to approve a variance from 17.60.150.C.7. to allow a 4% landing to be less than 100' and from 17.60.150.B.1. to allow a 12% grade for 100' on Flux Street because these variance meet the criteria of 17.70.010.A. Approval was unanimous.

#### VARIANCES APPROVED

Additional findings: The professional engineered design for the 75' apron at 4% calculates that it is adequate for a safe stopping distance of 25 mph. The design reduces the embankment heights by 1.5' by following the site topography. The fill quantities necessary

to construct to Title 17 standards impose an economic hardship that may prevent feasible development of the tract. Existing structures restrict alternate alignment. This variance in combination with variance #1 reduces the maximum fill from 14' to 11'. The alignment is approximately parallel to existing contours. The fill quantities necessary to construct Flux St to Title 17 requirements impose an economic hardship that may prevent development of this tract.

A roll call vote was taken on the motion to approve a variance from 17.60.060.G.2. to allow 20' wide flag stems for Lots 7, 9 and 10, with the following findings: The profile shows the three stems could not be built to FNSB road standards without significant fill quantities. The three stems will share a 60' wide common driveway easement for access onto Flux St. The stems average grade is 13.5% for 850', prohibiting construction for further subdivision without variances. The existing topography prohibits further subdivision even with requiring 40' minimum Type I stems. Approval was unanimous.

VARIANCE APPROVED

REPLAT / SUBDIVISION APPROVED

### EXCUSE ABSENT MEMBERS

The absences of **Griffin** and **McIntosh** were excused.

**Bliss** has enjoyed her years on the Platting Board, and she may join the audience some time just because of her habit of coming.

### COMMENTS

#### Board Members

**Backlund** wanted the Board to know that Hugh Griffin is in the hospital and not doing too well. He thought Griffin would appreciate visitors.

**Reeves** asked if there is any way to speed up the process of the meetings. There seems to be a lot of redundancy: packets are mailed to the Board members, applicants have the staff report, and the recommendations are shown on the PowerPoint presentation.

**Matheson** asked Gutoski what his experience would bring to this question.

**Gutoski** replied that staff was advised that what they say is part of the record, so even if they refer to a PowerPoint slide, that is not exactly what they said.

**Reeves** said that having the staff report read into the record takes half the time of the meeting. He thinks the written record is the important record.

**Kniffen** objected that the audience doesn't see the written record.

**Matheson** thinks the question will have to be left to staff. Maybe they can think of a better way to get the bulk of the material across so that it is all covered in public and so all the high points are covered, and nothing important is missed. The thing that takes the longest is the public testimony.

**ADJOURNMENT**

The meeting adjourned at 8:35 p.m.

/r