

FAIRBANKS NORTH STAR BOROUGH  
Platting Board  
August 18, 2021  
6:00 p.m.

A regular meeting of the Platting Board was held Wednesday, August 18, 2021, in the Mona Lisa Drexler Assembly Chambers of the Juanita Helms Administration Center, 907 Terminal Street, Fairbanks, Alaska.

**ROLL CALL**

There were present:

Ginger Orem	Michael Kwasinski
Troy Hicks	Steven Brooks
Jacqueline Morton	Kellie Fritze, Vice Chairperson
Randy Pitney, Chairperson	

Comprising a quorum of the Board, and

Alexis Fackeldey, Administrative Assistant III, Clerk  
Kellen Spillman, Acting Community Planning Director  
George Stephan, Platting Officer IV  
David Ruzicka, Platting Officer II  
Billy Cardentey, Platting Officer II  
Ehren Lohse, Assistant Borough Attorney  
Wendy Dau, Assistant Borough Attorney  
Shelly Wade, Agnew Beck Consulting, LLC  
Natalie Lyon, PDC Engineering

Absent & Excused

Traci Schachle

**MESSAGES**

1.a. Opening

Chair Pitney pointed out the exits and laid out the basic rules of the Platting Board.

## **MESSAGES – continued**

### 1.b. Chair's Comments

Chair Pitney thanked the clerk for the quality of the materials provided. Chair Pitney explained new procedures which were put into place to bring the Platting Board in line with the code. He also announced a work session that would be conducted immediately after the meeting.

### 1.c. Introduction of Staff

The staff present introduced themselves.

### 1.d. Communications to the Platting Board

Kellen Spillman, Acting Community Planning Director, spoke about future business for the Platting Board and explained the upcoming training for the board. Mr. Spillman also updated the board on who to contact for upcoming meetings and provided comments and updates on the state of the Community Planning Department. Mr. Spillman asked that HY001-17 Richardson Highway be removed from consent agenda as a required finding was not included in the staff report.

### 1.. Citizen's Comments on agenda items not scheduled for public hearing.

NONE

### 1.. Citizen's Comments on items other than those appearing on the agenda.

NONE

### 2. Disclosure & Statement of Conflict of Interest

Mr. Brooks is an employee of the State of Alaska Department of Transportation and Public Facilities and worked on HY001-17 Richardson Highway and HY001-21 Gillam Way. Chair Pitney ruled that Mr. Brooks had a conflict and would not be able to participate on either item.

Mr. Hicks is an employee of the State of Alaska Department of Transportation and Public Facilities and worked on HY001-17 Richardson Highway and HY001-21 Gillam Way. Mr. Hicks is also the applicant on both items. Chair Pitney ruled that Mr. Hicks had a conflict and would not be able to participate on either item.

**APPROVAL OF AGENDA AND CONSENT AGENDA**

Kellen Spillman, Acting Community Planning Director, stated the Community Planning Department requested the removal of HY001-17 Richardson Highway from the Consent Agenda for it to be considered under the Public Hearing section of the agenda. Chair Pitney requested it be removed from the consent agenda and there was no objection.

BROOKS, moved to approve the agenda and consent  
Seconded by HICKS agenda as amended.

VOTE ON MOTION TO APPROVE THE AGENDA AND CONSENT AGENDA AS AMENDED.

Yeses: Orem, Hicks, Morton, Kwasinski, Brooks,  
Fritze, Pitney

Noes: None

MOTION CARRIED 7 Yeses, 0 Noes

**APPROVAL OF MINUTES**

- 1. \*Platting Board minutes of July 21, 2021.

Without objection this measure was read by title and approved under the consent agenda.

**QUASI-JUDICIAL**

Due to their conflicts of interest Mr. Hicks and Mr. Brooks left the dais.

The clerk administered the oath to the group at large.

- 1. HY001-21 Gillam Way

A request by the State of Alaska Department of Transportation and Public Facilities to replat four (4) parcels, with two (2) of the parcels being reduced in size and (2) of the parcels being affected with new public right-of-way easements, to provide for Gillam Way reconstruction. The property is located within United States Survey No. 849 and within Sections 10 and 15, T.1S., R.1W., F.M., specifically on the east side of Gillam Way between 22<sup>nd</sup> Avenue to 14<sup>th</sup> Avenue within the City of Fairbanks, Alaska.

Billy Cardentey, Platting Officer II, presented the staff report.

Tim Sprout, Right-of-Way Engineering Supervisor with the State of Alaska Department of Transportation and Public Facilities, was present to answer questions.

**QUASI-JUDICIAL - continued**

Troy Hicks, with the Department of Transportation and Public Facilities, provided testimony on the specifics of right-of-way plats and how they differ from regular plats.

Ehren Lohse, Assistant Borough Attorney, stated that the board should not give Mr. Hicks testimony any greater weight because he is a member of the board.

Ms. Fritze asked what happens if the right-of-way plat is denied by the board. Mr. Hicks replied that the change in landowners would still be true. *Clerk's note: The board was instructed to disregard Mr. Hick's testimony.*

Mr. Sprout stated there was some public risk to denying right-of-way plats as it might endanger public funding.

Wendy Dau, Assistant Borough Attorney, stated that it was a conflict of interest for a board member to be an applicant in front of a board which they are a member. The board was instructed by Ms. Dau to disregard Mr. Hicks' testimony.

FRITZE,  
Seconded by OREM

moved to approve the replat of 4 parcels with two of the parcels being affected with new public right-of-way easements to provide Gillam Way Reconstruction.

Mr. Kwasinski stated that the request looked straightforward.

VOTE ON MOTION TO APPROVE THE REPLAT OF 4 PARCELS WITH TWO OF THE PARCELS BEING AFFECTED WITH NEW PUBLIC RIGHT-OF-WAY EASEMENTS TO PROVIDE GILLAM WAY RECONSTRUCTION.

Yeses: Morton, Orem, Kwasinski, Fritze, Pitney

Noes: None

MOTION CARRIED 5 Yeses, 0 Noes

CONDITIONS OF APPROVAL

1. The monumentation requirements of FNSBC 17.28.030 shall be adhered to and depicted on the final plat.

2. As provided in FNSBC 17.28.040(C), the final plat shall be submitted within 60 months of the Platting Board's approval.

### **QUASI-JUDICIAL - continued**

#### FINDINGS OF FACT

- A) This project is a proposal by the Alaska Department of Transportation & Public Facilities in cooperation with the Alaska Division of the Federal Highway Administration.
- B) Acquisition of the two fee parcels and two easements are in accordance with FNSBC 17.28.030 (E).
- C) The applicant has satisfied the submission requirements of FNSBC 17.28.020.
- D) The FNSB Planning Commission recommended approval of this project.
- E) As required by AS 35.30.010, the Local Planning Authority Approval for the Gillam Way Restoration project, Alaska Project No. 0655012/Z637840000, was granted approval by the FNSB Planning Commission on July 26, 2018.
- F) The FNSB Transportation Planner supports this project.

### **PUBLIC HEARING**

#### 1. HY001-17 Richardson Highway

A request by the State of Alaska Department of Transportation and Public Facilities for a 2-year extension request to the FNSB Platting Board's approval on September 21, 2016, to replat 27 parcels to provide for Richardson Highway access improvements, within Sections 27, 28, 34 and 35 T.1S., R.1E., F.M., specifically Milepost 353-357.

George Stefan, Platting Officer IV, presented the staff report.

Chair Pitney asked if staff and applicant got equal time. Ehren Lohse, Assistant Borough Attorney, stated that in the interest of fairness they did.

Tim Sprout, Right-of-Way Engineering Supervisor with the State of Alaska Department of Transportation and Public Facilities, was present to answer questions.

Mr. Sprout stated that the State of Alaska Department of Transportation and Public Facilities had run out of time to complete the project.

**PUBLIC HEARING - continued**

FRITZE,  
Seconded by OREM

moved to approve the two-year time extension for HY001-17 Richardson Highway with the two conditions, adopting the staff report and the seven findings of fact in support of approval.

Ms. Orem spoke in approval of the work done on the highway by the State of Alaska Department of Transportation and Public Facilities.

Chair Pitney also spoke in favor of the extension.

VOTE ON MOTION TO APPROVE THE TWO-YEAR TIME EXTENSION FOR HY001-17 RICHARDSON HIGHWAY WITH THE TWO CONDITIONS, ADOPTING THE STAFF REPORT AND THE SEVEN FINDINGS OF FACT IN SUPPORT OF APPROVAL.

Yeses: Morton, Kwasinski, Orem, Fritze, Pitney

Noes: None

MOTION CARRIED 5 Yeses, 0 Noes

**SUBDIVISION RECOMMENDATION**

1. The final plat application shall be submitted by September 21, 2023 or the preliminary approval will become void.
2. Condition #2 from the September 21, 2021 approval shall be revised to state, "The monumentation requirements of FNSBC 17.28.030 shall be adhered to and depicted on the final plat."

**FINDINGS OF FACT**

- A) The Platting Board approved the ROW acquisition plat request on September 21, 2016.

- B) The preliminary plat expires on September 21, 2021.
- C) This is the applicant's first extension request.
- D) FNSB staff support the extension request.

**PUBLIC HEARING - continued**

- E) At the time of approval in September 2016, FNSB staff incorrectly cited the monumentation requirements as FNSBC 17.30.150. The correct citation is FNSBC 17.28.030, and recommended Condition #2 addresses this.
- F) FNSBC 17.28.040(C) states that the Platting Board may grant an extension for recording the final plat upon the finding that it is in the public interest to do so.
- G) Approval of the extension request is in the public interest because the highway project's ROW acquisition plat supports the purposes of FNSB Title 17, as codified in FNSBC 17.08.010(A):
  - i. Promote and provide for adequate and efficient street and road systems;
  - ii. Prevent congestion on streets and promote traffic safety;
  - iii. Provide for adequate utilities and public improvements;
  - iv. Ensure the accurate survey and proper preparation of plats to facilitate the documentation of land ownership;
  - v. Protect and improve the health, safety, and general welfare of the people of the borough.

Mr. Hicks and Mr. Brooks returned to the dais.

**EXCUSE FUTURE ABSENCES**

Vice-Chair Fritze will be 15 minutes late to the next meeting.

**COMMISSIONER'S COMMENTS/COMMUNICATIONS**

Mr. Spillman said that if the board would like a training session on the right-of-way plat then the Community Planning Department would be happy to provide that.

Mr. Brooks made an amusing comment.

Mr. Hicks apologized for addressing the board as an applicant.

Ms. Orem thanked the staff and suggested digital packets to cut down on paper waste.

**COMMISSIONER'S COMMENTS/COMMUNICATIONS - continued**

Chair Pitney stated that the board was still undergoing changes and that things went fairly smooth due to the Clerk's Office.

**ADJOURNMENT**

There being no further business to come before the Platting Board, the meeting was adjourned at 7:08 p.m.