

# FNSB PLATTING BOARD

## MINUTES

February 21, 2018

A regular meeting of the Fairbanks North Star Borough Platting Board was held in the Mona Lisa Drexler Assembly Chambers, Juanita Helms Administrative Center, 907 Terminal Street, Fairbanks, Alaska. The meeting was called to order at 6:01 p.m. by Randy Pitney, Chair.

### ROLL CALL

Members Present: Crystal Haman, Troy Hicks, Jason McComas-Roe, Clint Meyer, Bill Mendenhall and Randy Pitney

Members Absent: Kellie Fritze (excused)

Others Present: Christine Nelson, Director, Department of Community Planning, Noah Kline, Assistant Borough Attorney, David Bredlie, Public Works Engineer and Laura McLean, FNSB Recording Clerk

### MESSAGES

1. Citizens Comments – limited to three (3) minutes

None.

2. Communications to the Board

**Ms. Nelson** commented that one of the Platting Board members has requested training on Title 17 Variances. It was decided that this training will be held prior to the April 18<sup>th</sup> Platting Board meeting.

3. Chair's Comments

Mr. Pitney reminded the Board of the vacancies that currently exist. He urged all to get the word out.

4. Disclosure and Statement of Conflict of Interest

None.

### APPROVAL OF AGENDA AND CONSENT AGENDA

Motion to approve the agenda and consent agenda made by **Meyer**, seconded by **McComas-Roe**. Motion carried without objection.

### MINUTES

Minutes of the December 20, 2017 meeting

Minutes of the January 17, 2018 meeting

## OATH

### QUASI-JUDICIAL HEARING

1. **RP015-18 (Mitchell Farms Estates Phase I)** A request by 3 Tier Alaska, Corp., on behalf of Lanser Builders, Inc, to replat Lots 2 and 3, Block 1 Mitchell Farms Estates Phase 1, a total of approximately 11.10 acres, into five lots ranging in size from 1.51 to 2.87 acres. The request includes dedication of a new right-of-way and a variance from FNSBC 17.56.100.C.2 to waive the requirement for dedicating the northwesterly corner rounding at the street intersection. The property is located within the SE¼ SW¼ Section 6, T3S R3E FM (located on Old Valdez Trail). **Staff Contact: George Stefan**

**Stefan** presented the Staff Report. Based on Staff analysis, the Department of Community Planning recommends APPROVAL of the replat with the following ten (10) conditions:

1. GVEA shall have a maximum of 30 calendar days to review and comment on the final plat.
2. ACS shall be given a maximum of 10 calendar days to review and comment on the final plat.
3. A note shall be placed on the final plat which states, "No subdivision lot may be further subdivided until such time as legal, constructed road access is available to the boundary of the lot proposed to be resubdivided."
4. The access note shall be revised to state, "Any new driveway or modification to an existing driveway within the Resnal Court or Old Valdez Trail right-of-way shall require an approved FNSB driveway permit prior to construction."
5. A note shall be placed on the final plat which states, "All driveways shall be installed with a minimum 18" diameter culvert."
6. A drainage easement to cover the three existing swales that move water from the Old Valdez Trail roadway ditch to the dry slough shall be dedicated by the final plat.
7. A note shall be placed on the final plat which states, "Portions of this subdivision contain wetlands. Prior to any discharge or placement of dredged and/or fill material into these wetlands, issuance of a Department of the Army permit may be required pursuant to Section 404 of the Clean Water Act."
8. The approved variance shall be noted on the final plat.
9. The benchmark requirements of FNSBC 17.52.040.D.18 shall be met prior to final plat approval.
10. Note #6 from the parent plat shall be carried over to the final plat to state, "The slough's natural drainage course shall be preserved and shall not be restricted, altered or otherwise impaired."

Furthermore, staff recommended adoption of the following nine (9) Findings of Fact and the Staff Report in support of approval:

- a) The subdivision request is exempt from constructing the portion of Old Valdez Trail between Eielson Farm Road and the east boundary of Mitchell Farms Estates Phase I per FNSBC 17.56.020.G because:
  - i. The proposed subdivision creates five lots.
  - ii. Legal access exists to the subdivision boundary from Old Valdez Trail.

- b) Per FNSBC 17.56.020.G a lot created under this subsection may not be further subdivided until such time as legal, constructed road access is available to the boundary of the lot proposed to be resubdivided. Condition #3 satisfies this.
- c) Per FNSBC 12.16.040 a permit from the FNSB is required prior to excavation or construction in or on any public road within a road service area. Condition #4 satisfies this.
- d) The applicant's registered professional stated in his drainage plan that it is likely each lot's driveway will require a minimum 18 inch diameter culvert. Condition #5 supports this.
- e) FNSBC 17.48.010.D.21 requires drainage easements as part of the registered professional's drainage plan when the new subdivision improvements will impact or change the drainage of adjacent land. Condition #6 satisfies this.
- f) Based on discussions with the US Army Corps of Engineers Central Section Chief, a final plat note which states, "Portions of this subdivision contain wetlands. Prior to any discharge or placement of dredged and/or fill material into these wetlands, issuance of a Department of the Army permit may be required pursuant to Section 404 of the Clean Water Act." is sufficient for notifying the developer that they should contact the Corps to see if a permit would be required. Condition #7 satisfies this.
- g) Per FNSBC 17.56.070.C, "Local road 1 is designed to provide direct access to individual properties and have the potential of serving 10 or fewer residential lots, with a maximum length of 1,320 feet."
- h) FNSBC 17.52.040.D.18 requires elevation bench mark monuments be established for subdivisions within Flood Zone AE, and that data is required to be depicted on the final plat. This replat is within Flood Zone AE, and condition #9 satisfies this requirement.
- i) With the **ten** conditions recommended by staff, this subdivision request meets the applicable requirements of Title 17.

**McComas-Roe** inquired if Stefan had any photographs that show the actual corner radius in the existing road. **Stefan** was not able to locate photographs.

#### Applicant Testimony

**Ryan Hunt**, 3-Tier Alaska addressed the Platting Board. He queried if staff was replacing Note #6 with the note from the parent plat or if this is in addition to the plat note from the parent plat.

**Stefan** responded that those are two separate notes, one for easement and the other a carryover note from the original plat.

**Hunt** read into the record the reasons, in their opinion, that they feel that this variance request should be approved.

**Hunt** continued that he would like to have Note #6 removed if possible. This note states "a drainage easement to cover the three existing swales that move water from the Old Valdez Trail roadway ditch to the dry slough shall be dedicated by the final plat". He objects to this note. He stated that the water does get carried to that location however he feels with the existing PUE that is right there, it will be an overlapping thing and is a non-issue. He feels that the note clutters the plat. He stated that he has no problem adding the notes from the parent plat.

**Hunt** further commented regarding the road width and justified the reason that they added the provision to build it to a local “1” road. The road will be serving five (5) lots.

**McComas-Roe** queried what is the difference between a local “1” road and a local “2” road. **Hunt** explained the difference between the two standards.

**Meyer** inquired about the drainage easement. He questioned the applicants opposition to the easement. **Hunt** responded that he did the survey and observed very rudimentary cuts in the area. A dozer piled dirt in the area and then punched “slots” within the gravel berms for drainage. He continued that it seems onerous to make an easement on top of what is already there. In addition, there is already a PUE there as well.

**Hunt** added that drainage slopes to the southeast.

**Eric Lanser**, owner, addressed the Platting Board. He stated that he did not have anything to add and made himself available for questions.

#### Interested Person Testimony

**Scott Hanson**, adjacent property owner, addressed the Platting Board. He stated that he is in opposition to this request. He does not want more neighbors in the area.

#### Applicant Rebuttal

None

**MOTION:** A motion was made by **Meyer**, seconded by **Mendenhall** to approve the replat, adopting the ten (10) conditions, nine (9) findings of fact and the staff report in support of the approval.

**MOTION:** A motion was made by **Mendenhall**, seconded by **Haman** to approve the variance from FNSBC 17.56.100.C.2 to waive the requirement for dedicating the northwesterly corner rounding at the intersection, adopting the three (3) findings of fact and the staff report in support of the approval.

**Meyer** stated that he is not opposed to this variance request.

**Haman** concurred with Meyer.

**McComas-Roe** stated that he concurs with the staff recommendation regarding the variance.

**ROLL CALL:** 6 in favor      Haman, Hicks, McComas-Roe, Meyer, Mendenhall and Pitney  
0 opposed

**McComas-Roe** stated that he intends to support he motion for approval of the replat.

**Haman** stated that she concurs with the applicant regarding the drainage easement.

**Hicks** stated that the fact that there is already a PUE at that area seems a bit too much. He concurred with Haman.

**Meyer** stated that he too agrees that the PUE will suffice as a drainage system.

**Pitney** commented that he does not concur with his colleagues and would like to see the note remain on the plat.

**McComas-Roe** spoke to the berm that impedes drainage and wanted to know where it is located within the PUE.

**Bredlie** replied that the drainage plan did not specifically say where the berm was.

**McComas-Roe** reiterated what Stefan had stated that a PUE does not provide for a drainage easement regardless. **Stefan** concurred.

Further discussion was had regarding the drainage berm.

**Hunt** clarified that the “berm” is essentially overburden from when the road was constructed.

**Meyer** commented that he would like to leave note #6 on the plat.

**MOTION:** A motion was made by **Haman**, seconded by **Hicks** to amend the original motion to remove Note #6, adopting nine (9) conditions, the nine (9) findings of fact and the staff report in support of the approval.

**McComas-Roe** stated that he is in support of the motion to amend the original motion and remove Note #6.

**ROLL CALL:** 6 in favor Haman, Hicks, McComas-Roe, Meyer, Mendenhall and Pitney  
0 opposed

**ROLL CALL:** 6 in favor Haman, Hicks, McComas-Roe, Meyer, Mendenhall and Pitney  
0 opposed

### **UNFINISHED BUSINESS**

None

### **NEW BUSINESS**

**Nelson** spoke to the Platting Board regarding the recently implemented Boards and Commissions Policy and how it will apply to this Board.

**Meyer** suggested that the Chief of Staff occasionally attend a Platting Board meeting to stay “in the loop”.

### **CITIZENS COMMENTS**

None

### **EXCUSE FUTURE ABSENCES**

**Haman** stated that she will not be available for the March 21, 2018 meeting.

## **BOARD MEMBER COMMENTS / COMMUNICATIONS**

**Bredlie** introduced Chad Hosier, the new Public Works Engineer who will be replacing him.

**McLean** advised the Board that the October 2018 meeting will have to be moved to another date as there is a conflict with the Assembly due to the holiday on October 18, 2018.

## **ADJOURNMENT**