

Kenai Peninsula Borough

Plat Committee

Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

June 13, 2022
5:30 PM
UNAPPROVED MINUTES

A. CALL TO ORDER

Chair Brantley called the meeting to order at 5:30 p.m.

B. ROLL CALL

Plat Committee Members/Alternates

Jeremy Brantley, District 5 - Sterling
John Hooper, District 3 – Nikiski
Blair Martin, District 2 - Kenai
Franco Venuti, City of Homer

Staff Present

Robert Ruffner, Planning Director
Julie Hindman, Platting Specialist
Ann Shirnberg, Planning Administrative Assistant

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

*3 Minutes

- a. May 23, 2022 Plat Committee Meeting Minutes

Chair Brantley asked if anyone from the public wished to speak to any of the items under the consent agenda. He then requested that Ms. Hindman give the staff report for the grouped plats.

Platting Specialist Julie Hindman gave the staff report for the grouped plats and noted the following plats were contained in the report:

- a. D&J Subdivision 2022 Addition; KPB file 2022-065
- b. Common Ground Subdivision; KPB File 2022-066

Hearing no one wishing to comment discussion was opened among the commission.

MOTION: Commissioner Martin moved, seconded by Commissioner Venuti, to approve the agenda, the May 23, 2022 Plat Committee meeting minutes and grouped plats based on staff recommendations and compliance to borough code.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

E. NEW BUSINESS

Chair Brantley asked Ms. Shirnberg to read into the record the public hearing procedures.

ITEM E1 - AA MATTOX SUBDIVISION JOHNSON ADDITION

KPB File No.	2022-064
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Jason and Angela Johnson of Anchor Point, Alaska
Surveyor:	Stephen Smith / Geovera, LLC
General Location:	Pennock Street, City of Homer

Parent Parcel No.:	177-302-91 and 177-302-92
Legal Description:	Lots 22 and 23 of AA Mattox 1958 Addition No. 2, Plat HM 58-3995
Assessing Use:	Residential
Zoning:	Urban Residential District
Water / Wastewater	City

Staff report was given by Platting Specialist Julie Hindman.

Chair Brantley open the meeting for public comment.

Tom Beck; PO Box 37, Homer, AK 99603: Mr. Beck stated that he didn't really have an issue with this plat but he did have concerns about drainage issues in the area. He wanted to know if there was a development plan associated with this plat.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

Commissioner Venuti informed Chair Brantley that he had voted on this matter at the city level and would request that he abstain from voting on this matter. Chair Brantley approved Commissioner Venuti's request.

MAIN MOTION: Commissioner Martin moved and was seconded by Commissioner Hooper, to grant preliminary approval to AA Mattox Johnson Addition, based on staff recommendations and compliance to borough code.

AMENDMENT A MOTION: Commissioner Martin moved, seconded by Commissioner Hooper, to grant exception request to KPB 20.30.030 – Proposed Street Layout Requirements, extension of Cook Way to Pennock Street, citing findings 1-8 & 10-13 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT A MOTION PASSED BY UNANIMOUS VOTE

Yes	3	Brantley, Hooper, Martin
Abstain	1	Venuti

AMENDMENT B MOTION: Commissioner Martin moved, seconded by Commission Hooper, to grant exception request to KPB 20.30.100 – Cul-de-sacs, dedicating a cul-de-sac turnaround at the end of Cook Way, citing findings 1-11 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT B MOTION PASSED BY UNANIMOUS VOTE

Yes	3	Brantley, Hooper, Martin
Abstain	1	Venuti

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MAIN MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	3	Brantley, Hooper, Martin
Abstain	1	Venuti

Planning Director Ruffner informed the testifier, who questioned if there had been a development plan submitted with this plat, that KPB code does not require a development plan for subdivision approvals. The borough is only interested in the platting action. He suggested that Mr. Beck contact the City of Homer to see if they have one.

ITEM E2 - D & J SUBDIVISION 2022 ADDITION

KPB File No.	2022-065
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Sentinel Properties LLC of Kodiak, AK
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Sterling Highway, Burt Avenue, Kalifornsky Area / Kalifornsky APC

Parent Parcel No.:	131-300-18
Legal Description:	Tract 9 of D & J Subdivision Amended KN 84-40
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

- **PASSED BY GROUP PLAT UNDER CONSENT AGENDA**

ITEM E3 - MONK ACRES

KPB File No.	2022-071
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Monica Monk of Ninilchik, AK
Surveyor:	Jason Schollenberg / Peninsula Surveying LLC
General Location:	Tall Tree Avenue, Anchor Point /Anchor Point APC

Parent Parcel No.:	165-030-47
Legal Description:	SW1/4 NW1/4 Section 3, Township 4 South, Range 14 West
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley open the meeting for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Martin moved, seconded by Commissioner Hooper, to grant preliminary approval to Monk Acres, based on staff recommendations and compliance to borough code.

AMENDMENT: Commissioner Martin moved, seconded by Commissioner Hooper, to grant exception request to KPB 20.30.030 – Proposed Street Layout Requirements & KPB 20.30.170 – Block Length Requirements, dedicating the 50-foot section line easement along the west & providing a dedication on the northern boundary, citing findings 1-6 & 9-11 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

ITEM E4 - ALASKA STATE LAND SURVEY NO 2021-25 TIG LEVARG SUBDIVISION

KPB File No.	2022-072
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	State of Alaska Department of Natural Resources Division of Mining, Land and Water
Surveyor:	James Hall / McLane Consulting Inc.
General Location:	Cohoe Loop Road, Cohoe Area

Parent Parcel No.:	133-110-88
Legal Description:	All of Section 36 excluding Rhodes Estates Amended and Excluding Cohoe Road
Assessing Use:	Industrial Mining
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley open the meeting for public comment.

James Hall, McLane's Consulting; P.O. Box 468, Soldotna, AK 99669: Mr. Hall was the surveyor on this project and made himself available for questions.

Commissioner Martin asked if the street names on this plat, Barrell Stove and Potbelly Stove had been approved. He noted that in the past there had been some issues with the suffix, Stove. Mr. Hall replied the Barrell Stove was an existing street name and that the State of Alaska DNR folks selected Potbelly Stove as a street name. If the commission feels this is an issue, he would be happy to discuss this concern with the State.

Chair Brantley asked staff if the KPB Addressing Officer had reviewed the names and signed off on them. Ms. Hindman replied that yes, the names had been reviewed and approved by the Addressing Officer Derek Haws. She stated she would bring to his attention that there were concerns related to the street names.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Martin moved, seconded by Commissioner Venuti, to grant preliminary approval to ASLS No. 2021-25 Tip Levarg Subdivision, based on staff recommendations and compliance to borough code.

AMENDMENT MOTION: Commission Martin moved, seconded by Commissioner Venuti, to grant exception request to KPB 20.30.170 – Block Length Requirements & KPB 20.30.030 – Proposed Street Layout Requirements, citing findings 1-11 in support of standards one, two & three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

ITEM E5 - DOYLE ESTATES SUBDIVISION SIXTH ADDITION

KPB File No.	2022-062
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Doyle Family Revocable Trust of Kenai, AK
Surveyor:	James Hall / McLane Consulting Group
General Location:	Helmsman Avenue, Dalton St S, Kalifornsky / Kalifornsky APC

Parent Parcel No.:	055-181-08
Legal Description:	Tract A-1A Doyle Estates Subdivision Third Addition KN 97-102
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley open the meeting for public comment.

James Hall, McLane's Consulting; P.O. Box 468, Soldotna, AK 99669: Mr. Hall was the surveyor on this project and made himself available for questions.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Martin moved, seconded by Commissioner Hooper, to grant preliminary approval to Doyle Estates Subdivision Sixth Addition, based on staff recommendations and compliance to borough code.

AMENDMENT MOTION: Commissioner Martin moved, seconded by Commissioner Hooper, to grant exception request to KPB 20.30.030 – Proposed Street Layout Requirements & KPB 20.30.170 – Block Length Requirements, citing findings 1-3 & 8-10 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

ITEM E6 - TUTL'UH SUBDIVISION CARMODY ADDITION

KPB File No.	2022-068
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Frank Gwartney of Anchorage, AK
Surveyor:	James Hall / McLane Consulting
General Location:	Hope Highway, A Street, Hope / Hope/Sunrise APC

Parent Parcel No.:	035-031-10 and 035-031-11
Legal Description:	Lot 6 and 7 of Tutl'uh Subdivision SW 2021-2
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley open the meeting for public comment.

James Hall, McLane's Consulting; P.O. Box 468, Soldotna, AK 99669: Mr. Hall was the surveyor on this project and made himself available for questions.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Martin moved, seconded by Commissioner Hooper, to grant preliminary approval to Tutl'uh Subdivision Carmody Addition, based on staff recommendations and compliance to borough code.

AMENDMENT MOTION: Commissioner Martin moved, seconded by Commissioner Hooper, to grant exception request to KPB 20.30.060(D) – Easement Requirements, front 10-feet adjoining rights-of-way, subject to any requested easements from providers granted which may include those adjacent to the rights-of-way, citing findings 2 & 4-9 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

ITEM E7 - COMMON GROUND SUBDIVISION

KPB File No.	2022-066
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Kenai Peninsula Borough of Soldotna, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	School Avenue, Old Sterling Highway, Anchor Point / Anchor Point APC

Parent Parcel No.:	169-050-67 and 169-050-71
Legal Description:	Portion of S1/2 NE1/4 Section 4, Township 5 South, Range 15 West, per Deed 2002-006119-0, HRD
Assessing Use:	Residential / Industrial Mining
Zoning:	Rural Unrestricted
Water / Wastewater	On site / Community

***PASSED BY GROUPED PLAT UNDER CONSENT AGNEDA**

ITEM E8 – QUARTZ CREEK SUBDIVISION OUTFITTERS WAY REPLAT

KPB File No.	2022-060
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Three Bears of Alaska of Wasilla, AK Kenai Peninsula Borough of Soldotna, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Cooper Landing / Cooper Landing APC

Parent Parcel No.:	119-124-17, 119-124-18, and 119-124-19
Legal Description:	Tracts A, B, and C of Quartz Creek Subdivision Plat No SW 94-11
Assessing Use:	Residential Vacant
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman. Ms. Hindman noted that the Cooper Landing APC had reviewed this plat and made several recommendations which are noted in the staff report addendum. The landowners were supportive of the recommendations. The APC recommended approval of this plat with the recommendations cited in the June 8, 2022 Cooper Landing APC meeting minutes.

Chair Brantley open the meeting for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was open among the committee.

MOTION: Commissioner Martin moved, seconded by Commissioner Hooper, to grant preliminary approval to Quartz Creek Subdivision Outfitters Way Replat, based on staff recommendations and compliance to borough code and subject to items 1-5 found in the staff report addendum.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

ITEM E9 - THORSLAND SUBDIVISION ADDITION NO 1

KPB File No.	2022-069
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Evenson Estate of Anchorage, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Holt Lamplight Road, Lake Marie Avenue, Nikiski

Parent Parcel No.:	013-105-12 and 013-105-15
Legal Description:	Lot 7-1 Thorsland Subdivision KN 2016-20, Government Lots 4-6, 8, 9, S1/2 S1/2 S1/2 NW1/4 and S1/2 SW1/4 SW1/4 NE1/4 (excluding Plats KN 2003-71, KN 2006-43, and KN 2010-30, in Section 16, Township 7 North, Range 11 West
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley open the meeting for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was open among the committee.

MOTION: Commissioner Martin moved, seconded by Commissioner Hooper, to grant preliminary approval to Thorsland Subdivision Addition No. 1, based on staff recommendations and compliance to borough code.

AMENDMENT MOTION: Commissioner Martin moved, seconded by Commissioner Hooper, to grant exception request to KPB 20.30.030 – Proposed Street Layout Requirements, for the continuation of Lake Marie Ave., citing findings 1, 2, 4 & 7-9 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

ITEM E10 – RIGHT-OF-WAY PROJECT SEWARD HIGHWAY MP 25.5-36 TRAIL RIVER TO STERLING WYE, REHABILITATION 0311(031) / Z546590000

KPB File No.	2022-063
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	State of Alaska Department of Transportation and Public Facilities
Surveyor:	Travis Test and Robert Keiner / State of Alaska DOT&PF
General Location:	Seward Highway, Moose Pass / Moose Pass APC

Parent Parcel No.:	Multiple
Legal Description:	Highway Rehabilitation from MP 25.5 to 36

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley open the meeting for public comment.

Chris Bentz, Engineer; AK DOT, P.O. Box 196900, Anchorage, AK 99519: Mr. Bentz is one of the engineers on this project. He noted receiving preliminary plat approval is the first step in this process. This will allow them to submit the initial funding request. Once funding is secured, they will begin to reach out and enter into negotiations with effected landowners. He then made himself available for questions.

The following individuals spoke in opposition to granting preliminary approval to this plat. General concerns expressed was the lack of transparency, lack proper noticing, important information left off the plat & plat drawings difficult to understand. There were several requests to postpone action on this plat to allow for more time for review and discussions with AK DOT.

Members of the public who testified in-person:

1. John Smart; PO Box 243, Moose Pass, 99631
2. Edward Estes; PO Box 26, Moose Pass, AK 99631
3. Jennifer Boyle; PO Box 121, Moose Pass, AK 99631
4. Nancy Erickson; PO Box 185, Moose Pass, AK 99631
5. Bruce Jaffa; PO Box 107, Moose Pass, AK 99631
6. Joseph Boyle; PO Box 121, Moose Pass, AK 99631
7. Linda Dickerson; PO Box 146, Moose Pass, AK 99631
8. Marla Heilit; Moose Pass
9. Lynne Lawrence; PO Box 122, Moose Pass, AK 99631

Member of the public who testified via Zoom:

10. Melissa Guersey; 41658 Seward Hwy., Moose Pass, AK 99631
11. Wendy Milligan; PO Box 112, Moose Pass, AK 99631
12. Phillip Hendersol, Volunteer Fire Chief; 30305 Toklat Way, Moose Pass, AK 99631
13. Marry Melissa Robinson; 1120 Huffman Road, #24, Anchorage, AK 99515

14. Shannon Martin; Soldotna, AK
15. John Gaule; PO Box 62, Moose Pass, AK 99631

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Martin moved, seconded by Commissioner Hooper to grant preliminary approval to ROW Acquisition Seward Hwy. MP 25.5 to 36 Trial River to Sterling WYE Rehabilitation, based on staff recommendations and compliance to borough code.

Commissioner Venuti noted that based on the testimony from the community there seems to be a failure of adequate communication. There is also a suggestion to postpone action on this item. He asked Mr. Bentz what would be the effect on this project. Mr. Bentz replied it would cause a delay in securing needed funding to move the project forward. It would delay the negotiations with area property owners and the ability to address their concerns.

AMENDMENT MOTION: Commissioner Martin moved, seconded by Commissioner Venuti to postpone action on this item until the July 18, 2022 Planning Commission meeting.

Commissioner Brantley stated he believes what is going on here is a misunderstanding. He understands that AK DOT is working to secure funding so that they can begin negotiations with effected landowners; which in turn would result in more details for the public. He is not sure how this situation will be resolved by postponing action on this item, but he will support the postponement request.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

ITEM E11 - EAST OYSTER COVE SUBDIVISION

KPB File No.	2022-047R1
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Alaska Mental Health Trust of Anchorage, AK
Surveyor:	Andre Kaeppele, Buku Saliz / Fixed Height LLC
General Location:	Remote, Oyster Cove, Kasitsna Bay

Parent Parcel No.:	191-170-70 and 191-170-87
Legal Description:	A Portion of the North ½ of Section 21 and Lot 4 of US Survey No 4700
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley open the meeting for public comment.

Andre Koeppele, Fixed Height, LLC, Surveyor: 225 W. 23rd Ave., Anchorage, AK 99503: Mr. Koeppele spoke in support of the preliminary approval of this plat. He stated there had been some revisions to the plat from the last meeting. One change was the total number of lots created by the plat was reduced by one. He noted that this is privately owned land and the landowners have a right to subdivide their land according to borough code.

Numerous individuals spoke in opposition to the preliminary approval of this plat. Their concerns have not changed from those expressed at the May 9, 2022 plat committee meeting. Some of the concerns expressed were, water right issues, the negative effect on the environment due to the significant increase of

lots into the area, inadequate access for the proposed new lots and lack of communication with the area residents. Those who spoke in opposition to granting preliminary approval to the plat were:

1. Philip Brudie, P.O. Box 111, Homer, AK 99603
2. Doug Kossler; 2131 Baranoff Dr., Anchorage, AK 99517
3. Zoey Coyle; 350 Mountain View Dr., Homer, AK 99603
4. Mark Pfeffer; 1130 W. 6th Ave., #110, Anchorage, AK 99501 (letter read by Tamara Hopkins)
5. Tom Hopkins; 60112 Nordby Ave., Homer, AK 99603
6. Dan Coyle; 350 Mountain View Dr., Homer, AK 99603
7. William Lanier; 89 S 750 E, Bountiful, UT 84010

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Martin moved, seconded by Commissioner Hooper, to grant preliminary approval to East Oyster Cove Subdivision, based on staff recommendations and compliance to borough code.

AMENDMENT MOTION: Commissioner Martin moved, seconded by Commissioner Hooper, to grant exception request to KPB 20.30.030 – Proposed Street Layouts, citing findings 4-9 in support of standards one, two and three.

Commissioner Brantley noted that this exception request is in line with other communities similar to this, remote properties without platted streets. These type of exception requests have been routinely granted in the past so he will be supporting this exception request.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT MOTION FAILED- TIED VOTE

Yes	4	Brantley, Martin
No	0	Hooper, Venuti

Commissioner Venuti stated he agrees Kachemak Bay is a magical & beautiful place and understands the concerns expressed by the public to this plat. He understands that they do not want to see change, but change is inevitable. He then stated that it was hard for him to support this issue.

Ms. Hindman informed the committee that while they do not have to cite findings to support their denial of an exception request, you are just requiring the petitioner to comply with code. However, she wanted them to understand that by approving the preliminary plat you will be requiring the petitioner to dedicate roads instead of public access easements and that each lot will have to front a dedicated right-of-way.

Commissioner Brantley then stated that he understands that this is a remote area and that it would not be practical to all these lots to front a right-of-way. He then asked if the committee, with this additional information, would like to reconsider the exception request. There was no response.

Commissioner Brantley noted that plats are quasi-judicial matters. That it doesn't really matter so much how they feel about the request but that it complies with code. He understands the objections by the public to this plat, if he had a cabin in this area, he personally would not want these new lots. If this plat is denied the committee will have to come up with findings based in code to support the denial. Code does not require landowners wanting to subdivide their properties to first talk with their neighbors. He then noted the plat meets the code requirements and the he will be supporting preliminary approval of the plat. If this plat were denied and the petitioners appealed the decision, there would be nothing in code to support the denial and the decision would be overturned.

Borough Deputy Attorney Steinhage reminded the committee before they took their vote, AS 29.40.110(b) states the planning authority shall state in writing the findings for disapproval of a plat. Not knowing which way, the vote would go, he wanted to make sure the committee understood that if they denied the plat, they will need to provide good findings that can be reduced into writing

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

Commissioner Brantley stated that now that the motion has passed, he believed it would be appropriate to entertain a reconsideration for the exception request.

RECONSIDERATION: Commissioner Hooper moved and was seconded by Commissioner Venuti to reconsider the exception request to KPB 20.30.030 – Proposed Street Layouts, citing findings 4-9 in support of standards one, two and three.

Commissioner Martin stated he understands that it is disruptive to see all these new lots come in to this quiet and pristine area. He believes granting this exception request will be less destructive and have less of an environmental impact to the area. Building rights-of-way would require that lots of trees be cut down which would cause more harm to the environment. He will be supporting this exception request.

Commissioner Hooper encouraged the other area landowners to contact the AK Mental Health Trust Authority to see if they can negotiate a proposal to remedy some of their concerns.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

RECONSIDERATION MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

F. PUBLIC COMMENT - None

G. ADJOURNMENT

Commissioner Martin moved to adjourn the meeting 8:55 P.M.

Ann E. Shirnberg
Administrative Assistant