

Rabbit Creek Community Council Meeting-Minutes for September 11, 2003
Rabbit Creek Community Church, Snowshoe Lane

Call to order: Dianne Holmes called the meeting to order at 7:10pm. Board members present were: Jess Grunblatt, Ky Holland, Nancy Pease, Josh Peirce, Jo Utic, and Donna Van Flein. Excused: Carol Fries, Vivian Mendenhall, Susanne Comellas, Greg Ross.

Treasurer's Report: There is \$669.74 in the bank and 160 members. Lacking a quorum for a general meeting, a board meeting was called.

Minutes: Motion by Ky and Nancy to approve the corrected August minutes, passed unanimously (correction is to add "no more than" before "30 ft around the perimeter of the building . . ." to the Villages View motion).

Announcements: Basher CC asked if the RCCC would join them in supporting a resolution requesting the MOA develop a communications plan. Such a plan is not included in the 2020 Plan and is reasonable given the number of times issues such as antenna farms have come up. A draft resolution from Basher was reviewed. Motion by Ky and Donna to support the resolution was passed unanimously, 7-0.

Scofflaw letter by Nancy Pease was reviewed. Nancy and Donna will amend the letter and send it to the Board to review. Ky said we don't understand the complexities of code enforcement and we may ask for help from them or the Legal Dept. When revised, the letter should be passed to the Title 21 groups.

Persons not on the agenda: none.

Presentation: Ryan Bloom and Tom Fouts of EMC Engineering, and Shawn Smith and David Bristow of North Star Paving and Construction spoke on the Phase I DeArmoun Rd upgrade that will begin on Monday and continue to November and then begin again in the spring. Completion date is Sept/Oct., '04. The vegetation will be cut next week but no offer has been made to residents to take the trees or shrubs beforehand. A storm drain will be constructed to Cange St.; utilities will be on the north side mainly; cost of the project is \$4.1 million; there will be no school bus pull-outs to allow traffic to go by. Excess fill may be acquired if the resident gets the necessary fill permits. Regarding any change orders to the project, they are costly and we should talk to our legislators now for next year.

Assembly Report: Dick Tremaine spoke about the Site Condo ordinance that is coming up Sept. 23rd; Accessory Dwelling Units ordinance is also coming up. A unit of not more than 700 sq foot with only one bedroom could be built and the building must be owner occupied. A 20,000 sq foot lot would be needed before a detached unit could be built. The septic system could not be exceeded with the additional unit unless upgraded. The State highway funds—the governor wants to take away the 10% state matching for federal funds and make the affected towns pay instead. Thus MOA would have to come up with \$2-3 million or lose \$30 million in federal funds. Dick suggests contacting our representatives. The Assembly had a planning retreat last Saturday and it is the first time anyone can recall that a mayor attended such an event. The Hillside District Plan emerged as a priority issue.

New Business:

The Senior Housing ordinance needs discussion (#2003-149). Jo, Nancy, Ky, and Brenda Brown will pose questions via e-mail and fax within about 10 days. Dianne will e-mail everyone the e-version of the ordinance.

Woodhaven Subdivision (S-11165): the developer is coming back with a revised plan. Carol has reviewed past plats and the current one and has submitted a draft letter for our review in response to this plat. Motion by Donna and Nancy to accept Carol's letter as the RCCC response to the MOA, passed unanimously, 7-0.

Assisted Living Ordinance (#2003-143): resident, Brenda Brown is an expert on senior issues. She presented her views on the ordinance. Discussion centered around the currently worded ordinance that would allow, outright, 6 clients in a residence without a conditional use permit. Recently the Fire Marshall went into an assisted living facility and observed that the clients could not evacuate on their own and thus he gave the people 30 days to move from the facility. It was felt that more reasonable accommodations must be made for allowing staff to aid these clients, however. There was discussion about 24-hr staffing, parking and licensing homes above three clients. Motion by Ky and Nancy: responding to the ordinance—lower the outright permitted clientele to below 4 with the conditions that the location must allow for an

acceptable emergency response time in all seasons; that the on-site utilities (both septic and well) are upgraded and adequate for the facility and excess usage will not impact neighboring areas; the road must be within some form of dependable maintenance service area, such as a LRSA or ARDSA; the total residence/facility population shall be in keeping with the neighborhood density; adequate off-street parking will be provided for the expected traffic; the Fire Marshall shall approve all facilities (even those below 4 clients) with a plan for reasonable accommodation of emergency egress with staff assistance. Passed unanimously 6-0.

Gandeur (old Burlwood) Subdivision, S-11166: is applying to short plat 30 acres (6 lots) at Paine Rd next to Marguerite Hills. The developer has refused to come to the Council before and the plat arrived in the mail the day before the Council meeting. The Council's concerns for Villages View Estates are similar for Gandeur: enforceable standards, retention of native vegetation on the steep slopes and lack of pedestrian facilities as shown in the Trails Plan. Motion by Ky and Jo— request enforceable standards for retention of 40% of native vegetation or not more than 30 ft cleared around house and for driveway; determine whether steep slopes and drainage plan are adequate for development (the Council does not have this information as the developer did not provide it on the plat application or map); request conformance with the Areawide Trails' Plan which shows pedestrian facilities along Paine Rd; note the very short timeframe for responding to this plat, the disadvantage of the short plat method which denies councils adequate information upon which to base decisions because there is no public hearing and in combination when the developer does not present to the council, and the lack of guidance for standards in the absence of a Hillside District Plan. Passed unanimously 6-0.

Adjourn – 9:15pm