



## Bear Valley Community Council Meeting Minutes

### BVCC meeting – June 14, 2006

Compiled by Scott Pexton, BVCC Secretary

The council meeting was held at the Storck Park picnic shelter along Clarks Road and began at approximately 7:15 p.m. At least twenty-three people attended and eleven people signed the Meeting Sign-in register indicating a quorum of council members present.

**Cheryl Richardson with the Anchorage Citizens Coalition** spoke about Anchorage's land use law, Title 21. The *Anchorage Citizens Coalition* is a non-profit organization that focuses on land use and development issues. Anchorage's municipal codes under Title 21 are intended to implement the Anchorage 2020 Comprehensive Plan. If done well, revisions to Title 21 can help ensure that future development results in the best Anchorage has to offer and avoids disjointed neighborhoods, congested traffic, and poorly designed subdivisions and transportation routes. Cheryl passed out a sixteen page handout that had lots of pictures with various local examples of good and not-so-good types of construction practices, buildings and landscaping standards, etc. Title 21 deals with zoning, stream setbacks, native vegetation, wildlife protection, design standards, solar access, parking, building heights, routing of pedestrian, public transit, and property use & dimensions. The *Anchorage Citizens Coalition* has participated in numerous workshops to advocate for more public input into the Title 21 revision process. They suggest that community councils appoint a land use committee and that councils and individuals communicate directly with Assembly representatives. The *Anchorage Citizens Coalition* phone number is 272-0738, email address is [ACC@ACCAAlaska.org](mailto:ACC@ACCAAlaska.org), and web site address is [www.ACCAlaska.org](http://www.ACCAlaska.org). They welcome your comments, questions, or assistance. Information about Title 21 is also available online at the municipality's web pages at [http://www.muni.org/planning/prj\\_Title21.cfm](http://www.muni.org/planning/prj_Title21.cfm).

**Jim Steele, BVCC Vice-Chair** had to leave early due to another commitment, but he mentioned that the council web pages at [www.BVCC.info](http://www.BVCC.info) was recently updated and that it now has a SEARCH function available to find items by content.

**Shawna Popovici, Anchorage Parks & Recreations Central/Southeast Park District Manager**, indicated that she was aware of some local concerns expressed about a Storck Park Facility Use Permit recently issued to Alaska Radio Control System (ARCS). The permit allows ARCS to fly radio controlled gliders and quiet electric powered aircraft over the soccer fields at Storck Park. She gave some background information about the topic and indicated that ARCS participated in Parks Department Public Involvement meetings during April 2005 at Spring Creek Elementary School and/or Abbott School. ARCS members attended the meetings and were seeking airspace in a park in Anchorage. It was determined that old flight areas such as the C Street corridor were no longer viable and they advocated for Storck Park. The municipal Parks Department determined that they could not issue a formal use agreement without community council concurrence and that Storck Park gets lots of use by the public most days of the week. Noise and liability are some of the main concerns. The Parks Department elected to issue ARCS a Facility Use Permit for the soccer fields on Sundays only.

**Anchorage Radio Control System (ARCS), Tom Simes, President of ARCS**, spoke and gave his phone number, 333-1819, for those that want to speak with him directly. ARCS has a web site at [www.alaskarc.org](http://www.alaskarc.org). Tom is interested in getting feedback and hearing any local concerns and wants to be a good neighbor. He indicated that ARCS is a responsible organization and that each plane operator must meet five specific requirements to fly model planes at Storck Park:

- be a member of ARCS
- be a member of the Academy of Model Aeronautics (AMA)
- obey Parks and Recreation Rules
- follow the AMA Safety Code
- meet all permit requirements

Tom spoke briefly about the history of the radio controlled model airplane hobby and how the technology has advanced significantly. The planes used now are gliders or electric planes with battery-powered, quiet motors instead of the old types of noisier planes with jet or internal combustion engines. He said that ARCS currently has three other places to fly model planes: Moffit Field and a middle school located in the Mat-Su Valley, and Elmendorf Air Force Base. He showed and passed around three different types of typical model airplanes. They are very lightweight, made of foam, and operate at slow speeds which make them very maneuverable. Tom passed out copies of the Anchorage Parks and Recreation

Storck Park permit (Permit #SED-6593), the permit Rental Detail, and a fact sheet about the AMA 2006 Insurance Summary. Tom introduced the ARCS Safety Officer, Doug Franklin.

Doug mentioned that he was born and raised in Alaska and has been a model airplane hobbyist since he was seven years old. He stopped the hobby for awhile during his adult years, but picked it up again and learned that the technology has changed considerably. Electric airplanes are cleaner, quieter, lighter, and much more maneuverable than the older gas-powered models of the past. He indicated that one of the example foam airplanes they were passing around weighed only 4 ounces or about the weight of two tennis balls and the example glider weighed about 9 ounces or roughly the weight of a softball. He said that radios now have fifty or so channels so that plane operators don't interfere with each others controls as they have more frequencies to choose. Future technology changes will probably reduce this risk even further. Doug indicated that the Storck Park requirements are that operators must communicate with each plane owner present to verify channels before they begin flights.

The Storck Park permit allows no more than 25 people at one time and generally only three or four people have been flying planes at the same time to date. Doug indicated that collisions of planes are rare and that operators must yield to other park users and so can't land their planes near other people. He said the planes generally can fly when the wind speeds are less than 10 mph and that some planes can fly in wind speeds up to 20 mph. Doug said that the ARCS offers a free flight instruction program to interested people and welcomes questions from spectators and is willing to teach others about the program. A council member expressed concern about non-members potentially using the park on other days after they see the ARCS members flying planes on Sundays. Tom thought that that signage might be reorganized in the park to better explain the program requirements.

Tom and Doug demonstrated how each of the three typical airplanes are flown and controlled by flying them one at a time briefly. Each plane they demonstrated was relatively quiet and very maneuverable. The planes were inaudible at a distance of approximately 100 yards away and the people farther away playing soccer made more noise than the planes.

There was an opportunity for questions and comments from those attending the meeting. In general, two individuals were very vocal and strongly opposed to the Park Permit and model airplane flight activities in Storck Park. But several other local residents did not object to the permit and were either neutral or supportive of the model airplane flights in the park.

Rob Barrett, a local resident that lives near Storck Park, asked some questions and said he has long advocated against the use of motorized model planes in Storck Park due to noise, potential for damage, and concerns about adequate liability insurance. He indicated that the Parks Department had previously posted signs prohibiting model airplane use and that winds could easily interfere with control of the planes. He felt that if 25 people were actually flying planes as allowed under the use permit, that the noise and likelihood of plane control problems would increase dramatically. He said he was not against what the ARCS did or against the hobby in general, but that it was not an appropriate use at Storck Park. He also mentioned that he had concerns about potential impacts to migratory birds and waterfowl, the possibility of hurting younger kids playing in the park (or operating planes), and that he might circulate a petition for signatures of people to request that the permit be rescinded. He indicated that there is an existing municipal ordinance against motorized model aircraft flying and that other park areas might be more appropriate than Storck Park. Rob questioned the adequacy of the insurance coverage which indicates up to \$25,000 for personal injury and \$10,000 for dismemberment or death. Tom and Doug indicated that the policy coverage per occurrence available is \$2.5 million and that that ARCS has never had a claim filed.

Shawna indicated that that the ordinance prevents model aircraft use generally in the Municipality, but can allow the activity in specific areas if a use permit is issued. The issue of enforcement was raised and Shawna said that the Parks Department was not an enforcement agency and had not been one for ten years or so. The municipal police are generally the appropriate enforcement agency for complaints in parks or other municipal and private properties.

Rodney Powell indicated that the police often can't or don't respond to local complaints because of other higher priorities and so enforcement of the permit requirements will likely be lax. He felt that the sounds of the planes would carry much farther up the valley than others think and that he would be able to hear the aircraft noise from his house (which is about a mile away).

Dianne Holmes of the Rabbit Creek Community Council (RCC) asked Tom if ARCS would give a presentation to the RCC and Tom indicated he would be interested in doing so.

Scott Pexton asked about whether the permit requires a rental fee payment. Shawna indicated that the \$30/day permit fee for ARCS was waived in exchange for litter pickup and park maintenance work to be performed by ARCS in lieu of the fee. The Storck Park permit includes all Sundays through December 31, 2006 except June 11, June 25, July 9, and July 16. Hours of operation are 9AM to 10PM. According to the Rental Detail provided, the total amount of rental fees waived by the Parks Department is \$930 (31 days times \$30 per day).

### **State Senator Con Bunde**

Senator Bunde spoke and said that an outdoor council meeting was a good venue particularly on such a nice day. He indicated that the Petroleum Profits Tax (PPT) was the main focus of the Special Session of the Legislature in Juneau. The session had recently ended and he felt the PPT is a very important piece of legislation that will be an integral part of the natural gas pipeline contract. He mentioned that the Governor had recently extended the gas pipeline contract public comment period to July 26, and that the state of Alaska was unique compared to larger states because a relatively few voices can make a big difference here in Alaska. He encouraged people to look at the proposed contract and to learn about the issues from the state web site. He summarized some of the main areas of concern identified by the public, consultants, and legislators:

- Alaska State Constitution says the state can't contract away the legislature's ability to tax, but the contract sets tax rates for 30 to 45 years. Lawyers from both sides make good arguments for differing interpretations;
- Equity position, should the state own part of the pipeline?
- Costs of \$25 billion or more, largest project in North American history, lots of Alaskan jobs;
- Cost overruns?
- Uncertainty, oil production is declining and could run out before natural gas revenues from the project kick in.

Todd Brown commented about his concerns regarding affects of transportation costs to state royalties and the potential for excessive pipeline owner deductions of transportation costs and tariffs to significantly reduce the amount of state income. He indicated concerns about how the Federal Energy Regulatory Commission (FERC) and the state Regulatory Commission of Alaska (RCA) conduct business regarding tariffs and how much of the details is kept confidential. He also mentioned concerns about the accuracy of oil and gas reserve estimates as this information frequently confidential and the state agencies are dependent on what information is provided by the oil companies. His main concern about the gas pipeline contract appears to be how the public can be assured it is getting a fair deal.

Senator Bunde indicated that these types of issues are often determined by limits set by court cases and that Section 7 of the state Constitution essentially requires that the state obtain the maximum benefit for the people of Alaska from its natural resources. Senator Bunde indicated that oil production was experiencing serious declines of approximately 6% per year and that oil revenues would likely be much lower by the time a gas pipeline is actually built. He indicated that the accounting is complicated and it is difficult to craft solutions in the legislature because there are many people involved with differing opinions, egos, and agendas. Ultimately, legislation gets passed when difficult compromises are worked out.

Senator Bunde also mentioned that the Knik Bridge issue will require some private financing from investors that will ask tough questions before putting up large sums of money. It currently appears that the bridge would need around 90,000 vehicles crossing it a day for it to break even using toll fares. Council members expressed appreciation to Senator Bunde for his legislative efforts in Juneau and for attending our council meeting.

### **Limited Road Service Area (LRSA) Update**

Cheri Howland indicated that she had recently talked with John Pezzenti, Jr. of the Rabbit Creek View/Heights LRSA. He indicated to her that if the weather was good, chip sealing of Carl Street and Nickleen Street might begin in the next week or two. A question was asked about the speed limit signs and what happened to the old 20 mph speed limit and Children at Play signs that used to be posted. Cheri said she had raised these same questions to the municipal sign department awhile ago and wasn't sure she ever got a clear answer other than they decided to change to 25 mph signs instead.

### **Mail Box Vandalism – Replacement Options**

As time was running out for the meeting, Cheri briefly mentioned that she had prepared a letter to BVCC Property Owners/Residents to inquire about interest acquiring centralized mailbox units called Neighborhood Box Units. She sent letters out to BVCC email addresses, but wanted to send the letters out to BVCC postal mail recipients and hoped to do so later this month. A member asked who would have to repair or replace the boxes if a vehicle crashed into them (as has happened several times to existing mail boxes). Would the U.S. Postal Service replace them because they say they'll maintain the boxes if residents pay for the initial construction, or would residents get stuck with the costs? Cheri indicated that she would ask that specific question to the postal service representative and provide feedback at the next council meeting.

The council meeting adjourned at approximately 9:05 PM.

The next Bear Valley Community Council meeting is scheduled for **Wednesday, July 12, 2006, 7:00 – 9:00 PM at the Storck Park Picnic Shelter.**

End of meeting minutes.