

# **Rabbit Creek Community Council Meeting Minutes for Thursday, December 14, 2017**

## **DRAFT – Revision 1 on 1/8/18**

Location: Golden View Middle School Library

Board Roll Call - Present: Adam Lees Chair, Ky Holland, Co-Chair, David Sterling, Janie Dusel, Vivian Mendenhall, Nancy Pease, Alternate: Mindy Willis, Phil Fortner, Bert Lewis, Joan Diamond

Excused: Pat Abney, Keith Guyer

Board Member Chair – Adam Lees - Opened the meeting at 7:06pm. Declared a General Membership meeting. Introduced current board.

- **Motion Ky Holland & 2<sup>nd</sup> Bert Lewis** - To approve the agenda, approved.
- **Motion Janie Dusel & 2<sup>nd</sup> Ky Holland** – November Meeting Minutes motion to approve. Minor change requested by Vivian. David Sterling will revise. Motion passed.
- Attendance - Total 42 people in attendance and 1 on call-in from Hong Kong tonight. General Membership Meeting.

### **Announcements & Legislative Reports:**

- **Assembly Members -**
  - Suzanne LaFrance – our assembly member for RCCC area - Contact info: Phone: (907) 351-7199, Voicemail: (907) 343-4122, E-mail: [LaFranceS@muni.org](mailto:LaFranceS@muni.org)  
Not here tonight at another Community Council meeting tonight. Adam Lees advised he will be the MOA Assembly person for our assembly people and this is his report. Property tax issue. Work session tomorrow at 2:00 pm 2017-154 ordinance. Food code update work session tomorrow at 1:00 pm. Coming up for vote soon. Ballot proposition for sales tax on alcoholic beverage, 2% in 2018, and increase to 6% without a vote. Cost \$4,000/year per person for problems. Wastewater in January. Exempt charities for police activity has been postponed.
  - John Weddleton – At the same Community Council Meeting.
- **State Representatives**
  - Cathy Giessel & Jennifer Johnston not present tonight.
- **Anchorage School Board**
  - Andy Holloman – not present.

### **People not on agenda wanting to make a statement**

- Dr. Ward Hurlburt - Appreciation for sending minutes and announcements of RCCC for Keno Hills Home Owners Association to review.
- Dianne – Should consider putting internet links onto the website and into reports.

### **Presentations –**

- **New Seward Highway Proposed Upgrade - Randy Vanderwood DOT&PF & Kelly Kilpatrick from DOWL** – Project entails repaving from weigh station to Dimond Blvd. Area gets ±20,000 vehicle per day rutting ½" to 2" deep. Last repaved in 2011. Paving overlays needed every 7 to 11 years. Repave will be to rotomil out 2" depth from shoulder to shoulder in the travel lanes only and replace with new asphalt, cleaning brush along roadway shoulders, signage, upgrade drainage. Three each pull out pavement areas by Potter Marsh to be leveled, paved or repaved. Money FHWA with <10% match by State. Repair and maintenance only no new construction allowed by the grant. Three culverts for the actual Rabbit Creek that extend under road and adjacent railroad out to Turnagain Arm mud, they have made two unsuccessful walk through inspections. Culverts are pretty old. Evaluate required repairs. The thought is if culvert repairs are required, they will try to slip in narrower pipes into existing pipes and grout. All work will be performed in 2019. Most work will be during night time. Some electrical work during the day. Lane closures after 8:00 pm. Previous improvements was full width repave and crews paved over rumble strips. The intent is to replace the rumble strips. Nancy Pease and other voiced concern about noise from rumble strips. Randy offered to take comments back to the design team about not replacing rumble strips. Pullouts will not be expanded any more than they are now. ADF&G wants to expand larger and make more pull-outs, but that effort is not allowed in budget. Working on elevation of culvert which establishes water level in marsh. Pullouts designed for proper drainage and SWPPP. Will shave off 2" top and fill in with new asphalt. Not doing shoulders. Concerned about Rabbit Creek method of repairs. Re-Striping concerned about shining and reflectivity of new paint. Little glass beads do the reflectivity, gets shaved off by plows. Expect to install markers along the side of road to see curvature areas. Members voiced concern about safety of pedestrians walking along highway and will come up with signage not to walk on shoulder of road. Consideration of Old Seward Hwy between Rabbit Creek and Potter. Not in this scope, but being considered in future projects. Audience asked for at least a new asphalt layer on top of Old Seward. Road does not get a lot of traffic. Turn lane on northbound Seward Hwy at Potter they have looked at some design not part of this project. What causes ruts, mainly the studs in tires. Trying to prevent with harder gravel, rubber in asphalt, better oil in asphalt. Replacement every 7 to 11 years seems to be best method to maintain good roads. For the 3 big culverts an Environmental Assessment is not required. Question by Randy to group: Does anyone know of any event during summer with water over top of Old Seward Hwy. Nancy recalls a fall event when she saw salmon swimming over top of the road. More concern about rumble strips and noise. North end of designated safety corridor is by the rifle range.

- **Stream Setback Ordinance – Jeff Urbanus MOA Watershed Mgmt** – Two other folks accompany him. Passed out Stream Setback Ordinance Update – Change Summary 21.07.020.B – This is a repeal and replace type document. P&Z Case 2017-0133 – Why change why now? Larger setback considerations, proposing stream setback change based on actual size of creek and nature of the creek. Large the stream, larger the setback. Why have stream setback? Protect community and property, flood plain storage, protect water quality, increase property values. Two zone setback with streamside area setback at same 25' setback distance + Riparian Edge Area setback from 25' to 75' extra setback. Riparian Edge Zone to include: paved trails, residential decks, miscellaneous accessory structures of 150 sf or less, lawns up to ½ of riparian area zone. Definition of a stream: Watercourse that carries water with definable bank. HDP says 50' setback. Ky Holland-How can you choose not to follow the HDP which says 50' setback?
  - **Motion Dianne Holmes & 2<sup>nd</sup> Ky Holland** – Allow Jeff 10 more minutes for presentation. Passed.
  - Stream that does not already have a name going back to 25'.
  - What stays the same? Existing uses become grandfathered. Small streams and tributaries stay at 25' setback each side. Channelized streams with encroaching urbanization stay at 25'. Lots less than 10,000 sf stay at 25'.
  - MOA would look at political reason for larger setbacks.
  - Often difficult to stay at 50' setbacks with some small streams.
  - MOA likes to look at science reasons.
  - Existing code is wishy washy. Reason why they are trying to standardize.
  - HDP is a planning document, not a regulation. It was noted by the audience that the 50' stream setbacks adopted in the HDP were adopted into Title 21 in 2012 and have been regulations for five years.
  - Unnamed streams stay at 25' setback. There will be a map that shows which streams have 25' and 50' setback. Showed a map with streams that are 25' and 50'. Everything in the RCCC area is currently at 50' setback.
  - **Motion Ky Holland & 2<sup>nd</sup> Vivian Mendenhall** – Move that RCCC provide recommendation that setback follow Hillside District Plan (HDP). Janie Dusel has problem with that statement. Amendment that setback be adjusted for reasons instead of holding at 50' for all streams, Consider that RCCC would accept to reduce the setback to 25' on smaller streams. Audience discussion that many small streams may need to help like at bedrock areas and going into Potter Marsh. Vote by hand count results: 9 Yes & 17 No. Amendment fails.
  - **Original Motion remains without amendment** - Defined as RCCC being in favor of staying at status quo per Hillside District Plan, which is staying at 50' setbacks for all streams. Vote by Hand Count results: 16 yes + 10 no, motion passes.
  - Hearing date is Feb 5<sup>th</sup>. Mid Jan packets will be received by RCCC.
  - MOA put this ordinance forth if we vote for 50', MOA will entertain that, but they need RCCC to discuss and vote on what stream setback they want. Jeff showed a map with streams colored for which ones would be proposed as 25' setback and 50' setback.
  - Watershed.com has maps can link to page from main MOA website.
- Audience voiced concern about Larry Keil on the phone and voting. Will put discussion on next months agenda.

## **Reports/Consent Agenda**

- **Chair's Report** – Adam Lees – Active month newly elected board members, you will find it interesting and sometimes thankful. Will learn patience. New board takes over 1/1/2018.
- **Treasurer's Report:** - From last month balances - \$315.53 savings + \$254.55 checking = \$570.08.
- **Communications** – David Sterling & Mindy Willis – No activity.
- **Correspondence** – Vivian Mendenhall and Bert Lewis – Letters going out smoothly and logging them.
- **Transportation and Land Committee** – Nancy Pease – Land Use Transportation plan ongoing. Lewis & Clark subdivision will discuss later in meeting.
- **Outreach** – Jane Dusel – Social media survey for RCCC.
- **FCC Report** – Mindy Willis – Nothing to report. Needs replacement person.
- **Motion Paul Gionet & 2<sup>nd</sup> Vivian Mendenhall** - Allow spending \$75 for additional signs. Motion passed.
- **HALO** – HALO meeting cancelled, ice and driving problems/concerns. Mike Kenny advised HALO is working on roads issues. Meeting next week. 5:30 next Wednesday at Good Shepherd Church.

## **Ongoing Business**

### **New Business – Items as May Arise from the Floor**

- Introduced new Board Members. New board had an informal meeting before this meeting and elected as follows:
  - Chair - Frank Pugh
  - Co-Chair – Matt Cavanaugh
  - Treasurer – Paul Gionet
  - Secretary – David Sterling
  - Board Members: Ky Holland, Nancy Pease, Bert Lewis, Greg Wika, Janie Dusel, Dennis Miller, Larry Keil.
- **Motion Ky Holland & 2<sup>nd</sup> Ward Hurlburt** - Add Frank Pugh, Paul Gionet, Matt Cavanaugh, and Nancy Pease as signers on account at Alaska USA. All members to coordinate travel to bank together to sign cards. Motion passed.

- **S12388 – Lewis & Clark Subdivision New Layout – Nancy Pease** – Provided a map of new proposed subdivision layout, numerous previous versions. Substantially different layout this time. 70 acres. Land Owners wanted rezone from R8 to R6, that was never approved after several attempts. 16 lots, some smaller now. Takes sensitive land and puts it in private undisturbed open space closer to Rabbit Creek. RCCC comments were submitted to MOA yesterday via a Board Approved letter, dated 12/13/2017. Nancy read thru points of the letter. Important precedent as a Conservation Subdivision. Specific notes include:
  - This time No Re-zone request.
  - This time the plat conforms to the allowed density for this parcel.
  - This time the plat protects the wetlands and water recharge.
  - This time, the plat uses the Conservation Subdivision Ordinance, which allows the development to be concentrated on lots that are smaller than the zoning minimum to allow some "extra acreage" to be set aside as undisturbed open space.
  - This time Trail Easement to Canyon Road. Discussed in great detail. Long cul-de-sac. Nancy suggest a real easement. Gionet's think the open space tract will allow for a trail access. They are 100% in favor of trails.
  - There is a primary trail along Rabbit Creek and the letter requested an easement to connect to that trail.
  - Shoulders wide enough to accommodate pedestrians.
  - In summary RCCC supports this latest revised plat.
  - **Motion Bert Lewis & 2<sup>nd</sup> Janie Dusel** - Extend meeting 5 minutes. Approved. And again after 1<sup>st</sup> 5 minutes for 5 more minutes. Approved.
  - Zoning remains R8 on the parcel.
  - 23 acres open space and reduced size of all the lots to meet the requirements. 30% set aside in tract.
  - **Motion Janie Dusel & 2<sup>nd</sup> Frank Pugh** - Don't suggest trail connection from Lewis and Clark Cul-de-Sac to Canyon Road. Revise the RCCC letter. Vote by hand 12 yes to 9 no, Motion passes.
  - Motion to accept the letter as approved, which is to take the letter that was sent, removing part about the trails, and resend by tomorrow, Friday, 12/15/17.
  - Neighbors voiced objection to the subdivision completely.

#### **Wrap up assignments**

- As stated above.

**Meeting adjournment** – Meeting adjourned at ±9:12 pm.