

MISC. INFORMATION

Funny River Advisory Planning Commission

September 6, 2022 Agenda

A. Call to Order (Invocation, Pledge)

Don Fritz 7:07pm

B. Roll Call

Don F. Jerry, Jim, Kevin, Julie and Glenda (Mike Masters not present)

C. Approval of Unapproved minutes August 4, 2022

Don 1st, Julie 2nd, all approve

D. Approval of Agenda

Don 1st, Julie 2nd, all approve

E. Public Comment(5 minute limit)

None

F. Welcome our new commissioner

Glenda Radzinsky

G. Report

a. Fire station update *Sept 8th Roy Browning will attend the FRCA meeting and give an update on the FR fire station. October 1st the FR fire station will be staffed and fully operational.*

b. Post officeFR

Jim called 13 times to Tim Bruno Post Office Operations USPS, with no return calls. Still attempting to setup a follow up meeting on more specifics.

c. FR Survey results

Online survey is officially closed and the data was compiled as an excel document. The document was sent to all the commissioners to review the data and work on how to present the metrics from it. Julie said there are still 36 to 40 paper surveys that have yet to be added to the excel data table. It was also determined that the data needs to be closely examined for duplicates before proceeding further.

d. Transfer station

Jerry is sending out a rough draft of an ordinance that would penalize individuals or companies that don't follow the rules of the transfer

station. Tabled until next meeting once all members can review and make edits.

H. New Business

a. Plat review

We would like to table the motion until we receive more information.

We reject the exception request to platt number KPB 2022-127.

Granting the request is detrimental to future public welfare and is not in support of KPB code 20.50.010 section A3. The letter from Kuna dated July 11, 2022 does not provide sufficient justification for the exception.

I. Adjournment

Julie 1st, Jerry 2nd All approve 8:28pm

MOOSE PASS ADVISORY PLANNING COMMISSION
SPECIAL MEETING

Monica Adams, Kevin Dunham, Jeff Estes, Jeff Hetrick, Bruce Jaffa, Tsali Janek, David Pearson
Thursday, September 26th 2022, – 6:00 PM

Draft Minutes

1. CALL TO ORDER 6:03 pm
2. ROLL CALL: Bruce Jaffa, Kevin Dunham, Monika Adam, David Pearson, Jeff Hetrick, Jeff Estes, Nancy Carver (KPB), Ryan Raidmae (KPB planner)
3. APPROVAL OF MINUTES OF PREVIOUS MEETING: Postponed until next regular meeting.
4. APPROVAL OF AGENDA: Bruce Jaffa motion to edit agenda to remove items 7,8 and 10 as this is a special meeting (and presentation from QAP was done at last meeting). Jeff Hetrick 2nd. Unanimous approval.
5. CORRESPONDENCE: None
6. PUBLIC COMMENT/PRESENTATION WITHOUT PREVIOUS NOTICE:
 - Rick Smiriglio (resident at mile 24 ¼). Has no confidence in the Borough or the State to manage this land. He has seen it in the past. There is no on the ground presence to enforce the permit stipulations. CLUPs are not what actually happens on the ground.
 - In the past they have not always been warned of blasting as required by permits.
 - Geologists have explained to him that his house is on the same vein of rock that they quarry, so he is particularly impacted by blasting and fears for his foundation.
 - Gating. Gates have not been locked and/or are not effective at keeping public. The area turns into a shooting range and a garbage dump with the mining is completed.
 - Concerns that buffer zones will not be adhered to and there is no enforcement.
 - He is downhill of the quarry. Has found 55-gallon drums that have rolled onto his property. He fears more of this will happen, and rocks and other items that may damage his land
 - Jason Aigledinger. Many questions about how this may affect the quality of his well water and his property values. Most of the wells in the area are very shallow (~40 feet deep).
 - Inadequate notification and dissemination of information. Cannot find the info he needs from the borough website.
 - Are they consulting with geologists or hydrologists to understand the impact to local water table and fisheries resources?
 - This could negatively impact property values. There are more people living in the area than there were previously.
 - Concerns about pollution/spill containment. Negative impacts on residents and natural resources, such as the salmon run in Trail River.
7. PRESENTATION: None
8. REPORT FROM THE BOROUGH: None
9. OLD BUSINESS
 - a. **Discussion on CLUP for Tax parcel 12532413**
 - The Crown Pint Rock Quarry adjacent to the Lawing Airstrip**
 - Jeff Hetrick motion to approve the application. Kevin Dunham 2nd. Rules suspended for discussion.
 - Bruce Jaffa expressed concerns about the notification and postmining of information. Most people live just outside the ½ mile radius that did not receive mail notifications and it was not posted at the Post Office with adequate timing.
 - Ryan Raidmae- KPB planner Gravel Pit Permit: The land is owned by DNR but there is a lot of overlap with DOT, Borough and FAA. They are navigating the responsibilities of the varied ownership.

FAA and DNR have more say in the blasting plan. DPB Ordinance under section 2129 gives the Borough authority to permit any quarry development that is more than an acre within the Borough. Pits that are older than 1996 do not fall under this ordinance.

-The borough does have the ability to enforce permit stipulations through fines.. Ryan is the one doing the monitoring. He makes it out to the pits about once a year and tries to respond to public reporting of infractions. They cannot pull a permit until there have been three infractions.

-Who is actually the lead agency for this? Ryan does not know, but presumably the state DNR since it is their land.

-What would happen if the Borough denied the permit? It would probably get appealed.

- The borough ordinance does not address water quality concerns. This is something that needs to get changed.

- Jason Aigledinger had a question about the commission that was created to consult with the borough about issues and concerns specifically related to gravel pits. Who are this people and whatever came of this commission? Ryan did not know. There was an article in the Peninsula Clarion about this committee, from June 23 of 2018.

-How much consultation has happened with DNR? Minimal. DNR cannot move forward with their permitting until they get more info from DOT/FAA. The borough does not have access to any environmental review that the state is doing.

-Conditions put forth in the CLUP are voluntarily submitted by TUKA. The Borough cannot ask for voluntary conditions, but the Kenai Borough Plan does address “noxious and onerous activities”.

-When did the State DNR designate this as a quarry? Before or after people purchased property there. **Need more info on the time frame of the Land Use Designation.**

-Ellen Obrien question about what recourse they have if damage is done to their house or property. DNR requires a bond, but it is usually just for a small amount and only for reclamation. Jeff Estes shared that if you put your concerns in writing and send them to the State before they authorize the activity, you will have legal standing.

-Jeff Estes did an informal poll of the residents in the area. Polled 18 people. Heard back from 8. **3 for it and 5 opposed to the quarry development.**

-Bruce Jaffa motion to amend the previous motion to include the following conditions in the permit granted by the permit:

- **Limit hours of operation to 9-5 Monday through Friday.**
- **Notification of when blasting is going to occur to everyone within a 1 ½ mile radius of the quarry.**
- **Indemnification by 50,000 cash bond to compensate damage to properties/wells.**
- **Test wells installed to protect water quality**
- **Security provisions to prevent unauthorized access.**

-This motion was 2nd by David Pearson.

-Final vote: 5 in favor. 1 opposed. David Pearson decided to oppose based on process. The borough should not be shorting the public to accommodate the business. (Referring to the timing of notifications and rush to vote on this).

(Jaffa commented that this has to do with the time constraints legally required turnover times for the processing of these permits).

10. NEW BUSINESS: None

11. ANNOUNCEMENTS: None

12. NEXT MEETING: October 6th, 2022 6PM

13. COMMISSIONERS' COMMENTS

-Kevin Dunham: Decided to approve because he recognizes how rare and hard to get this particular kind of rock is.

-Jeff Estes: Decided to approve because he sees the scale as being small enough to fall within the Moose

Pass Comprehensive Plan goals, which discusses limiting large scale industrial/commercial development.

-Bruce Jaffa: Economic drivers are important but should not overcome local goals.

-No other commissioners had comment.

14. ADJOURNMENT: Jeff Hetrick motion to adjourn. David Pearson 2nd. Adjourned at 7:35PM

pt/planning-commissions/moose-pass-apc

Participants may join By ZOOM or phone:

<https://us06web.zoom.us/j/5787372110>

To Attend the Zoom meeting by telephone,
call toll-free **888 788 0099** or **877 853 5247**

Meeting ID: 578 737 2110