

NEW BUSINESS

A. Resolution 97-01: Recommending reclassification of borough-owned land located within the N1/2, Section 1, T18N, R2E, S.M.

John Duffy stated that an application was received for purchase of land in the Moose Creek/Sutton area. The applicant wishes to build a home and develop a tree farm. Reclassification is proposed for the 212 acre parent parcel, which includes the subject parcel (40 acres). The applicant has the contract for the timber sale in the area. Approval of this parcel is contingent upon the purchaser meeting all the platting requirements and providing access to the remaining parent parcel.

Commissioner Tischer asked staff for the definition of classification of forest management land vs. general purpose land and if it allow homes to be build on the property. Staff stated that the primary purpose for land classified forest management would be for forestry purposes and a residential nature would not.

Commissioner Colver stated concern that there is a large network of trails in the area of subject parcel and there should be trail easements before selling the parcel. Also, there should be a condition of sale on lands subject to ingress and egress on existing trails in the area of the parcel being sold. He suggested staff research the trails system.

Commissioner Kracker moved, Commissioner Colver seconded to ^{postpone} ~~move~~ this item to time certain, February 3, 1997 to allow staff research time.

Commissioner Savage stated that the question of trails is become more and more a concern when selling land and perhaps the commission needs to develop a trails system/plan to be used now and in the future.

Commissioner Hanrahan stated that Austin Helmers, present in the audience, has done extensive work on a trails plan along with a map that designates trails and David Post, staff planner, is developing a trails plan. She stated that its sometimes hard to get right-of-ways before land is sold and added that a recent study indicated that land is as valuable, if not more valuable, with trails.

Commissioner Colver stated the following: trails need to be researched before land is disposed of, secure a right-of-way before land is transferred, and get the state involved with dedicating and maintaining trails.

Commissioner Kracker stated that the trails issue should be on the agenda for the joint assembly and planning meeting.

John Duffy stated that future staff site inspections will identify as many trails as possible.

Voting on the motion, it passed unanimously.

The meeting recessed at 6:50 p.m. and reconvened at 7:00 p.m.

PUBLIC HEARING - 7:00 p.m.

A. Resolution 96-58: Recommending classification of borough-owned land located within a portion of Tract A, Section 7, and a portion of Tract A, Section 18, T17N, R3E, S.M., according to Alaska Supplemental Cadastral Survey 92-118, Butte area

Chairman Anderson stated that Mr. Trygstad would not be at the meeting; however, there would be public testimony and the public hearing would be continuing to January 20, 1997.

Commissioner Tischer asked if the applicant had a representative to speak for him. Staff stated that the applicant did not, he only stated that he was unable to attend because of personal illness. Commissioner Tischer stated that at a prior meeting an applicant and their representatives did not attend the meeting, the public hearing was conducted, and not continued. When a ruling is made, it should guide our position on similar situations in the future. Giving leeway to Mr. Trygstad is unfair.

John Duffy stated that an application from Victor Trygstad to purchase 320 acres of borough owned land with the intent to combine subject parcel with adjacent privately owned lands for the purpose of developing a destination resort, golf course and residential homesites. Subject property is a portion of a larger area selected by the borough, approved by the state as a municipal entitlement selection and is to be formally transfer.

During the onsite inspection process, it was noted that portions of Plumley-Maud and Burnt Butte trails traverse the property and because these are important trails, the applicant is asked to relocate them to the eastern property line. The Butte Community Council submitted comments along with petitions of approximately 101 signatures asking that these lands not be sold at this time. Staff recommends approval of this parcel be classified as "general purpose."

The planning department has been directed to move forward on a lease with an option to purchase after the assembly agrees to convey subject parcel. A list of items needing to be completed before the property is conveyed will be included in the lease.

Commissioner Hanrahan asked staff to provide, for the next meeting, the number of acres in the area of subject parcel and a map designating public use and recreational lands.

Commissioner Colver asked that the following be stated for the record to clarify direction given to the Planning department (memo dated December 23, 1996 to John Duffy, Planning Director, from Donald L. Moore, Borough Manager): "I am directing you and the land management division take measures to more adequately protect the borough's interest. These measures should not hinder the project's economic viability. Instead of an outright sale of borough property, where we would have little control once the sale is completed, we should recommend to the assembly a lease with an option to purchase."

Commissioner Tischer asked for clarification of Trails Committee memo dated November 7, 1996 which reads: "The trails committee wishes the borough assembly to know that assuming Victor Trygstad gains title to the land, it is hereby in support of the proposed project, provided several stipulations are met." If we allow the lease to take place, does that mean that relocating the trails doesn't have to take place until the sale is consummated. Staff answered "no" and stated that a lease would stipulate that the trail be moved prior to purchase. Commissioner Tischer requested, for the record, the intent of the trails committee.

The meeting was open for public hearing at 7:16 p.m.

Larry E. White, Jr. stated that he lives off Comfort Court and most of the property surrounding subject parcel is private land. It is important that land is available for hiking, horseback riding, bog rigs and skiing. The developer has stated that he would reroute the trail, making it 50% longer and be equal to or better than the existing trail; however, the community would lose 320 acres and access to the surrounding area for recreational activities. He stated concern with water available to support the development and chemicals used for maintenance of the golf course with nearby McRoberts Creek as a salmon spawning stream.

Commissioner Kracker asked Mr. White if he was concerned more with the trail or the sale of the parcel. Mr. White stated that it was a combination, he was concerned with the sale because the community would lose their "playground."

Austin Helmers, Mat-Su Trails Council representative, stated he has worked as a volunteering on the trails since 1986 and applauded the commissioners for their recognition of the value of trails. The Trails Council believes that the Knik River Valley has a great potential for recreation and tourism development. The many habitats makes this area unusually important to wildlife. It is important to have land owners, public and private managers, including the native tribal governments working together to develop the Knik River Basin Plan before further uncoordinated developments occur. It is timely for the planning commission to led this effort before we go into land use exchanges, options, etc.

Commissioner Colver asked Mr. Helmers if he would be able available to attend the next planning commission meeting to discuss his proposed plan. Mr. Helmers answered "yes."

R. Melvin Vostry, stated that he lives at mile 1.6 Maud Road and is a user of the trails in the area. The trails have a recreational value and he spoke in opposition to Resolution 96-58. The borough improved Maud Road Extension to allow better access to lakes and trails in the area and the trail should remain where it is. Mr. Vostry stated concerned of possible increased pressure on emergency services brought about by this development.

Dick Courtts, stated that he is a Butte resident and is speaking as an individual and not as a spokesman for the Butte Community Council. He asked the commissioners to consider postponing the land sale/lease until the MSB 1970 Comprehensive Plan updated and the final planning process for the Butte area is complete.

Chairman Anderson stated that the comprehensive plan update covers some general borough wide concerns and is not intended to be a comprehensive updated plan, the borough's intend is to have each community develop their own comprehensive plan.

Commissioner Kracker asked Mr. Courtts if he was more objectional to the trail modification or the sale of the land. Mr. Courtts stated that he didn't want to lose walking through the woods and the experience it provides.

Jim Stocker, stated that he is speaking on behalf of the Butte Community Council as well as himself. He stated that the developer, Mr. Trygstad, and the community got off to a bad start and it has deteriorated since. Mr. Trygstad has never been a member of our community, he contacted the council allowing a very short time period to comment on his development, he did not provide a map to review and stated the project would continue with or without their vote. He added that the recreational area ties in with the Lazy Mountain Trails and the proposed development would cause a very negative affect. He had received a bound version of the plan and offered it to the commissioners for review.

John Nielson stated that he has lived at end of the Maud Road for approximately 21 years and moved into the area to get valuable living experience and utilize the trails for hiking, skiing, 4-wheeling, snow machining, and riding horses. He believes that "we are the product of our environment" which is shown in his daughters, one being a doctor and the other in law school. Living in an environment where everyone enjoys berry picking, fishing, hunting, etc. is that product. He hates seeing us lose site of the real value in this area and does not support this sale.

Ted Cox stated that most of the points he was going to address have already been covered. He provided a soils map and stated that about half of the parcel is composed of wetlands that drain directly into

McRoberts Creek (a salmon spawning stream). In the Susitna Area Plan it states that wetlands that are 100 acres or more in size and have a stream outlet should remain in public ownership wherever feasible. The applicant has stated that he would move the trail to the back lot line which is not feasible because of steep bedrock. Mr. Cox supplied a map for the wall and gave an overview of the subject parcels characteristics, concerns of relocating the trail, provided an outline of the communities concerns, and asked that the land be classified as public and recreational lands.

Commissioner Hanrahan asked Mr. Cox if he could supply the approximate acres the applicant owns. Mr. Cox stated that borough records indicate Mr. Trygstad owns one parcel and the state recorders office indicates that he has options to purchase several parcels.

Don Zoreb stated that he has lived at the end of Maud Road since 1979 and opposes this sale because it is inconsistent with the values of the community. He objects to the action taken by the trails committee because they were not adequately noticed regarding relocating the trails. The process is flawed to the extent that it is wrong for the planning commission and assembly to continue this sale. The applicants application at the borough does not include a site plan or a development plan and without a conceptual design and preliminary development plan, we have wasted a lot of time.

Sharon Bower stated that she has lived in the Butte area since 1983 and moved there to get away from commercialization, this sale is just one more step towards a larger commercialization of our country. The area would not be the same if the trail was moved and she is totally against the sale.

George Bower stated that he lives at Mile 11, Old Glenn Highway and most of his concerns have already been addressed. There are very few places that you can go to hunt, fish and enjoy recreational activities. This sale would have an impact on the wildlife and he and the community are totally against the sale.

Jeanette Somers lives at Mile 1.4 Maud Road and opposes this development because of the water table and possible seepage of fertilizers, herbicides and pesticides. The planning commission and assembly should address these concerns before approving the sale. The applicant's failure to reveal a development plan shows there is something wrong with the entire proposal.

Sharon Lewis stated that she lives at Mile 1 on Maud Road. The applicant has been very vague about this development and has been unable to supply information regarding the number of homes to be built, lot sizes, size of the lodge and number of rooms, and what some of the Alaskan experiences he wanted to have besides golf. She stated that "there are always two sides, the one they tell you and the one they don't."

Laurie Courtney stated that her family has lived in the Plumley and Maud Road area for the past eight years and have enjoyed recreation, hunting and fishing. Anchorage residents come to this area for recreational purposes, they stay in Anchorage to golf. The applicant has stated that his development will provide a trail 50% longer than the current one; however, it's the surroundings that are important. She supports designating the land as recreational use and does not support the sale/lease.

David S. Witt stated that he lives off Maud Road, thanked the audience for their input and disagrees with the sale. The Susitna Area Plan and proposed Knik River Area Plan should be addressed prior to considering this sale. He stated concern with the applicant's interaction with the community and inability to answer questions and provide information.

Jim Murphy stated that he lives at Mile 1 on Maud Road and is opposed to this sale. This area has been used for recreational purposes for a long time and the Butte Community Council does not support this sale. Please keep this parcel as recreational classification for all of us to enjoy.

Bill Collins stated that he lives in Palmer, boards horses off Smith Road and has been interested in this parcel for some time. Commissioner Tischer spoke on "consistent treatment to applicants." Mr. Collins gave an overview of the long process with the Corps of Engineers, state, borough and the expense he went through to purchase 40 acres of the original 320 acres only to have the application cancelled. He stated concern that a developer applies for land and then the borough is anxious to sale.

Chairman Anderson stated that the commissioners role is to classify lands and forward their recommendation to the assembly for their consideration. Sometimes a condition to sale by competitive bid is attached to the recommendation, particularly with large parcels of land.

Antibell Schwantic stated that she has lived in the Butte area for 44 years and has been a resident of the Matanuska Valley since 1935. She stated concern that the borough wants to sell this parcel for the taxes, when in fact the applicant will get a sharp lawyer so he doesn't have to pay taxes; however, the taxpayers in the area will have to pay. This land needs to be preserved for present and future generations and she does not support the sale.

Robert Dedaria stated that he lives off Buffalo Mine Road and shares the same values as others regarding access for recreation, fishing and hunting. He stated concern with the impact this development will have with little regards for the community and uniqueness of the area. He encouraged the commissioners and assembly to consider all public input.

Margaret Runtzer stated that she lives close to the subject parcel and has utilized the area for the past ten years. Many users enjoy walking, horseback riding, snow machining, mountain biking, hunting, berry picking and without conflicts. The rich habitat of wildlife includes: black and brown bear, fox, moose, wolves, trumpeter swans, eagles and owls. It is a successful multiple use area with very low maintenance.

Jeania Corsen stated that she lives off Bodenbug Loop Road and plans on moving to the Maud Road area with her seven children. She encouraged the commissioners not to approve the sale because the community doesn't want to lose the recreational value they enjoy.

Richard Barlow stated that he is a Butte resident, supports the vast majority and objects to the sale.

Lucille Fry stated that her house is located at the end of Plumley Road where people use the trails and don't disturb or trespass onto her property. By allowing this development, it will destroy the community's personal enjoyment and have a tremendous negative impact on the area.

Dori McDannold, Executive Director for the Valley Alaska Center for the Environment (VACE) stated that she was encouraged by the public input and their values for the land, e.g. wildlife and experiences from utilizing the lands in the valley. She asked the commissioners to consider the highest and best use of the land and protection of trails for hunting, fishing, and enjoyment by the community. She encouraged the Butte community to develop a community plan so they can determine the future of their area.

Patty Alex stated that she has lived at the corner of Maud and Ecker since 1979 and with the upgrade of the road from rocks to pavement along with clearing trees around her property, she prefers going back to rocks. There is already a golf course five miles away, we don't need another in the area.

Chairman Anderson stated that there were a lot of good points discussed and the applicant needs to address those concerns.

Commissioner Hanrahan moved, Commissioner Colver seconded to continue the public hearing to January 20, 1997.

Commissioner Tischer stated that she was not in favor of extending a courtesy to an individual unless that same courtesy was extend to everyone, it's not fair.

Discussion followed.

John Duffy stated that the minutes of January 6 will be forwarded to the developer for review so he can address the public's concerns at the public hearing on January 20.

Voting on the motion, it passed with Commissioner Tischer voting no.

Commissioner Tischer asked to be excused from the meeting.

The meeting recessed at 8:45 p.m. and reconvened at 9:00 p.m.

NEW BUSINESS

B. Resolution 97-02: Recommending classification of borough-owned land described as the NW1/4NE1/4 of Section 34, T19N, R1E, S.M. and located in the Fishhook area

John Duffy stated that an application was received to purchase 40 acres located north of Edgerton Park Road in the Fishhook area. Proposed use of the land is to create additional trails and develop a cabin rental or hut-to-hut development. The applicant is an adjacent property owner. There were no public notice responses received. The Fishhook Community was notified and raised no objection to the sale. This non-objection was reconfirmed on several occasions through personal contacts with the council's president and vice-president. Staff recommends classification as "General Purpose Land."

Commissioner Colver reviewed previous sales regarding the cost of access so adjacent property owners could utilize the land. He stated concern that on Resolution 97-02, the fourth whereas states that "no objections were raised as a result of the public notice process and Fishhook Community Council had no objection to the proposed sale." The subject parcel abuts the proposed Hatcher Pass Ski development, which would make this parcel more valuable. This parcel should be held in a "land bank" until the outcome of the that development.

Commissioner Savage stated that holding property on the speculation that it may increase in value also allows time for the value to decrease. If a person applies to purchase land, it should be sold at fair market and not held anticipating a higher value.

Commissioner Colver stated the following concerns: the applications have had little review of what other assets the property may mean to the community and public lands are sold without review or input from the public and community.

The following was discussed: number of mailings to property owners; commissioners role in the sale of land; public hearing for this item; higher standard of review and recommendations from the commissioners; have competitive sales on all land disposals; commissioners need to be involved in addressing all borough lands e.g. Chapter 1.

Commissioner Hanrahan moved, Commissioner Kracker seconded to approve Resolution 97-02, "A Resolution of the Matanuska-Susitna Borough Planning Commission recommending the classification of