

MINUTES
WETLANDS REVIEW BOARD
REGULAR MEETING
March 20, 2014, 5:15 p.m. City Hall room 224

Meeting Summary

I. Roll Call

Board Members Present: Hal Geiger, Brenda Wright, Amy Sumner, Dan Miller, Jerry Medina, Lisa Hoferkamp, Nina Horne, Gordon Jackson, Andrew Campbell

Board Members Absent: none

A quorum was present.

Staff Members Present: Teri Camery, CBJ Senior Planner; Jonathan Lange, CBJ Planner

Public Present: John and Danielle Armstrong

Meeting called to order at 5:22 p.m.

II. February 20, 2014 Regular Meeting minutes approved without edits

III. Agenda was approved

IV. Public Participation on Non-Agenda Items

None

V. Board Comments.

None

VI. Agenda Items

1) SMP20140001 Major Subdivision Review

Staff and Applicant Presentation. Ms. Camery explained that the Board is reviewing this proposal in its scientific advisory role. Board comments, draft minutes, and final motion will be provided to the Planning Commission in their “blue folder” packet before the next Planning Commission hearing on March 25. It was not possible to schedule a board meeting in time for comments to be included in Planner Jonathan Lange’s staff report. Ms. Camery said that this major subdivision is coming to the Board for review because the proposed lots are adjacent to an impaired salmon stream, Casa Del Sol Creek (a.k.a. Pederson Hill Creek). Staff evaluates major

subdivisions to be sure that lots can be built on while still complying with all code requirements. In this proposal, staff has evaluated whether the lots can be developed without impacting the 50-foot no-development setback from Casa Del Sol Creek. Planner Jonathan Lange explained that the proposal is to subdivide three lots into nine lots, and each lot needs 30 feet of frontage on a right-of-way. He reviewed the draft plat and explained the access points. He said that DOT will not allow additional access onto Glacier Highway and therefore access is restricted to Sherwood Lane. He reviewed the access points of the different lots. He pointed out that on the proposed Lot 1 and 2, there is an existing culvert. The applicant has applied and received a permit from ADF&G to replace this culvert with a larger culvert for fish passage. The Corps permit is for fill around the culvert.

Ms. Hoferkamp asked about the access road to Lots 7 and 8. Mr. Lange stated that the northern edge of this road is at the edge, but not within, the 50-foot no development setback. Mr. Armstrong explained that the road is already there. The edge of the 30-foot road is at the edge of the 50-foot setback. He said the road was built in 1984.

Mr. Campbell asked about utilities. Mr. Armstrong explained that they are located outside of the 50-foot setback. He said that the lot configuration was designed to allow building construction outside of the 50-foot setback.

Mr. Medina asked if there had been any concerns from ADF&G. Mr. Lange said that ADF&G reviewed only the culvert, not the full subdivision.

Mr. Lange explained the subdivision review process regarding preliminary and final plat approval, and reviewed the conditions that staff has recommended for the project. These conditions include:

1. Prior to Final Plat Approval, the applicant shall submit a joint use and maintenance agreement for access and utility easements to be recorded with plat.
2. Prior to Final Plat Approval, the applicant shall submit detailed drawings of the proposed utilities and driveway meeting all applicable CBJ Engineering standards.
3. Prior to construction of the subdivision improvements, the applicant shall submit a detailed drainage management plan consistent with CBJ §49.35.510.
4. Prior to grading or paving of access easements the applicant will contact Community Development Staff to flag the required habitat setback.
5. Stormwater features will be required prior to development to comply with CBJ 19.12.120 Stormwater Quality and the CBJ Manual of Stormwater Best Management Practices.
6. Prior to Final Plat recording, the applicant will be required to install improvements for public water and sewer to all proposed lots, or shall bond for improvements.

Ms. Wright said that it appears that Lot 5 is cut in half by the road. Ms. Camery asked how this would affect the buildable area of the lot. Mr. Lange explained the minimum lot size, lot width, and lot depth requirements for the Industrial zone, and stated that based on those dimensions, the lot still has an adequate building area for this zone.

Ms. Hoferkamp noted that the proposed culvert is only 36” wide, and wondered why ADF&G had not required a bottomless culvert. Mr. Armstrong explained that the stream is only 8 inches wide and 6 inches deep. In the Fish Habitat Permit, ADF&G recommended scooping out the stream to place a larger 36” culvert to allow more flow and to improve fish passage.

Mr. Campbell expressed concern that the culvert and driveway were within the 50-foot setback and that this would create a problem for the applicant in the future and require more permits. Ms. Camery explained that structures which are necessary for access to a stream or to cross a stream, such as bridges and/or culverts, are specifically exempt from the 50-foot no development setback in city code. Mr. Campbell understood that this addressed the culvert question, but he still had concerns about the driveway. Mr. Lange stated that the proposed driveway easement on lots 5, 7, and 8 are outside of the 50-foot setback. Mr. Armstrong further noted that the road already exists.

Mr. Campbell stated that there is reason for caution with the driveway easement line to ensure that it doesn’t cross into the 50-foot setback. Mr. Geiger asked about wetland fill for the area. Mr. Armstrong stated that the wetland areas of the lot were filled with a 1984 permit. There is no further wetland fill required except for the culverts.

Mr. Geiger noted that Lot 2 is small; however Mr. Campbell noted that it is still well beyond the minimum lot size for an Industrial zone lot.

Mr. Campbell asked about what time of year the stream has water. Mr. Armstrong replied that the stream has water for about half the year in spring and summer.

Board Discussion and Motion. Mr. Campbell offered a general motion of approval on the basis that the property has already been developed and minimizes habitat impacts. Ms. Hoferkamp, Ms. Wright, Ms. Horne, and Mr. Miller suggested additions to Mr. Campbell’s initial motion, which resulted in the following motion:

The Board recommends approval of SMP2014 0001 because the property has already been filled and developed, because the property is surrounded by existing development, and because the applicant has designed the project to minimize current and future impacts to the 50-foot no development setback to Casa Del Sol (Pederson Hill) Creek. The Board requests special consideration of snow storage areas, creation and maintenance of grassy swales, and related stormwater management issues to ensure that sediment and pollutants to not reach the stream. The Board also requests careful attention to the location of the 50-foot setback on lots 5, 7, and 8 to ensure that the driveway (including associated grading) is not located within the setback. Lastly the Board requests measures to reduce the spread of invasive species in the project area during the development stage.

The motion was approved unanimously.

2) Juneau Wetlands Management Plan Update

Ms. Camery provided the Board with the Scope of Work from the final Juneau Wetlands Management Plan Request for Proposals, which includes project deliverables and deadlines for this 2 ½ year project. She noted the stages where the Board would receive formal updates from the Vendor, and stated that she would update the Board on the project at every meeting from now through the completion of the project. She stated that Bosworth Botanical Consulting has been chosen for the work and she is currently in contract negotiations with the company. She provided a section of BBC's proposal for the board's information. She noted that the BBC proposal includes an experienced local team of wetland field scientists, Dr. Paul Adamus as scientific advisor, and additional support from Ecological Land Services, a highly-regarded consulting firm from Washington State with impressive experience in wetland development and permitting.

Ms. Sumner asked about wetland assessments on private property. Ms. Camery stated that CBJ would offer wetland assessment as a free service to interested private property owners. CBJ has identified large vacant private parcels near the road system, and would be contacting these private property owners to explain the benefits of obtaining free wetland assessment. She acknowledged that some property owners may feel threatened by this and may not understand the value of having this information in advance, so CBJ would need to explain the benefits. Mr. Miller stated that some people may need to be educated, and they should understand that the wetland assessment work will need to be done regardless and they should take the opportunity to have the work done for free. Ms. Camery explained that if the WESPAK wetland assessment is not conducted, then the property owner is left with the Corps' evaluation process, which is highly subjective. She stated that a key goal of the Juneau Wetlands Management Plan Update is to improve permit predictability and consistency through the use of an objective scientific method used across the board.

Ms. Wright asked about priority areas for wetland assessments. Ms. Camery stated that she had requested input from the Board regarding priority areas last fall, and apologized for not providing the final priority maps that were included with the Juneau Wetlands Management Plan Request for Proposals. She said that CBJ developed final priority area maps based on large vacant public and private parcels along the road system that are likely to be developed within 20 years. She said that Priority Areas 1-4 were for the most part not based on geographic area within the Borough, but on whether the parcel was large, vacant, with likely development potential. For this reason, there are few parcels under consideration in the Mendenhall Valley because this area has already been developed, or because large remaining undeveloped parcels are already protected as parkland or in conservation easements. She said she would provide the maps to the Board at the next meeting.

VII. Pending Permits and Updates

Lemon Creek Gravel Extraction

Ms. Camery stated that SECON's 2014 mining season has ended. SECON operated for 10 days. She stated that the neighborhood hates the project, but from an environmental perspective, the project has been a success. Both ADF&G and the U.S. Fish and Wildlife Service have monitored the project closely and have been pleased. She noted that the Board reviewed the last two Conditional Use Permits for the development and played a key role in developing the project conditions. Mr. Miller described the controversy over the project at the Planning Commission

level and explained the conditions that had been added in the last review, such as seismic monitoring. Ms. Camery stated that she would provide the Planning Commission with an update on the project. She emphasized that CDD carefully monitors and enforces the project conditions and cannot address neighborhood concerns beyond that, since the neighborhood's appeal was denied.

Ms. Camery said that CDD staff met with SECON earlier today. SECON will be submitting a new Conditional Use Permit application for a gravel extraction operation further upstream on Lemon Creek within a few months. She expects this proposal to have much less controversy because it is within a stretch of the stream with lower habitat value and it is far from residences. She said the proposal will come to the Board for advisory review.

VIII. Planning Commission Liaison Update.

Mr. Miller described the Assembly reversal of the Planning Commission decision on the Atlin Street re-zone.

IX. Next meeting: Regular meeting scheduled for Thursday April 17, 2014, 5:15 p.m. in City Hall room 224.

The meeting was adjourned at approximately 7:10 p.m.