

MEMORANDUM

Date: September 13, 2005

To: Title 21, MOA Planning Dept

From: Senator Fred Dyson

RE: Title 21 Rewrite

Thank you for your hard work on the Title 21 Rewrite. Your staff and the contractor have done a better job considering the concerns of Chugiak/Eagle River folks than I anticipated. I need more of these pleasant surprises!

At the community meeting, the department and contractor people asked us to get additional comments to you by September 15, and this memo is our response to that request.

1. The Title 21 rewrite that we have seen does not appear to address the philosophical issue that I have raised with you for the last two years: *We should not have enforcement of land use issues if there is no harm being done!* The folks in our community are accustomed to being good neighbors and helping each other out. If you get strict about enforcement, you can make criminals out of good Samaritans. For instance, with my kids were young and at home, we “leased a sorrel mare” from the neighbors for my kids to ride. We paid a nominal monthly sum for hay, and my girls got a gentle horse to ride when they wanted. Your regulations would have made my helpful neighbor into someone in the “animal husbandry business” requiring all kinds of bureaucratic hassles. Later when we had our own horse and were going out of town, neighbors would take care of the horse for a nominal charge. Please don’t force these arrangements to become “business” or criminal. I realize bureaucracies do not appear to want staff to exercise “judgment”, but I must not be the only person in the western world that thinks the government can use “common sense” in dealing with a citizen’s activity on their own land that does not harm others.
2. I agree some property owners equipment might be an “eyesore” to neighbors, and I support the concept of fencing, or other barriers, to keep neighbors from seeing something that is offensive. Out here in the country there are many lots that are large and have native vegetation that keeps on-site articles and activities from the eyes of neighbors. On my own lot, which is steep with most of the original birch and spruce, you cannot see the house from the road. I suggest the regulations being altered to allow for outside storage of vehicles, etc.; if the natural

topography or vegetation keeps neighbors or people on the road from seeing it--- in addition to the present regulations that only allow manmade barriers to sight. Your planners and contractors are mostly city folks who have never even thought about rural issues and therefore would not have thought about natural screening.

3. You still must make provision, on large lots, for the onsite, temporary storage of building materials for “off site use”. This is for those of us who are building a remote cabin and stockpile the materials until we can move it to the cabin site. I suggest a six month extendable limit and that effective screening, natural or man made, be required.

Thank you for the work you have done, and your consideration for these suggestions.

cc. Area Community Councils
Eagle River Star