

Debra Thompson

From: Chris Cotta
Sent: Thursday, October 22, 2020 5:26 PM
To: burrell1@gci.net; Stephen Giesbrecht
Cc: Stephanie Payne; Cole Cummins; Susan Erickson; Bennett McGrath; Debra Thompson; Joe Bertagnoli; Glorianne Wollen; tjevsn61@gci.net
Subject: RE: FW: Sandy Beach Playground Restoration Project
Attachments: DOC329.pdf

All,

I met with Glo, Desi, Ambre (Rock-N-Road), and Joe onsite this afternoon to look at the tree cutting that remains in order for the playground project to continue. The intent of the developers is to limb up the taller, mature trees on the water side of the project and remove two smaller trees next to the beach for better visibility. There is a cluster of trees adjacent to the project on the uphill side that appear to be unsafe. I have contacted Ted Sandhofer of the USFS and hope to meet with Forest Service representatives tomorrow to better gauge whether those trees are vulnerable to wind and pose a danger to the proposed playground. It could be argued that the many dead limbs on the healthy, mature trees surrounding the project pose a danger to playground (and park) users and those trees should also be removed to ensure safety of those utilizing the park or the proposed playground.

Having looked through our tree cutting ordinances, it appears that the Borough has the authority to initiate/authorize cutting of any and all trees within the boundaries of Sandy Beach Park, whether they pose a danger to park occupants or not. The tree cutting ordinances are in place primarily to regulate the removal of Borough trees by citizens either for their convenience or as firewood. However, Section 13.16.030 of Borough Code allows that the Borough itself may cut, or have cut on its behalf, green (live) trees located on municipally-owned land "for purposes of development, maintenance or safety, and except as otherwise permitted under Section 13.16.035 below." A scan of both these sections of Borough code is attached to this email for reference (the highlights are mine).

Public Works frequently cuts live trees on Borough property when required for safety or maintenance purposes, or to develop new access roads or other infrastructure. Power & Light also removes green trees on a regular basis to protect their infrastructure and the public. We have never had to go through a public permitting process to do this type of tree cutting and hopefully we don't have to start anytime soon.

What is less apparent is whether the playground project as a whole could be authorized by the Parks-N-Rec department and/or Borough Manager (who manage the Sandy Beach Park property for the Borough), or if the project needs to be formally authorized by the Borough Assembly. I'll leave that question for Steve to answer. But I think the Borough's authority to cut trees located on its own property is pretty clear. I'll report back once I've met with the Forest Service to evaluate the small cluster of trees adjacent to the proposed playground that appear to be unsafe. Hope this is helpful. Thanks,

Chris

-----Original Message-----

From: Steve and Desi Burrell <burrell1@gci.net>

Sent: Wednesday, October 21, 2020 8:31 AM

To: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>

Cc: Chris Cotta <ccotta@petersburgak.gov>; Stephanie Payne <spayne@petersburgak.gov>; Cole Cummins <ccummins@akpei.com>; Susan Erickson <susane@p-wins.com>; Bennett McGrath

<bennett@homespetersburg.com>; Debra Thompson <dthompson@petersburgak.gov>; Joe Bertagnoli <jbertagnoli@petersburgak.gov>; Glorianne Wollen <gwoollen@petersburgak.gov>; tjevans61@gci.net

Subject: Re: FW: Sandy Beach Playground Restoration Project

Good Morning Steve,

Thank you for reaching out. We as a committee should have all your questions answered before the end of the day.

I also want you to know that this company that we are working with is a large national company and has put in playgrounds all over the country and in SE Alaska. Also these plans were shared with the Susan at the insurance company early on.

Myself and possibly others will be available at the November 2 meeting to help answer any questions of this wonderful project that the people of Petersburg will be so proud of.

Desi

On 10/21/2020 7:42 AM, Stephen Giesbrecht wrote:

> Desi, I have taken a quick look at the plans, and have some questions/comments.

>

> 1. Many playground equipment providers also offer design support. Did they provide this design?

> 2. Does the playground equipment provider offer assurances that the design will meet all Federal and State ADA compliance issues? Would they put this in writing as part of the agreement?

> 3. Does your agreement with the equipment provider also include installation? If so, the Borough will need to review this contract prior to installation.

> 3. I have copied our insurance broker (Susan) and APEI's Risk Management expert (Cole).

Incorporating their evaluation of your plans may be important for the Assembly prior to the Assembly approving the plans.

> 4. I have taken another look at the Borough's ordinances on this type of project, and this will really need to go in front of the Assembly prior to additional work being done. In particular, we will need to go through the neighbor notification process and have this on a public meeting that will allow input. We will get this on the November 2 meeting of the Assembly so we can get past this and hopefully turn you lose on getting this project underway.

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> I know the timeline of the Borough's process is not ideal, but we must follow our own rules, especially when at least one of the neighbors has concerns. The public meeting aspect of the Assembly will allow

anyone to voice their support or concern, and therefore meet the requirements outlined in our codes. I would encourage you to have someone call into the November 2 meeting to speak to the project and be available for questions from the Assembly.

>

> Chris will jump on the tree removal and trimming piece this week, and we will get notifications out to the neighbors as required. I will be sending a copy of the plans to the one neighbor who has voiced the most concern so she can see the project and hopefully have a better understanding of the good you are working towards.

>

> Everyone, let me know if I have missed anything.

>

> Steve

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> -----Original Message-----

> From: Steve and Desi Burrell <burrell1@gci.net>

> Sent: Friday, October 16, 2020 8:53 AM

> To: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>

> Cc: Joe Bertagnoli <jbertagnoli@petersburgak.gov>; Chris Cotta

> <ccotta@petersburgak.gov>; Glorianne Wollen

> <gwollen@petersburgak.gov>; tjevans61@gci.net; Elizabeth Bennett

> McGrath <bennett@homespetersburg.com>; ambre@rocknroadak.com

> Subject: Sandy Beach Playground Restoration Project

>

> Good Morning Steve,

>

> Petersburg Rotary is so excited that we are finally underway with phase one of the Sandy Beach Playground Restoration Project. This project has been long overdue since this was originally constructed in the early 80's and we have been working diligently to raise funds to replace the dilapidated equipment for the past few years.

>

> There has been an incredible amount of support from the community through monetary donations to get this project underway. The posters of the park were displayed for months in storefront windows and at the October fest with an outpouring of positive support for the project. There has been numerous news stories through our local newspaper and radio stations. As I personally have manned many of the fundraising events and stations I was able to hear from children and adults. The look and comments from the children of all ages is what drives us to keep working towards this large goal when you hear comments like " That is for us!" , "I am going to go there everyday!", " I can ride my bike there!", " That is awesome!", etc, etc.....

>

> Rotary is looking for a partnership with the Petersburg Borough and Parks and Recreation to work with us on this community project to provide a safe and wonderful playground for all to enjoy while maintaining the integrity of Sandy Beach and the history behind what was once a fish camp. Petersburg Indian Association was a major donor and is adding some historical input and ideas for some additions of play and signage in Tlingit that are not on the very rough draft of the plan that I have drawn out.

>

> A lot of time and energy has been put into this plan to make it look as natural to the land as possible. It is important to this project that we make sure that any danger trees that adorn this area are trimmed or removed so that we can have a safe place for all. We had identified 3 or 4 trees with the contractor a few days ago and talked about the importance of limbing, not only for the light needed in the area, but also for the safety of limbs that are hanging over the equipment.

>

> As one of the folks on the steering committee for the past few years and the many changes at the helm with Rotary presidents and Parks and Recreation I overlooked the details of communication with our now President, The Borough and the newly formed Parks and Recreation Advisory board thinking we had already provided plans and done enough community outreach to start the phase one process.

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> We, on the steering committee and Rotary want this to be a successful project that will add another quality of life here Petersburg to enjoy for years to come.

>

> Respectfully yours,

>

> Desi Burrell

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> 907-518-1110

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