

05 November 2019

City of Valdez  
Planning and Zoning

RE: PROPOSED TOWING/JUNK YARD



Via E-mail

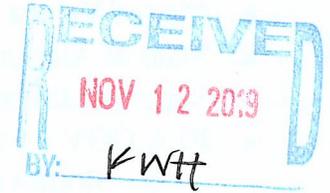
Being a home owner and property owner at 640 Hobart St. and just down the street from the proposed site for this new junk yard on lot 1 block 1 of the airport subdivision . I am strongly opposed to this plan. We have had years of problems with the current junk yard directly across the street, by traffic coming and going at all times of the night and day dropping off junk. Everything from appliances and vehicles to household trash they are too lazy to take to a dumpster. The city finally blocked off the street to prevent any more of this. This new yard will just start the problem over again. From what I have seen Dwain Dunning, the individual wanting to use this property, already has a yard full of junk and multiple complaints against him at both his Richardson highway property and his Robe Lake property for junk, and has never made any attempt to clean it up. it looks as if he just wants another spot to dump his trash. The city of Valdez needs to start enforcing and or put more restrictions to avoid these eyesore properties. Roosevelt wrecking yard across the street is a great example of what we don't need more off. That location will more than likely be a superfund site when the time comes to clean it up, now you are considering another one, Not Smart. Several years ago a friend of ours tried to purchase that very same lot, he went to the city with cash in hand and was told he couldn't buy it. Now you are considering leasing it to make another junk yard.

Valdez has enough junky yards, just drive down the main highway and look, or go into the trailer parks. Do we really want more of this. Myself and the folks who have purchased property next to me, bought land and built homes for summer/ retirement, at the time we were told that the Roosevelt yard was going to be cleaned up and emptied, for 2 years they hauled scrap out of the yard then stopped. Since then it just been a dumping ground for anybody who wants to get rid a stuff without going to the bailer facility or a dumpster. I believe that the city has an ordinance stating that junkyard are supposed to have a fence around them and nothing piled higher than the fence so that it is not visible from outside. they have never enforced this at Roosevelt and will probably continue to not enforce it anywhere else.

Once again I would like to state that I, and "ALL" the adjoining property owners are opposed to this plan, we would like to see the petitioner clean up his other property instead of trashing more.

Sincerely:  
Dan Eames

Geri Childs  
Property Owner, Airport Industrial Subdivision  
As property owner of Lot 2 Block 1 Airport Industrial Subdivision,  
3420 Truck St  
Fairbanks, AK. 99709  
November 5, 2019



Planning and Zoning Commission  
CC: Valdez City Council Members  
City of Valdez  
Valdez, AK.

Dear Planning and Zoning Commission:

As property owner of Lot 2 Block 1 Airport Industrial Subdivision, I would hereby request to go on record in opposition of the proposed conditional use permit application as requested by Dunning Enterprises to allow for the development of a towing, auto wrecking, and recycling yard. It is with deep regard that I am unable to attend the public hearing in person as I currently am undergoing cancer treatments out of state. However, as part of the public process and as my right as property owner, I feel the need to voice my concerns and opposition. Included as part of my opposition is a formal request for information in regard to the acquisition, purchase and/or transfer of city own property in question. Request for copies of any/all recorded permit applications, site plans, and or all other related materials regarding said property transfer, land use and all correspondence between the City of Valdez, the State of Alaska, and the Dunning Enterprises to include all entities. It is my concerned recommendation of the planning and zoning commission to delay any and all public hearings and/or award of said permits regarding matter until such time as all effected property owners of this conditional land use permit are presented with validation of appropriate processes re: transfer of city owned property, full disclosure of conditional use permit application and site plan requirements to include information on all required application/s status for all city, state, and federal regulatory agencies as required by ordinance, statute, and/or EPA/CFR regulations.

**Request for Information:**

All forms, documents, correspondence, permits, plans, maps etc. regarding the operations of a junk yard, Scrap Yard Tow Yard, Recycle Facility in the Airport Industrial Subdivision for Dunning Enterprises. Additionally, requested are all equivalent documentation, correspondence, and permits pertaining to the existing scrap yard business operating under the name of Roosevelt Junk Yard located within the same subdivision of Airport Industrial.

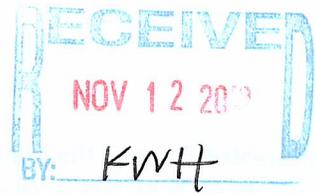
**Sources/Type/Justification of Requested Data:**

- City of Valdez Code - Disposition of City Owned Real Property - Chapter 4.04
- City of Valdez Code - Zoning District HI - Heavy Industrial - 17.38.040 Conditional uses

- City of Valdez Code - Conditional Land Use Permit – 17.50.010 - 070
- State of Alaska Statute – Junk Yard Regulations - AS 08.60.060 - 08.60.290
- State of Alaska Statute – Limitations of Junk Yards – AS 19.27.020
- EPA.GOV – Stormwater Regulations
  - Stormwater Program - [epa.gov/npdes/npdes-stormwater-program](http://epa.gov/npdes/npdes-stormwater-program)
  - Stormwater Rules and Notices - [epa.gov/npdes/stormwater-rules-and-notice](http://epa.gov/npdes/stormwater-rules-and-notice)
  - Polluted Runoff Nonpoint Source Pollution - [epa.gov/nps](http://epa.gov/nps)
  - NPDES Stormwater Program - [epa.gov/npdes/npdes-stormwater-program](http://epa.gov/npdes/npdes-stormwater-program)

Sincerely,

Geri Childs  
Property Owner, Airport Industrial Subdivision



From: timchilds55@hotmail.com

Date: November 12, 2019 at 9:38:20 AM HST

To: Dan Eames <seaclusion@acsalaska.net>, Ken Larson <larson\_ken@hotmail.com>, welding@gci.net, deanbakerak@gmail.com

Subject: Re: Valdez

Hello, My name is Tim Childs, My Wife, Father and I own lot 2 in Block 1 next to where the new proposed Junk Yard is on Hobart Street. First I'd like to say I don't have anything against Junk Yards but I certainly don't think we need another one in the Airport Industrial Subdivision as we already have the Roosevelt yard eyesore that has caused lots of disturbance and problems in the area.

When we bought our property from the City as it was advertised on the City website, There were proposed roads but not yet put out to bid from the planning department so we got permission from Ginger Welch to excess our property through what is now H.D. Marine. We did lots of cleanup and many trips to the Metal dump and landfill. The Welch property was also going through a major cleanup at the same time. Later on Harris sand and Gravel put in Rudolph and Hobart streets in for the City. That's when we started having lots of traffic and disturbances night and day. As you know the Police, City and Fire Department were called numerous times on Vandals, squatting, Fires set on cars and trucks, Drug use, illegal dumping, a guy names James January staying in a abandoned camp trailer and running from the police and more. The City hired a contractor to clean block 1 lot 1 and they did a fine job. Later when walking our dogs on the lot we'd find trash, abandoned vehicles, motor homes, Hypodermic needles and syringes. We picked up a lot of trash And called the city and police asking for a solution to the activity. My Father and I visited the City Manager asking what could be done but it took them a few years to block off the road past our driveway with some Jersey Bearers and logs and the activity diminished.

After We bought our lot Myself and many friends have gone to and called the City inquiring to buy block 1 lot 1 and any other Real estate in Airport industrial subdivision that were for sale as it was posted for sale on the City's website. Norm Crowson offered to pay cash for block 1 lot 1 and the lady in Economic Development said she could only lease it as the lady to buy It was on maternity leave and would call when she returned. Norm called the city back and never got a response. Later when we went to check with the Economic Development at the City said they pulled the lots from being sold or leased as they were thinking of subdividing some lots into smaller parcels. We asked to be put on the list to be notified when this going to happen. Later we got a notice and map of a draft of what the planning department was saying that they wanted to attract buyers that were interested in having land that they could build a BoatShop, Aircraft Hanger, Equipment or recreational shop. This sounded great to us. We never received any updates and a lot of us either called or like myself I visited the City's Economic Development and never could get a answer of what the City's plan. We did get plenty of notices that the only property that the City had for sale was the lot in Rogue River. I'd like to know why the people on

the interested list, and the public weren't notified that there was a change of plans and there was a lot for lease. There is no information on the City Website of any intention to sale or lease any lots in Airport Industrial subdivision only applications for sale or lease.

When we bought our property we knew that it was Zoned Heavy Industrial and that City was interested in buyers building shops and business to support the Valdez City. That fit our needs as my Dad and I are both Heavy Equipment Mechanics. Thinking I'd like to build a shop for equipment repair and machine shop. The nice lady that we worked with to buy our property let us know upfront that there was a lot of trash in the subdivision and also in the lot we were buying and said they were working with the owners of the Roosevelt Junkyard to clean up there area and were having problems getting cooperation with the owners about doing any clean up. She also said they were hiring contractors to clean more lots in the subdivision. Soon after that they starting crushing cars and shipping them out of the state. When the shipping was through so was the crew. People started hauling in junk cars motor homes and all kind of junk mostly at night down Hobart road and dropping them off in the cul-de-sac and on block 1 lot one.

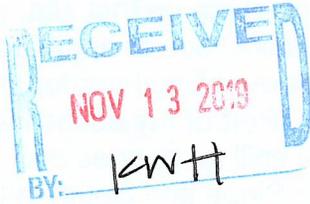
I do think that a well organized towing and junkyard is in order for Valdez but I don't think just because a person is out of compliance with there existing Junkyard that they should be able to come to the Airport industrial subdivision and set up a business on a lot that has been cleaned up with city money's . If the City couldn't regulate the Junkyard that Dunning enterprises already has knowing he was operating a Junkyard for many years on property that is not zoned for a Junkyard why should we think it would be any different in Airport Industrial Subdivision just because it is Zoned Heavy Industrial? I understand he has had a lot of complaints from neighbors in his current location over the years. My suggestion would be for Mr. Dunning to work with Bernie Karl in the Roosevelt Junkyard and lease from him and keep the contamination in one area. If that would work it would be good for everyone as to get Roosevelt organized before that gets to be a superfund site. Does the City really want to be responsible for more contamination then they already have? I'd like to know how much money will the lease be and how much money has the City put into cleaning it?

I do think there is some backdoor activity going on here as the public and the people on the list for wanted to buy were not notified.

The City and Dunning enterprise have been working on this for a while, why were the people on the wanted to buy land and the public not informed that there was a sale or lease going on. Only giving us 8 days notice before the meeting for a application for a conditional use permit was not very considerate as many of us are going through medical procedures, traveling or working away from there mailbox. I had flight reservations and couldn't change plans at the last moment and got the notice the day before I left.

Now that we know the City is interested in selling the lots in Airport Industrial Subdivision I Think they should be fair and give everyone including the public a fair chance to bid, buy or lease City properties not just a select few.

Sincerely, Tim Childs



Ken Larson  
PO Box 445, Valdez, AK 99686  
Cell: (907) 251-0211  
Email: [larsen\\_ken@hotmail.com](mailto:larsen_ken@hotmail.com)  
13 November 2019

RE: Objection to Dunning Enterprises Lease  
& Conditional Use Permit (CUP) for Lot 1, Blk 1,  
Airport Industrial Subdivision, 596 Hobart St.

City of Valdez, City Council  
ATTN: Ms Kate Huber, Planning & Zoning Commission/Acting Planning Director  
PO Box 307  
Valdez, AK 99686

Dear Kate:

I am writing/emailing this letter in lieu of attending the 13 November 2019 Valdez Planning and Zoning Commission public hearing due to being out of state for medical treatment. I respectfully request that this letter of objection be considered by the City Council and read into the public record.

I am the property owner at 670 Atigun Drive (Lot 2, Block 5, Airport Industrial Subdivision), on a direct access route via Atigun, Rudolf and Hobart Streets, to the proposed CUP Application/Lease site for a new, 7 Acre Towing, Salvage & Recycling Yard. This is just another name for JUNK YARD! I am one of several neighbors in the immediate area that are strongly opposed to this CUP and Lease to Dunning Enterprises, for many reasons.

I bought my lot from the City in November, 2003 and first became acquainted with Dwain Dunning when I hired him to clear my 2.5 acre lot in the Summer of 2004 and then after he started Dunning Enterprises in 2005. Valdez is a small community and I have interacted with several of your Planning and Assessor folks over the years as a result of developing my Sanity Charters Boat Maintenance and miscellaneous Storage facilities on my property. I have attended, reviewed minutes of, or listened to your City Council and Planning Meetings and recordings over the years. I am somewhat familiar with Dunning Enterprises' history of violations of City and State Ordinances/Codes with regard to the operations on his 4269, 6 mile, Rich Hwy (with Alpine Village Rental units and a recently Permitted Pot Grow Operation) and Robe River (Storage) properties. The casual observer driving by can see that, essentially, those properties have become Junk Yards that do not even attempt to conform to City, State, and probably EPA Ordinances/Codes requiring Security and view-blocking fences along a public road, among other requirements. I have occasionally driven by these properties over the years since I first came to Valdez in 1984, and know various folks who live in the areas so I believe I know what the Junk Yards look like. So I can only conclude that based on their actions to date, Dunning Enterprises will only expand more junk to yet another site, this time City-owned, which will also become another eyesore and potentially hazardous waste site.

As I understand it, and please correct me if necessary, the City already owns the old Roosevelt Junk Yard site that is presently leased to Bernie Karl and is directly across Hobart Street (to the South) from the 596 Hobart St proposed Lease/CUP site. Is the Roosevelt Junk Yard a Licensed Junk Yard as required in City Ordinances 17.04.790 and 8.20.040, et al? I

can only assume that the City is already ultimately responsible for cleaning up that site, which may surely become a contaminated Super Fund Site. By way of qualification to speak to this issue, I am an Alaska Registered Civil PE and was the USACE Resident Engineer for the Northern half of Alaska from 1984 until my semi-retirement in 2006. Part of my duties included administering and inspecting contracts for numerous environmental spill responses and cleanups on old military and EPA Superfund sites all over the North Slope and South to the Alaska Range.

I recently made contact with local Valdez ADEC Environmental Specialists who confirmed that the Roosevelt Site City Lessee had at least one NOV issued and Fine paid, as a result of an Aug/Sep 2008 release/spill of Used Oil, Ethylene Glycol and Lead onto the site, most likely resulting from the large quantity of junk vehicles of all types stored there. They are still researching some additional questions that I asked. So, my questions to you and the City Council are: **1)** Why does the City of Valdez want to create/expand the possible area of contamination, and their responsibility for cleanup, with yet another Lease, especially to an organization with Dunning Enterprises' demonstrated environmental ordinance violation history? **2)** Due to the nature of the very porous, coarse alluvial gravel/cobble materials present on the site, will any Lease of this type require an impervious subsurface Containment Membrane under the 7 acre site to mitigate the additional, and inevitable, spills of hazardous materials if operated as a Licensed Junk Yard? **3)** What other specific Junk Yard Licensing requirements will be imposed on this site and how will they be monitored and enforced? **4)** Has the City considered modifying the current Lease to the Roosevelt Junk Yard Site, with specific operation requirements, to allow Dunning Enterprises to operate as a licensed subcontractor on that existing site for temporary storage and processing of abandoned or impounded vehicles? **5)** Has the City considered Leasing a site to Dunning Enterprises on either their Bailer Facility grounds or at their Glacier Road Landfill site, again with appropriate safeguards? I believe there are already plenty of contaminated disposal sites in Valdez without creating any new public nuisances.

I hereby request that you and/or the City identify and explain to me, as a member of the concerned public, what actions the City has taken to date to deal with correcting Dunning Enterprises' continuing Ordinance/Code violations on their properties and what corrections have actually been accomplished. Have you or the City notified the State or EPA of any corrective actions requested or accomplished by Dunning Enterprises as required?

My neighbors and I are well aware that Airport Industrial Subdivision was Zoned for Heavy Industrial use, which is why we bought out there, in the first place. As a result, we have been very concerned with keeping our various lots clean and orderly so as to not produce sources of contamination or objectionable nuisances. Based on Dunning Enterprises' demonstrated lack of ordinance compliance actions to date, we believe their Lot 1, Block 1 request for Lease and CUP should be denied.

On a side note, my neighbors and I are still waiting for the City to fulfill the assurances they made to us when we purchased our properties from the City several years ago (since 2003 in my case) to provide City Sewer and Water Utilities to our Lots. We paid premium lot prices to the City, anticipating reasonable road access and utility connection times so we could fully utilize our properties. We are aware the Utilities have been designed for several years, and even bid when Rudolf Road was put in about 5 years ago. However, we have been told funding has been constantly shifted away from performing the utilities project. A few of my neighbors have drilled wells with mostly poor subsurface water quality results, hence our

concerns for mitigating any more surface contamination and our desire for City sewer and water utilities. The lack of utilities in the area is surely impacting sales (and Property Tax Revenue) of any more City lots. My concerns on this topic will be covered in another letter to you later. Thanks for your attention to these CUP/Lease concerns.

Cc: VdzCityClerk-[spierce@valdezak.gov](mailto:spierce@valdezak.gov)  
VdzCity- [NLeRoy@valdezak.gov](mailto:NLeRoy@valdezak.gov)  
ADEC- [anna.carey@alaska.gov](mailto:anna.carey@alaska.gov)  
Vdz P&Z- [KHuber@valdezak.gov](mailto:KHuber@valdezak.gov)

Sincerely,

/s/

Capt Ken Larson



**From:** Dean Baker  
**To:** [Nicole LeRoy](#)  
**Cc:** [Kate Huber](#); [Mark Detter](#)  
**Subject:** Fwd: Airport Industrial subdivision redevelopment  
**Date:** Thursday, November 14, 2019 11:18:54 AM

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I understand my email didn't get received in time for the meeting. I messed up the address. My point is there has always been interest in this property. Please take time to read the whole thing.

Sincerely  
Dean Baker

----- Forwarded message -----

**From:** **Dean Baker** <[deanbakerak@gmail.com](mailto:deanbakerak@gmail.com)>  
**Date:** Tue, Nov 12, 2019 at 11:45 AM  
**Subject:** Fwd: Airport Industrial subdivision redevelopment  
**To:** <[nleroy@valdez.gov](mailto:nleroy@valdez.gov)>, <[khuber@valdez.gov](mailto:khuber@valdez.gov)>, <[mdetter@valdez.gov](mailto:mdetter@valdez.gov)>

This is a letter I sent when the Planning Commission was entertaining sub dividing the Airport industrial area. Since then I have been somehow dropped from your list of interested parties. I can't believe the city would entertain another junk yard when they can't control the existing one. Who would want the rest of the properties around it? I feel you are making a big mistake. This lot was advertised for sale years ago OTC. When we drove down to buy it, it was not. Maybe right then I should have pursued it harder. I feel there is something underhanded goin on here.

Sincerely  
Dean Baker

----- Forwarded message -----

**From:** **Baker, Dean** <[Dean.Baker@alyeska-pipeline.com](mailto:Dean.Baker@alyeska-pipeline.com)>  
**Date:** Fri, Feb 24, 2017 at 11:06 PM  
**Subject:** Airport Industrial subdivision redevelopment  
**To:** [alain@ci.valdez.ak.us](mailto:alain@ci.valdez.ak.us) <[alain@ci.valdez.ak.us](mailto:alain@ci.valdez.ak.us)>  
**Cc:** [deanbakerak@gmail.com](mailto:deanbakerak@gmail.com) <[deanbakerak@gmail.com](mailto:deanbakerak@gmail.com)>

Dear Ann Marie

Thank you for giving Annie and I a chance to give our views to you and the commission. We and our family have enjoyed Valdez for many years going back to the early '80s. A few years

back Annie and I decided to purchase the seven acres (Lot 1 block 1) that was advertised on your web site as for sale OTC. When we got down there to do so it was not for sale. We were very discouraged. Annie and I are very close to retirement and would still love a place to go and call our own and being able to stay the summer and then some. We both believe the intent of the commission is spot on. We had plans to have a cabin and a boat shop under one roof. We also believe that Block 1, lots 1a and 1 are being chopped up too small and will invite undesirable. There has already been problems at the end of Hobart. These lots should be kept to or as close to 2 acres as possible.

I have a few questions:

Is it still the intent to use Lot3 Block2 as a snow dump? And if so will it be clear cut...I hope not.

Since this is an airport subdivision with private hangers and such, could the roadways be used as taxi ways to the air field with the proper pilot cars and traffic control? I would think this would be very desirable for pilots.

Will the scrap yard mess at the end of Hobart get cleaned up?

We would still entertain the purchase of Lot 1, Block 1 as a whole or even half. We also like the NE corner of Lot2 Block2 in blue. We are open to looking at anything. Please keep us informed of any developments and we hope it's soon....people don't stay retired forever.

Thank you,

Dean and Annie Baker

North Pole, Ak

907 388 1669

Please use my Gmail

**From:** Tim Childs  
**To:** [khuber@valdezak.com](mailto:khuber@valdezak.com); [Nicole LeRoy](#)  
**Cc:** [Mark Detter](#); [Sheri Pierce](#)  
**Subject:** Fwd: Valdez  
**Date:** Tuesday, November 12, 2019 12:57:38 PM

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Sent from my iPad

Begin forwarded message:

**From:** Tim Childs <[timchilds55@hotmail.com](mailto:timchilds55@hotmail.com)>  
**Date:** November 12, 2019 at 10:51:55 AM HST  
**To:** "[timchilds55@hotmail.com](mailto:timchilds55@hotmail.com)" <[timchilds55@hotmail.com](mailto:timchilds55@hotmail.com)>  
**Subject:** Fwd: Valdez

Sent from my iPad

Begin forwarded message:

**From:** [timchilds55@hotmail.com](mailto:timchilds55@hotmail.com)  
**Date:** November 12, 2019 at 9:38:20 AM HST  
**To:** Dan Eames <[seaclusion@acsalaska.net](mailto:seaclusion@acsalaska.net)>, Ken Larson  
<[larson\\_ken@hotmail.com](mailto:larson_ken@hotmail.com)>, [welding@gci.net](mailto:welding@gci.net),  
[deanbakerak@gmail.com](mailto:deanbakerak@gmail.com)  
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