

**HAINES BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
May 12, 2005**

1. **CALL TO ORDER:** 6:00pm by vice-chair **HEINMILLER**.
2. **PLEDGE TO FLAG:**
3. **ROLL CALL:**

Present: Bob **CAMERON**, Lee **HEINMILLER**, Bill **STACY**, Harriet **BROUILLETTE**, Rob **GOLDBERG**, Bruce **HALE**

Absent: Jim **STANFORD**

Staff Present: **SCOTT HANSEN** (Planning and Zoning Tech II)

Visitors: Greg **PALMIERI**, Roger **SCHNABEL**

4. **APPROVAL OF AGENDA**

M/S STACY/CAMERON to approve the agenda.

Motion carried unanimously.

5. **APPROVAL OF MINUTES** - April 14, 2005 regular meeting

M/S GOLDBERG/CAMERON to approve the above minutes, with minor corrections.

Motion carried unanimously.

6. **PRESIDING OFFICER REPORT:**

HEINMILLER noted that **STANFORD** was working with the high school track meet and was unable to come. He also said the University lands issue is still alive, as the governor by using a special session to keep it alive despite its failure to pass the House.

7. **PUBLIC HEARINGS:**

- a. **Conditional Use Permit Request - Resource Extraction - SCHNABEL**

SCHNABEL requested a ten-year permit life based on past years' pit activity - it is intended to be used for mostly royalty sales. **GOLDBERG** asked about local impacts. **SCHNABEL** said that since he owns the surrounding properties he'd feel the greatest negative impacts. He said that when the pit is done the property would be eligible for residential subdivision.

M/S GOLDBERG/BROUILLETTE to grant the permit for three more years in accordance with an amended memo dated May 12, 2005.

Motion carried unanimously.

8. STAFF REPORT:

a) Land Use Permits:

- i. Jake Schreckhise - SFR - RR
- ii. Chilkat Valley Farms - temp greenhouse - C
- iii. Dave Parks - amendment - SFR - W
- iv. Don Turner - amendment - culvert, fill - W

b) Enforcement: The junk on the corner of Piedad and Sunshine streets was cleared up in a timely fashion, and no nuisance exists at this time.

c) Plats: Seright Subdivision III

d) Alaska Cadastral Project Programming RFP Progress

HANSEN explained that a contract is in the works with GeoNorth, LLC, who will be expecting to have the project done by December 31.

9. COMMUNICATION: NONE

10. OLD BUSINESS

a. Ice House Project Review

The commission reviewed the documentation. **HEINMILLER** suggested siting the facility 5-6 feet lower than the parking lot and positioned over the existing rip-rap. **STACY** noted that the construction shouldn't limit existing uses, such as the fuel dock or crane operation. **HANSEN** noted that the comprehensive plan and coastal management plan support a fishery in this area. **STACY** suggested including the gillnetters' association and surrounding property owners.

M/S STACY/GOLDBERG to send a letter to the gillnetters' association asking for their input.

Motion carried unanimously.

After approval of the design and placement the commission recommended that with good communication the project would be positive for everyone.

b. ACMP Resolution Recommendation to Assembly

HANSEN explained that the next step in the process of approving the existing Haines Coastal Management Plan Amendment is to

forward a motion recommending that the Assembly pass a resolution of support.

M/S GOLDBERG/STACY to send a prepared resolution to the Assembly for consideration and approval in support of the Amended Haines Coastal Management Plan.

Motion carried unanimously.

c. Charter Zoning Protest Language

GOLDBERG explained the Haines Borough Charter Commission made it clear that some sort of protest option is desired for rezonings. Unfortunately, the provision proposed by the Charter Commission and approved by Borough lawyers was unconstitutional. In anticipation of correcting this error the question at hand is to what extent Haines Borough voters want to have a protest option for rezonings. He explained that a constitutionally-sound correction needs to be placed on the October ballot. Due to necessary election timelines it is necessary to have the language crafted by early summer. He also mentioned that there is no severability clause in the charter. **HALE** recommended a simple Assembly majority be required when handling protests. **STACY** recommended a supermajority (five Assembly votes) to override a protest. **HEINMILLER** agreed saying that the supermajority doesn't place the whole burden on the Mayor. The Commission drafted specific language. He asked if the Borough lawyers would approve the new language.

M/S HALE/STACY to forward the language to the Assembly so the language would fit on the October ballot.

Motion carried unanimously.

M/S GOLDBERG/STACY to recommend that the Assembly approve severability language prepared by a lawyer.

Motion carried unanimously.

11. NEW BUSINESS:

a. ROW Vacation Request - PALMIERI

HANSEN explained that **PALMIERI** is willing to perform road development to Borough standards in exchange for a portion of vacated ROW, as per an agreement with the Manager. **PALMIERI** added that 0.2 acres of his own property would be part of a cul-de-sac he would develop, and about 0.2 acres are involved in his

ROW vacation proposal. **HANSEN** explained that the existing ROW, platted by Charlie Anway in 1921, exceeds the maximum 10% grade for road construction. It is approximately 26% just below **PALMIERI's** property. The Borough cannot utilize the ROW for access, but **PALMIERI** can develop the property for his own uses.

M/S STACY/CAMERON to recommend to the Assembly to support **PALMIERI's** request for a ROW vacation in exchange for his developing Anway Road and cul-de-sac development and easement on his own property.

Motion carried unanimously.

- 12. **PUBLIC COMMENT: NONE**
- 13. **TITLE 18 REVISIONS: NONE**
- 14. **NEXT MEETING DATES:**

- a. **Regular Meeting** - Thursday, June 16, 2005, 6:00pm in the Assembly Chambers.

15. ADJOURNMENT

HALE noted a newspaper article about the **RICKERS'** issue and wondered if it was truly resolved, and the **RICKERS** would abide by the law. **STACY** said that the Mayor had committed to sending the **RICKERS** a letter reminding the **RICKERS** of their requirement to abide by existing code. **HEINMILLER** said he'd contact the Mayor about the communication.

M/S STACY/GOLDBERG to adjourn.

Motion carried unanimously.

The meeting adjourned at 7:49 pm.

Respectfully submitted:

SCOTT HANSEN, Haines Borough Planning and Zoning Tech II