

**HAINES BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
July 14, 2005**

- 12. **CALL TO ORDER:** 6:00pm by chair **STANFORD**.
- 13. **PLEDGE TO FLAG:**
- 14. **ROLL CALL:**

Present: Jim **STANFORD**, Bob **CAMERON**, Bruce **HALE**, Lee **HEINMILLER**,

Absent: Bill **STACY**, Harriet **BROUILLETTE**, Rob **GOLDBERG**

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

Visitors: Ed **WACKERMAN** (South of the Border restaurant), Greg **STUCKEY** (CIA Tribal Administrator), Lori **STEPANSKY** (Tourism Director), Marilyn **JOSEPHSON** (Tourism Advisory Board), Stan **JONES**

15. APPROVAL OF AGENDA

M/S HEINMILLER/STANFORD to approve the agenda, amended to add shift Public Comment to be just before the staff report.

Motion carried unanimously.

M/S STANFORD/CAMERON to amend the agenda, placing "CIA/Borough Road Building Work".

Motion carried unanimously.

16. APPROVAL OF MINUTES - June 16, 2005 regular meeting

M/S CAMERON/HEINMILLER to approve the above minutes.

Motion carried unanimously.

17. PRESIDING OFFICER REPORT:

18. PUBLIC HEARINGS:

19. STAFF REPORT:

a) Land Use Permits:

- i. Bud **STEWART** - 18 mile Haines Highway - GU - short plat
- ii. Harold **BIELESKI** - Anway Sub - RR - short plat
- iii. Greg **PALMIERI** - Anway Sub - RR - SFR
- iv. James **STUDLEY** - Townsite Sub - commercial carport- C
- v. Sam **MCPHETRES** - Townsite Sub - SR - deck replacement
- vi. Steve **CUNNINGHAM** - Black Bear Trailer Court- C - trailer placement

- vii. Jila **STUART** - Skyline Estates - SR - deck
- viii. Rep. Bill **THOMAS** - Main Street - C - business sign
- ix. Basil **BORKERT** - Chilkoot Inlet Alaska Subdivision -

b) Enforcement:

c) Plats in Process:

- i) **LABROSSE** - short plat - just north of Chilkat State Park on Mud Bay Rd.
- ii) **SCHNABEL** - St. James Place - top of 4th Ave

d) Alaska Cadastral Project Programming RFP Progress

HANSEN explained that the contractor has received and is retro-fitting Borough GIS and Property Tax data in anticipation of web programming.

20. COMMUNICATION:

21. OLD BUSINESS

- a) Stan **JONES** - Access Road/Utility Easement Review - Anway Five Acre Garden Tracts - possible water tank placement

STANFORD asked if **JONES** had planned for public access to the property. **JONES** said that he was more interested in knowing preliminary potential for the easement, but he would not be opposed to a gate at his property line. He explained that his land-locked parcel had been created by the City in years past when they appropriated land to obtain the Piedad Springs water source. Current regulations wouldn't allow for subdividing without legal access. This easement request would tie up a loose end. He said that what he wants is legal access to his property. Future development would comply with planning regulations. **HEINMILLER** asked if it was possible to even construct a road up that direction. **JONES** said that John Floreske had said that it is possible.

M/S STANFORD/CAMERON to recommend that the Assembly approve Stan **JONES'** request for a 60 ft access and utility easement across the Borough property above the Piedad Road ROW, with the following stipulations:

- The developer assume road construction costs and hold the Haines Borough harmless of liability connected to the easement
- Security gate gets placed on the property line between **JONES** and the Borough

Motion carried unanimously.

STANFORD asked **HANSEN** to comment on **WACKERMAN**'s Conditional Use permit to operate a restaurant in the Significant Structures Area. **HANSEN** said that **WACKERMAN** obtained a CU permit in 2002, and it is slated to expire this year. However, relative to the past six months' CU permit reviews, there was a question as to the necessity for the Commission to hold a public hearing if the permit stipulations did not require a formal hearing. The PC at that time determined that the permit would be reviewed for compliance only. The intent was not to bring into question whether or not the use should continue. **HEINMILLER** noted that to bring the entire permit into question would be a serious threat to the investment a business owner would've made to start the business. **HANSEN** agreed, suggesting a less formal procedure than a public hearing, unless the Commission specifically required it as part of the permit. **WACKERMAN** noted that beginning a small business is difficult enough without wondering if the permit will not be renewed in three years.

M/S STANFORD/HEINMILLER to establish that the Commission seek out comments from interested parties as part of every Conditional Use permit renewal.

HANSEN asked if the posting would satisfy the requirement to seek out comments from interested parties. There was general agreement. **CAMERON** noted that the Commission needs to be consistent with CU permit reviews. **HALE** said that the process should expect an automatic renewal unless violation complaints bring it into question. **HANSEN** noted that any CU permit with violations could be revoked. **STANFORD** said that the above motion carried this expectation with it.

Motion carried unanimously.

HEINMILLER noted that three years is sometimes necessary, dependent on the impacts. **HALE** noted that the process should be a review, not a renewal.

HANSEN noted that **WACKERMAN**'s permit will appear on the August agenda as a permit review.

12. NEW BUSINESS:

1. Covered Pavilion Restroom Project - Concept Phase

STANFORD invited comment. **JOSEPHSON** said that tour operators are requesting the project, and the Tourism

Advisory Board supports the idea, which has come up before but never completed. Approximately \$145,000.00 is slated for the project, and \$20,000.00 should be considered an appropriate cost for administration and design. It would operate only in the summer months and be drained and closed up in winter, with a possible on-demand hot water system. It could not intrude on the pipes running along the walkway to the dock. There is also a desire to add a stairway for public access down to the beach. The design and materials would be designed to complement the fort area. Tour operators say that the proposed design and placement is the only reasonable option. There would be possible telephones, and it would be accessible to for local use.

HEINMILLER said that the Port Chilkoot Company owns the upland property just north of the dock. In past years the City assumed use and filled areas without permitting. Land ownership is a significant hurdle before the project can be seriously begun. Any development will block the view of buildings (currently on the Historic Register) across the road. The signal corps building is the oldest building in town and possibly the one with greatest historical value to the town. The proposed placement would compromise the entire view of the fort. Parking is also an issue created by tour operators' expectations to all be present at the dock exit at once. Though it is true that bathrooms are need in the area even those located up in the fort are constructed cheaply and leased from the Port Chilkoot Company. No electricity, lights. If the new ones are constructed on a tight budget they could possibly be constructed cheaply as well. Currently the plan is shortsighted, a long-run mistake.

STANFORD asked if the restrooms might be located on the dock. **STEPANSKY** said that part of the reason for the location was a covered waiting area for tours. **HEINMILLER** suggested placing the building on the south side of the dock. **HALE** noted that tour operators need to reconcile losing parking to gain restrooms and a covered waiting area. **STEPANSKY** noted that a Tourism Advisory Board meeting on Friday morning will have tour operators in attendance, and perhaps a representative from the Commission might attend.

M/S STANFORD/HALE to support the Tourism Advisory Board's concept for seasonal restrooms and a waiting area at the Port Chilkoot dock, with details reviewed at the August Planning Commission meeting.

Motion carried unanimously.

M/S STANFORD/CAMERON to appoint **HEINMILLER** to represent the Commission at the July 15, 2005, Tourism Advisory Board meeting at 8:30am in the Assembly chambers.

Motion carried unanimously.

HANSEN noted that the Borough administration has excellent design criteria exist for dock area fort building designs, and **JOSEPHSON** is encouraged to use them for the structure design. **STANFORD** reminded **JOSEPHSON** that the Alaska Fire Marshal reviews public buildings of this type.

12. PUBLIC COMMENT:

STUCKEY announced that CIA is beginning a project to develop their property east of the fairgrounds, and they are hoping to garner matching support from the Borough in this project. They are slated to receive federal funds over several years. The plan is to improve a portion of CIA, Port Chilkoot Company, and fairgrounds property as they lengthen Fair Drive through to Major Road. Coastal Management concerns will be anticipated in the design.

M/S STANFORD/HEINMILLER to support the Chilkoot Indian Associations' concept of the Fair-Drive-to-Major-Road extension plan, with future details to be reviewed by the Commission when made available.

STANFORD recommended a designer for the project. **HANSEN** explained the long plat process and noted that the process would integrate coastal management, platting, and Commission reviews. **STANFORD** noted that the Assembly has the final say over financial support for the project, but this first step was a good one.

Motion carried unanimously.

13. TITLE 18 REVISIONS:

a. Industrial Setbacks

HALE said that residential uses within the Industrial/Light Commercial zone put what is a serious crimp on light industrial development in the zone. It appears that the code requires a 50 foot setback from residentially-used

lots within the ILC zone. After much discussion **HANSEN** proposed to produce language for the August meeting. **STANFORD** said that it would be handled under "Old Business".

14. NEXT MEETING DATES:

a. **Regular Meeting** - Thursday, August 11, 2005, 6:00pm in the Assembly Chambers.

15. ADJOURNMENT

The meeting adjourned at 8:05 pm.

Respectfully submitted:

SCOTT HANSEN, Haines Borough Planning and Zoning Tech II