

**HAINES BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
MARCH 17, 2005**

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

Present: Jim **STANFORD**, Lee **HEINMILLER**, Bill **STACY**, Harriet **BROUILLETTE**, Rob **GOLDBERG**

Absent: Bob **CAMERON**, Lynda **WALKER**

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

Visitors: Toni **DEWITT**, Stephanie **SCOTT** (Assembly), Debra **SCHNABEL** (Assembly), Diana **LAPHAM**, Frankie **PILLAFANT** (Sheinberg Associates), Gail **GILBERT**, Ray and Vivian **MENAKER**, Joanie **WAGNER**, Gina **SHIREY-POTTS** (DCED), Denny **TEAL**, Stacie **TURNER**, Don **TURNER**, III, Susan **CRESWELL**, Herb **VANCLEVE** (Assembly liaison)

4. **APPROVAL OF AGENDA**

M/S STACY/GOLDBERG to amend the agenda by adding **Public Comment** to follow the Presiding Officer's Report and moving the Rock Pit to first Public Hearing.

Motion carried unanimously.

5. **APPROVAL OF MINUTES** - February 17, 2005 regular meeting

M/S BROUILLETTE/STANFORD to approve the above minutes.

Motion carried unanimously.

6. **PRESIDING OFFICER REPORT:**

STANFORD said that a discussion about the pending Borough Ice House project will be delayed until the April 14 meeting.

PUBLIC COMMENT: NONE

7. **PUBLIC HEARINGS:**

- a. **Conditional Use Permit Request - Rock Pit - TURNER**

HANSEN explained the Conditional Use permit submitted by the **TURNERS**. Using an approval memo from April 2001 he described former activity within the pit and former public hearings held

over the subject. He noted that the application is a new public hearing for only the east side of the pit. The west side was outside former city limits and has never needed to be permitted. Therefore the whole pit is not in question - only the west quarter or so. **HANSEN** turned to a memo of approval stipulations from April 2001 from which to base a pending approval. He noted that permit renewal is contingent on compliance with terms of the previous permit stipulations. **TURNERS** are asking for increased hours of operation and a pit life continuing not just three years, as in the past, but until the pit is exhausted.

STANFORD opened the public hearing. **TURNER** said that they have operated their pit all through their permitting history without violations. He noted that they are asking for extended hours of operation in order to finish out the pit and be done with the conditional use issue. Resubmitting conditional use permit requests prolongs the difficult impacts of the pit. The pit could last 5-30 years, depending on the need for the material. Extraction methods require that both pit areas has to be taken down simultaneously, so the permitted area cannot be extracted first. He said that people's opinions don't change every three years, and people aren't served by bringing the difficult issue up every several years. **DEWITT** said that property values are lowered, and an engineer should re-evaluate the pit because the material locations are different. **MENAKER** said that the pit operation doesn't bother them, but it looks unsightly from anywhere in town. **WAGNER** said that in 1998 it was said that there would be ten years' life of the pit, it's ugly, the trucks affect life on **MENAKER** Road, and it should disappear. **LAPHAM** said that the **TURNERS** operate very well, are safe, abide by the speed limit, and that children shouldn't be playing on the road anyway. **CRESWELL** said that the driving is very good, but she doesn't support earlier hours for safety reasons. **MENAKER** added that Doc Allen opened the pit 30 years before the **TURNERS** began their work, and they hope that it returns to a forest again after the rock is extracted. **DEWITT** said that the compression brakes make too much noise. **STANFORD** closed the public hearing.

GOLDBERG asked **TURNER** what might be done to make the operation better for people. **TURNER** noted the former limitation on hours of operation. **GOLDBERG** asked about safety, and **TURNER** noted the engineering report, which includes a close-out reclamation plan. **STANFORD** asked about "jake brakes" (compressions brakes) and their use. **TURNER** said that "jake brakes" allow heavier loads to be run on the roads without using up the regular brake system. They are used as the primary braking, and the regular brakes more quickly stop the machine, but if they're hot from being run all the time they're not as safe. He noted that newer

trucks with computer-controlled fuel systems and have quieter compression brakes. **HEINMILLER** noted that the reclamation plan should allow for regrowth of trees. **STACY** noted that there have been no violations of the existing permit stipulations. **HEINMILLER** noted that although shorter hours of operation curtail the actual usability of the pit it is a workable compromise for residents. **BROUILLETTE** agreed.

M/S STANFORD/GOLDBERG to renew the permit for three years. In March 2008, the permit will be reviewed for compliance, and the Planning Commission will broach the issue of a potential moratorium on the use. Permit stipulations follow the 4-13-01 memo to the Commission, with the following changes/additions:

1. hours stay the same as per the above memo
2. no "jake brake" use except to avoid an emergency situation
3. HCMP regulations followed
4. **TURNER** Constructions indemnifies the Haines Borough of liability incurred with this development.

STACY recommended using the newer vehicles on this pit so the noise levels will remain low.

Motion carried unanimously.

b. Haines Coastal Management Plan (HCMP) Amendment Draft Introduction

PILLIFANT said that the federal and states governments aren't completely agreeing how to pursue amending the various Alaska district coastal management plans, but the conversation continues. The Haines Borough is continuing participation in the program and is working with Sheinberg Associates to properly complete the local plan. **HEINMILLER** asked which has more authority: zoning ordinances or the HCMP process. **HANSEN** explained the Alaska Statutes regarding the Borough's municipal authority given in Title 29. **PILLIFANT** explained the ACMP process, which allows Haines to have a say in state and federally reviewed projects. **HANSEN** said that the state is required to conform to local zoning in state projects, as per AS 35.

The final deadline for comments is April 4. **PILLIFANT** said that in April all comments from the public and state entities will be considered. At the latest on June 15 a draft will be generated as a result of the comments. July 1 is the deadline to submit a final draft to the state Office of Project Management and Permitting (OPMP).

STANFORD opened the public hearing. **TEAL** voiced concerns about access past the Porcupine subdivision and that snowmachine use is standard during the winter, but logging can destroy those access routes. Ensuring winter travel is important to residents, as the area is no longer as remote as in times past. **SCHNABEL** noted that the plan is tedious, contradictory, and the review time was too short. It appears to be just a dance with too little specific regulatory authority to enforce. **SCOTT** asked about how changes had been introduced into the existing plan. **HANSEN** explained that only public sources were used to propose changes: McDowell Tourism Report, Waterfront Public Use and Access Plan (2001), former HCMP, and the public process. The timeline is so short that the plan is to use only data gained through a former public process, or whatever can be added in the present one. **SCOTT** objected to specific businesses referenced by the public plans being introduced into the Amended HCMP. Stanford closed the public hearing.

M/S STANFORD/STACY to set a meeting to review HCMP comments on April 4 at 3:00pm in the Administration conference room.

Motion carried unanimously.

HANSEN said that it will be advertised as a Committee of the Whole (COW).

8. STAFF REPORT:

- a. Land Use Permits:** Don **TURNER** - Hagen Subdivision - clearing for subdivision
- b. Enforcement:** NONE
- c. Plats:** NONE
- d. Alaska Cadastral Project Programming RFP Progress**

HANSEN explained that Requests for Proposals have been advertised for one month for a website presenting Haines Borough GIS-based private property information and satellite imagery online, and the deadline is April 4. A review committee will meet to discuss the technical points of the bids and make a recommendation memo. At the next Assembly meeting a selection is expected to be made. The project is to be completed before the end of the calendar year.

9. COMMUNICATION: NONE

10. OLD BUSINESS

- a. University Land Grant Response**

HEINMILLER noted that the state's selection process has been slowed down, but the Borough hasn't made an official statement.

M/S STACY/STANFORD to appoint **HEINMILLER** to draft a response letter to the University land selection proposals.

Motion carried unanimously.

STANFORD noted that the document would be reviewed and approved by the body at the April 4 COW meeting.

b. Comprehensive Plan Preamble Discussion

STANFORD said that in previous Comprehensive Plan reviews a preamble was a part, but it had been removed at the recommendation of the consultant.

M/S STANFORD/GOLDBERG to add the preamble to the draft Comprehensive Plan.

Motion carried unanimously.

11. NEW BUSINESS:

a. Juneau Road Comment

GOLDBERG said that the Borough Assembly has spoken in favor of marine highway above a road from Juneau, but no rationale has been submitted in the public process.

M/S STANFORD/GOLDBERG to appoint **GOLDBERG** to fashion comments to the state regarding the proposed Juneau Road Access project.

GOLDBERG said since he'd spent so much time on the document he'd be willing to answer questions directed to the Commission. **VANCLEVE** noted that a technical answer is needed in this case. **GOLDBERG** noted that the document uses a scientific process, but the foundational data is actually speculation if analyzed to its foundations. He termed the box-sized proposal to be a colossal deception misrepresenting actual facts, many of which involve Haines traffic, demographics, and other statistics.

Motion carried unanimously.

b. Glacier II Timber Sale Comment

M/S STACY/BROUILLETTE to direct **STANFORD** to draft a letter to state that the Haines Borough wants timber to be used for value-added products and smaller operations.

HEINMILLER noted the low quality and volume of the area. **STANFORD** noted that actually very little local employment would result from the timber sale, as the operators import the vast majority of their crews to fall and haul the resource.

Motion carried unanimously.

12. PUBLIC COMMENT: NONE

13. TITLE 18 REVISIONS: NONE

14. NEXT MEETING DATES:

- a. **Committee of the Whole** - to review HCMP comments - 3:00pm in the Administration conference room
- b. **Regular Meeting** - Thursday, April 14, 2005, 6:00pm in the Assembly Chambers.

15. ADJOURNMENT

M/S STACY/GOLDBERG to adjourn.

Motion carried unanimously.

The meeting adjourned at 8:40 pm.

Respectfully submitted:

SCOTT HANSEN, Haines Borough Planning and Zoning Tech II