

**HAINES BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
February 8, 2007**

1. **CALL TO ORDER:** 6:30pm by chairman **HEINMILLER**.
2. **PLEDGE TO FLAG**
3. **ROLL CALL:**

Members present: Harriet **BROUILLETTE**, Rob **GOLDBERG**, Lee **HEINMILLER**, Kathleen **MENKE**, Jack **SMITH**, Dawne **THOMSEN**, Donny **TURNER III**

Absent: **NONE**

Staff Present: Fred **SHIELDS** (Borough Mayor), Scott **HANSEN** (Planning and Zoning Tech II), Deborah **VOGT** (Borough Assembly liaison)

Visitors: Dave **AMMON**, Daymond **HOFFMAN**

4. **APPROVAL OF AGENDA**

M/S GOLDBERG/TURNER to approve the agenda as submitted.

Motion carried unanimously.

5. **APPROVAL OF MINUTES:**
 - A. **January 11, 2006 Regular Meeting Minutes**

M/S GOLDBERG/THOMSEN to approve the minutes as submitted.

Motion carried unanimously.

6. **PUBLIC COMMENT:**

AMMON commented on Assembly action to replace the concrete sidewalks with a paved shoulder and "rumble strip". He also expressed concern about the possible land swap at the Lutak Dock conceptually agreed to by the Assembly. He feels that "Tract C" should be retained and could be important for future operations - especially for unloading large ships.

HEINMILLER noted that the issue will be discussed later in the meeting.

7. **CHAIRMAN'S REPORT:**

HEINMILLER discussed to last meeting regarding the desire for a Capital Improvements Project list. He also noted that the

Assembly invited the Planning Commission to a March 27 meeting to discuss the CIP list.

8. PUBLIC HEARINGS: NONE

9. STAFF REPORT:

HANSEN read the staff report regarding Road Construction Standards, a proposed land swap with the state at the Lutak Dock, and the Capital Improvements Project list.

o **ROAD CONSTRUCTION STANDARDS**

Later in the meeting the Commission will have the opportunity to review proposed road construction standards and propose comments.

o **FERRY TERMINAL LAND SWAP**

SMITH noted that the ferry system would benefit from the proposed acquisition of Borough land on the Lutak Dock. It could possibly be a home port for a reconfigured ferry system in the upper Lynn Canal. **AMMON** noted that the Lutak Dock Rehabilitation Project reconditioned only the portion of the dock owned by the Borough. The State opted out of participating in the project. The sheet pile cells in front of the state portion of the dock failed after the former City's project was complete, and sinkholes connecting to the face of the dock (state property) appeared on Borough property. **TURNER** noted that the former City had not wanted to pay the electrical cost of connecting the electrical cathodic protection system, and it resulted in a premature failure of the sheet piles. **AMMON** recommended that a Port Authority be formed to take control of the entire facility to enable consistent planning and maintenance. He recommended that the Borough continue with the parking easement and at the same time push for full access to the dock face seaward of Tract C. The state can exercise their option to condemn the Hertz/Schafer property east of their existing facility to install additional dolphins. **THOMSEN** noted that with a new governor the timeline may change.

HEINMILLER suggested working with the state for joint use and also suggested compiling concerns and sending them to the Assembly on the following items: 1) ownership of the two parcels, 2) appraisal and true value, 3) actual timeline for the projects. He said that DOT is supposed to come up in March to discuss the issue. It was agreed that he would send a letter to the Assembly requesting the three additional items of information.

o **CAPITAL IMPROVEMENT PROJECT LIST**

The Commission is invited to a joint meeting with the Assembly on March 27 to discuss the CIP list from 6:30 to 7:30pm

at the library. **MENKE** showed appreciation at having gotten the CIP list from the Borough 2006 budget book. **VOGT** recommended that Commissioners get an analysis of recent projects before entering the meeting. She suggested that since there seems to be a lack of consistency in reviewing public projects in an orderly fashion perhaps there should be a checklist for community projects to make sure appropriate review steps are taken on all projects.

HEINMILLER said that he's received assurance from the Manager that the March 27 meeting will allow the Commission realistic time to consider the CIP list prior to its adoption by the Assembly.

10. COMMUNICATION:

A. HCMP review - Small Suction Dredge General Permit No. AKG-37-5000

HANSEN explained the general HBC 18.110 code process for Coastal Management Reviews. He said that the HCMP review is not addressed in the existing enforceable policies. That would be the general comment to Alaska Coastal Management Program staff by the Manager unless the Commission was interested in recommending a different course of action. The Commission had no further comment.

B. HCMP review - (Log Transfer Facility NPDES Nos. AK-G70-0000 & AK-G70-1000 Re-Issue), AK 0701-06J

The Commission had no further comment.

C. Kroschel ROW Vacation Response

HANSEN said that Kroschel had submitted the enclosed letter requesting the Borough to close the road instead of vacating the right-of-way. **HANSEN** suggested that this situation underscores the value of planning properly the first time - costs are higher the second time around.

7:35 RECESS

7:43 RECONVENED

11. OLD BUSINESS:

A. Cemetery Regulations

HANSEN introduced the proposed code language, noting that proposed changes involve three code areas: Definitions, Specific Criteria, and District Regulations. The Definition

section defines a new term - "Established Cemetery". The Specific Criteria (HBC 18.60.020) regulates new Established Cemeteries. Proposed District regulations will require all burials to occur in Established Cemeteries via the Conditional Use permit process. This would allow "Established Cemeteries" to be virtually anywhere, but landowners would need to go through the Planning Commission, something that could require two months for a decision. The end result would be that no "hurried" burials would occur except in previously-established cemeteries, or planned burials could be allowed more broadly.

With several changes the regulations were generally agreed upon. **VOGT** expressed desire to be involved in the final crafting of code language.

M/S MENKE/GOLDBERG to approve the proposed Cemeteries language in concept and bring it back to the next meeting.

Motion carried unanimously.

HOFFMAN noted that in a difficult time, such as a death, it's particularly important for the Borough to have a straightforward permitting process.

MENKE suggested that burials have a standard permitting process to speed up the opportunity for people to immediately take care of burials on their property. **HANSEN** explained that uses-by-right have no formal permit process outside the Townsite Area, and, considering potential impacts, it seems prudent to require a higher level of regulatory oversight for burying human remains on private property. Without permitting oversight some may neglect to record a burial on a deed, for example, which could end up becoming a very difficult issue for adjacent landowners and the Borough. **GOLDBERG** agreed that it is appropriate to plan ahead for death, as it is generally inevitable. **BROUILLETTE** suggested that if burials became a UBR then setbacks need to be greater. **TURNER** noted that if adjacent property owners happened to be out of town and a UBR gravesite permit was passed in a matter of days the whole situation could be very difficult for everyone. Planning is important.

12. NEW BUSINESS:

A. Title 18 Fee Schedule Revision

HANSEN explained the existing fee schedule and described the spreadsheet information by row and column. **VOGT** noted the "Admin Overhead" column which almost doubled the proposed cost for each permit. **GOLDBERG** said that government is a service,

and though some charges are warranted these final numbers are excessive. **TURNER** agreed. **THOMSEN** said that abbreviated permitting processes with lower costs should not be excuses for "shortcuts" that eventually require more cost, such as many unadvisable short plats that have been pushed through without Planning Commission review, one of which required a replat to correct. **HEINMILLER** suggested that if the "admin overhead" column was eliminated the fees would be more reasonable. **HANSEN** explained the proportion of permit numbers - more than half were regular land use permits, followed by short plats/lot line adjustments, both categories of which obtain approval rather quickly but do not appear before the Commission. He noted that last year's permits brought in about \$4000.00 to the general fund.

GOLDBERG suggested leaving the fee schedule alone, since the goal is to recover additional costs, and the gain is so little compared to the impact of trying to explain higher fees.

HANSEN indicated that long plats and Conditional Use permits outside the Townsite Area have a significant travel component difficult to apply across the board.

M/S MENKE/SMITH to recommend to the Manager that fees stay the same.

GOLDBERG said that if fees are this high there is no explanation of where planning services are coming from.

Motion carried unanimously.

It was decided that code language regarding staff travel costs for permit reviews should be drafted and brought up again at a later meeting.

B. HISTORIC DISTRICT COMMITTEE: Dejon Delights Signs

GOLDBERG recused himself from the discussion due to a financial connection to the company. **HEINMILLER** noted that he is connected to ownership of the building, so he shouldn't vote either. **HANSEN** said that code requires Commission decisions to be made by a majority of the Commission and not simply a majority of the Commissioners in attendance. Therefore, four votes are necessary to pass a motion.

HANSEN introduced the sign permit, complete and conforming to sign code. The Commission stands as Historic District Committee for all permit applications within the Townsite Zoning

District Significant Structures Area zone. The Commission needs to weigh the permit in light of the Fort Seward Historic District and the values associated with that area.

M/S THOMSEN/TURNER to approve the Dejon Delights sign permit in Fort Seward Building #37.

Motion carried with five votes, **GOLDBERG** and **HEINMILLER** abstaining.

13. TITLE 18 REVISIONS:
A. Road Construction Standards

M/S GOLDBERG/THOMSEN to postpone the discussion of Road Standards until the next regular meeting.

Motion carried unanimously.

14. COMMISSION COMMENTS:

MENKE introduced her pictures of waterfront areas taken at an extreme high tide earlier in the year. She suggested that approving accretions amounts to giving away public land that might be used for public purposes. **GOLDBERG** noted that waterfront property ownership which extends to the meander line must adjust when the meander line adjusts, either in or out, and no property has really been added or lost - it's simply redefined by the movement of the meander line, and the accretion plat process documents the most recent placement of that line. **MENKE** expressed concern over diminished access as a result of accretion plats not coming before the Commission.

MENKE also mentioned the recent Haines Borough Transportation Plan Task Force Committee meeting. She said she's requested their December meeting information.

15. NEXT MEETING DATE:
A. Regular Meeting - Thursday, March 8, 2007, 6:30pm in the Assembly Chambers.

GOLDBERG said he'd be out of town for the next meeting.

16. ADJOURNMENT

The meeting was adjourned at 9:12pm.
Respectfully submitted:

SCOTT HANSEN, Haines Borough Planning and Zoning Tech II

HAINES BOROUGH
PLANNING COMMISSION

Regular Meeting Minutes
February 8, 2007
Page 7 of 7