

HAINES BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
June 12, 2008

Approved

1. **CALL TO ORDER:** at 6:35 p.m. by Chairman Lee Heinmiller
2. **PLEDGE TO THE FLAG**
The pledge was followed by Mayor Fred Shields swearing in new Planning Commission member Andy Hedden.
3. **ROLL CALL:**
Planning Commission Members Present: Chairman Lee **Heinmiller**, Vice Chairman Rob **Goldberg**, Don **Turner III**, Dawne **Thomsen**, Greg **Brask**, Andy **Hedden**, Dawne **Thomsen**, Deborah **Vogt** (Borough Assembly Liaison)
Planning Commission Members Absent: Harriett **Brouillette**
Staff and Elected Officials Present: Mayor Fred **Shields**, Lands Manager John **Wurst**, Planning and Zoning Technician Steve **Ritzinger**
Visitors Present: Roger Schnabel, Travis Reid, Jacklynn Ruggereello, Elijah Donat, William Prisciandaro, Debra Schnabel, Scott Hansen (CIA)
4. **APPROVAL OF AGENDA:**
M/S Goldberg/Turner to approve the agenda. Motion carried unanimously.
5. **APPROVAL OF MINUTES:** May 8, 2008 Regular
M/S Goldberg/Turner to approve the minutes. Motion carried unanimously.
6. **PUBLIC COMMENTS** [Items not scheduled for public hearing]
Mayor Shields announced that there would be a reception held on Saturday, June 14th 2008 to welcome the new Chief of Police, Gary Lowe.
7. **CHAIRMAN'S REPORT:** Chairman Heinmiller mentioned that there are a couple of forms including a record of decision from the previous Planning Commission meeting that will be submitted to the Assembly.
8. **PUBLIC HEARINGS:**
 - A. **Reid Bed and Breakfast** (C-SKY-0B-10A0): *Travis and Sandy Reid have requested for the Planning Commission to approve a conditional use permit to operate a Bed and Breakfast from their Skyline Drive home.*
Travis Reid presented his Bed and Breakfast concept to the Planning Commission. The Reid's have one room in their Skyline Drive home with a queen sized bed that they wish to operate as a B&B. **Thomsen** questioned Reid about how

handicapped visitors would be served. Mr. Reid said that there is no ramp up to the room, but that he would be on hand to help any visitors in and out of the building.

M/S Goldberg/Turner to approve the B&B.

Further discussion followed. **Hedden** recused himself from the vote due to a conflict of interest caused by the subject of the hearing being his boss. **Thomsen** requested that a barrier in front of the parking spaces be included as a condition on the motion. **Turner** mentioned that a log would suffice.

Motion passed 4 to 1 with Thomsen apposed. Conditions were added to the motion. 1. A log is to be placed in front of the parking area to prevent falls down the slope. 2. The Conditional Use Permit is to be good for one room in the residence.

B. Highland Estates Aggregate Source (C-208-TL-0400): *Roger Schnabel has requested for the Planning Commission to renew a conditional use permit for South East Road Builders to operate an aggregate source on the above listed property.*

Ritzinger presented the case for the Planning Commission. A call made to police dispatch the previous week revealed that there have been no complaints filed on the operation. In discussing the permit with the borough manager a recommendation was made for the Planning Commission to renew the permit with the existing conditions.

M/S Goldberg/Brask to approve the renewal of Roger Schnabel's resource extraction conditional use permit.

Further discussion entailed. **Turner** declared that he has a possible conflict of interest because of working in the same field for a competitor. It was agreed that it would not be necessary for Turner to recues himself from voting. **Brask** mentioned that he has a possible conflict of interest due to being married to the hearing subject's sister. It was agreed upon that he could take part in the vote. **Goldberg** pointed out that this permit renewal is a duplicate of the permit renewal of Turner Construction gravel pit permit that the Planning Commission heard 3 months previously, except that there are not unhappy neighbors at the hearing. Without objections from the public he reasoned that the operation should be allowed to continue. Mr. Schnabel was asked what conditions he wanted on the permit. He responded saying that he should have the same conditions that the Turner gravel pit has. **Turner** pointed out that his permit is up for renewal after two years of operation, and that he saw no need for Mr. Schnabel to face similar scrutiny.

Motion passed unanimously 6 to 0.

C. Port Chilkoot Company Rezoning (C-USS-A0-2716): *Port Chilkoot Company has requested for the Planning Commission to recommend that the Assembly change the zoning of a portion of the above listed property from Industrial Light Commercial to Multiple Residential.*

Chairman **Heinmiller** recused himself due to being president of the subjects ownership group. Vice Chairman **Goldberg** opened up the hearing at 7:08 p.m. with public comments on the hearing. Scott **Hansen** declaired that he is in full support of the rezoning. The CIA subdivision on adjacent property has stipulations that depend on the approval of the rezoning. He questioned whether the Planning Commission could see the hearing in any other way since it had already voted unanimously to approve the rezoning. He questioned if any circumstances are different from the last time the rezoning on the property was heard. **Heinmiller** mentioned that he has no objection to the manager's recommendation for requiring larger lots if multiple dwellings are to exist on one parcel.

M/S Thomsen/Turner to recommend for the assembly to pass the rezoning of the Port Chilkoot property from Industrial Light Commercial to Multiple Residential.

Further discussion ensued. **Turner** mentioned that it is regrettable that the community is losing industrial light commercial property. **Goldberg** countered saying that 90% of the borough land is general use, which does allow for commercial activity.

Motion carried unanimously 5 to 0.

9. STAFF REPORT

Ritzinger presented the staff report as posted with additions. The Burke-Riley property along Lutak Road is in the process of being purchased by Juneau resident Jan Van Dort. He visited Haines Borough officials to learn more about borough vision and goals for the property, as well as logistical hurdles in developing the property. Ritzinger notified the commission that if any member would like to communicate with Mr. Van Dort that contact information is available, and that Mr. Van Dort would be happy to hear from them. **Ritzinger** also informed the commission that the Armp Corps of Engineers sent out a map of erosion areas in the townsite. The corps is looking to map additional erosion areas. Ritzinger encouraged the commission to notify him of any other erosion areas in the borough, saying that he informed the Corps of the three areas where the road was forced to close due to the November 2005 storm.

10. COMMUNICATION: There was no communication at this time.

11. OLD BUSINESS:

A. Preliminary Plat *of the former Primary and Elementary school areas.*

Debra Schnabel was invited to address the Planning Commission on the plat of the property that holds the former elementary and primary school buildings, library, and borough administrative office building. She addressed the commissions concerns that there is not adequate parking for the former elementary school building based on it's square footage. Haines borough Code requires 65 parking spaces for the former elementary school; which would be 16,500 square feet, and 14,000 square feet for snow storage. The current plat does have that much square footage on the lot occupied by the former elementary building. Ms. Schnabel mentioned that the borough is under contractual obligation to demolish the former school buildings. **Goldberg** considered renovating the buildings instead of demolishing them. **Schnabel** mentioned that per square foot, building the new elementary school was cheaper than renovating the high school. The former elementary school is not code compliant and has mold issues. **Brask** questioned why lots 1 and 2 are separate.

M/S Turner/Goldberg to approve the plat with the combining of lots 1 and 2. **Motion passed** unanimously 6 to 0.

B. Right of Way Development

The Planning Commission considered a new Right-of-Way development form. **Goldberg** mentioned that timber in the ROW is borough property, and with the value of timber rising, the borough should be compensated for removed timber. Lands manager John Wurst suggested merchantable timber needs to be defined. **Heinmiller** said that timber under 9 inches in diameter is generally considered to not be of value. **Turner** hypothesized that the form came from a bigger city, and that most of the considerations in the form do not apply to a remote borough. He suggested rewriting the form. It was agreed to be rewritten in the future.

C. Chilkoot Indian Association: Borough Road Encroachment

Scott **Hansen** represented the CIA. He mentioned that if a citizen built on the ROW, that they would be required to purchase the property back from the borough. The CIA is seeking the reverse since the Borough built on their property. **Turner** pointed out that Fair Drive is on the plat that was approved by the Planning Commission. The borough is not going to be required purchase Chilkoot Loop. That road will be dedicated to the borough. The same should apply for the portion of CIA land that Fair Drive Fair Drive occupies. **Brask** said that if the CIA wants the borough to purchase the land, that they need to

put together a proposal. **Vogt** said that the CIA needs a more accurate map reflecting their situation and their goal.

12. NEW BUSINESS:

- A. Review RFP Proposals** *Haines Borough has received proposals for the HCMP Boundary Expansion Study. Borough staff has requested for the Planning Commission to recommend a proposal to the Assembly for acceptance.*

M/S Goldberg/Turner to recommend to the assembly to accept Chilkat Environmental's proposal for the HCMP boundary expansion study grant.

Further discussion ensued. **Goldberg** pointed out that both businesses offered a similar final product. Chilkat Environmental's local ties make them a better candidate. **Turner** mentioned that USKH said that there is not enough money available to cover travel costs. **Heinmiller** said that USKH shot themselves in the foot in making that statement.

Motion carried unanimously 6 to 0.

- B. Port Chilkoot Dock Pavilion and Restrooms**

It was mentioned that alternatives are perhaps still being considered due to high cost of the proposed location.

M/S Turner/Goldberg to approve the proposed location for the Port Chilkoot dock restrooms. **Motion carried** unanimously 6 to 0.

- C. Historic District Committee Review: Fort Seward Lodge Deck**

Goldberg pointed out that in the significant structures area no development is to occur within the 10 foot setback of a lotline adjacent to an alley. It would be premature for the Historic Review Committee to review the plan without an approved variance to develop the deck within the setback.

13. COMPREHENSIVE PLAN REVIEW: will restart in September. Local experts are being sought out and scheduled for the meetings in the fall.

14. TITLE 18 REVISION:

- A. Borough Code requirements for Preliminary Plat Submittal**

Goldberg pointed out that a simple statement requiring a developer to come to the planning commission with drawings at 25%. **Brask** countered that perhaps a list of criteria would be a more effective way of accomplishing the goal.

M/S Goldberg/Turner to recommend for the assembly to add "**at 20% - 35% completion**" to the statement in **HBC18.100.050 A. Planning Commission Review**. The statement would now read:

"Before submitting a final plat for approval for recording under AS 40.15, as amended from time to time, and HBC 18.100.130, and unless following the procedures of HBC [18.100.030](#) and [18.100.035](#), the subdivider shall submit a

preliminary plat prepared by a registered land surveyor to the commission **at 20% - 35% completion** in order that general agreement may be reached on layout and arrangement of streets and lots and other public utilities before a final plat is prepared."

Motion carried unanimously 6 to 0.

B. 18.90 Signs

It was decided that it must be determined whether the subject signs are in the state right of way or not before any further action is to be taken on this matter.

15. COMMISSION COMMENTS

A letter from Kelly Hostetler representing the South East Alaska State Fair was considered. The Fair expressed their desire for the proposed CIA subdivision to meet Fair Drive at a 90 degree angle.

16. NEXT MEETING DATE:

A. Regular meeting - Thursday, July 10, 2008, 6:30 pm

17. ADJOURNMENT

Respectfully submitted:

Steve Ritzinger
Haines Borough Planning and Zoning Technician