

**HAINES BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
January 10, 2008**

Approved

1. **CALL TO ORDER:** 6:34 p.m. by Chairman Heinmiller
2. **PLEDGE TO THE FLAG**
3. **ROLL CALL**
Commission Members Present: Lee **Heinmiller**, Harriett **Brouillette**, Dawne **Thomson**, Rob **Goldberg**, Kathleen **Menke**, Jack **Smith**, Don **Turner III**, Deborah **Vogt** (Borough Assembly liaison)
Visitors present: William and Melissa Aronson, Scott Hanson, Tom Morphet (reporting for the Chilkat Valley News)
4. **APPROVAL OF CURRENT AGENDA:**
M/S Commissioners Brouillette/Turner
Motion carried unanimously.
5. **APPROVAL OF MINUTES:** December 13, 2007 Regular
M/S Commissioners Smith/Goldberg: to approve the minutes with the Following corrections:
 1. For item #7, Deborah Vogt and not Lee Heinmiller attempted to contact Mary Nordale.
 2. For item # 8A "Twelve feet of the structure is to be removed immediately" was not part of the motion and shall be removed from the minutes.
 3. For item 10A Chilkoot Indian Agency shall be changed to Chilkoot Indian Association**Motion carried unanimously.**
6. **PUBLIC COMMENTS:** There were no public comments at this time.
7. **CHAIRMAN'S REPORT** The Borough has been approved for a \$40,000 grant from the Alaska Coastal Management Program to create a scoping report for expanding the HCMP boarder.
8. **PUBLIC HEARINGS:** Aronson \$250 Fee Appeal
The **Aronsons** presented their case for the PC. They had an open permit for a greenhouse at the time that construction began on a garage. Due to unclear communication between the Aronsons, Stickler Construction, their subcontractor, and the borough staff the garage was built without a permit. They were levied a \$250 fine for building a structure without a valid permit for it, as specified in Haines Borough code 18.30.070.
M/S Goldberg/Turner to recommend to the assembly to waive the \$250 fee.

The commission discussed the code, and whether lack of intent to violate code has any bearing on the appeal. The subcontractor paid the \$250 tax exempt fee. At that time it would have been helpful for the borough to suggest checking and amending the building permit. **Heinmiller** suggested that a form to amend a permit would be helpful.

Motion carried unanimously.

9. STAFF REPORT: Permits and pending permits were reviewed without comment. The Commissioners were informed of several other developments:

1. The Haines Borough will receive a \$40,000 grant for a scoping report on expanding the boundaries of the HCMP. Once the grant agreement arrives, implementation of the grant will be on the next agenda.

2. The borough is working with the CIA on a sidewalk plan for the town site. The borough is requesting input from the planning commission on the location of future sidewalks, as well as what type of construction is deemed most appropriate for each area.

3. The state has informed the borough that they are reviewing the final plans for the Lutak Road project. ADOT expects to put the project out to bid next month. A set of plans are available in the managers office.

4. DOT is doing a review of the SE Alaska Aviation System Plan. A meeting was held on the evening of January 10th to discuss aviation needs in southeast Alaska. Contact information was made available.

5. The City and Borough of Juneau will hold their annual Planning Commissioner Legal Training meeting at 7:00 p.m. on January 22. The Haines Planning Commission is welcome to attend via teleconference. If more than three Commissioners take part, the meeting will require public notice. The Planning Commission was given an opportunity to comment on and raise questions about the staff report. Menke suggested that perhaps the entire PC should attend the training session.

10. COMMUNICATION

11. OLD BUSINESS:

A. East Mud Bay Access:

Vogt followed up on this topic from the last PC meeting by contacting the State Assistant Attorney General via e-mail to see if the state and/or borough may have any responsibility to ensure access to the lots on the east side of Mud Bay. The state returned the e-mail stating that the residents do have access along the section line at the end of the bay, and from the waterfront. The residents could take legal action against the Nelsons. The PC could have a role when a final plat is submitted for approval by the Nelsons.

B. Road Standards: The draft document was amended as follows:

1. Under Plan of Road Construction and Development the sentence "The streets and alleyways of the borough shall be constructed, graded and improved when existing rights of way permit in accordance with the provisions of this chapter." was added.

2. Under Standards Applicable "or obtain a variance from the planning commission due to extenuating circumstances." was added.

3. Under Other Requirements Not Eliminated the last sentence shall say: "the *land owner* is responsible for knowing the necessity of a permit and acquiring it."

M/S Goldberg/Turner: to recommend for the assembly to adopt the revised Road Standards.

Motion carried unanimously.

12. **NEW BUSINESS:** CIA Proposed Subdivision by the Fairgrounds: Representing the CIA, **Scott Hanson** presented to the planning commission the CIA's goal of developing a subdivision near the fairgrounds. The CIA land is zoned commercial. In order to subdivide that land for residential use the zoning will need to be changed. Hanson requested a public hearing during the next planning commission meeting to change the zoning from commercial to multiple residential. Adjacent land owned by Port Chilkoot Company is also included on the petition to change the zoning to multiple residential. That property is currently zoned industrial light commercial. Alternate access to the CIA subdivision and residential development are eventual goals for the Heinmiller property. Ultimately, to develop the subdivision, the CIA will have to submit a plat to the planning commission for approval so the PC will continue to be involved in the process. There was concern expressed about the impact of a permit allowing an entire subdivision of multiple family properties. Three of the lots have proposed multiple family buildings identified as 4-plexes. Hanson also distributed a map of sidewalks in the town site and mentioned that the CIA will be working with the borough to improve and build new sidewalks.

M/S Brouillette/Goldberg to schedule the CIA for the next planning commission hearing for rezoning the above mentioned CIA and Port Chilkoot Company land.

Motion carried unanimously

13. **COMPREHENSIVE PLAN REVIEW**

Menke suggested that the agenda for the meeting be devoted to public comment. **Heinmiller** stated that the meetings will be devoted to a specified part of the plan, and advertised. The public would be welcome to attend and comment on the advertised agenda. The January 24th meeting will be a discussion.

14. **TITLE 18 REVISIONS:** 18.100.105 #8. Statement regarding suitability of subdivision for on-site septic systems if not connected to public sewer, dated.

Turner pointed out that septic systems are engineered to function on any ground condition regardless of the type of soil. All septic systems have to have an engineer design and inspect the system, and have a DEC permit. The requirement for a plat to have a statement about the suitability of the soil for a septic system is redundant. **Menke** argued that the statement is an important step to protect the health of the borough.

M/S Commissioners Turner/Thomsen to recommend to the assembly to remove the statement regarding suitability of subdivision for on-site septic systems from the plat requirements.

Motion carried unanimously.

15. **COMMISSION COMMENTS:** There were no comments at this time.

16. **NEXT MEETING DATE**

A. Comprehensive Plan Meeting: Thursday January 24, 2007, 6:30 pm

B. Regular meeting - Thursday, February 14, 2007, 6:30 pm

17. **ADJOURNMENT:** at 8:30 p.m.