



Haines Borough
Planning Commission Meeting
September 10, 2009
MINUTES

APPROVED

1. **CALL TO ORDER/PLEDGE TO THE FLAG** –Chairman **Heinmiller** called the meeting to order at 6:36 p.m. in the Assembly Chambers and led the pledge to the flag.
2. **ROLL CALL – Present:** Chairman Lee **Heinmiller**, Commissioners Rob **Goldberg**, Andy **Hedden**, Robert **Venables** Donnie **Turner** and Chris **Schelb**. **Absent:** Greg **Brask** (unexcused)
Staff Present: Steve **Ritzinger** – Planning and Zoning Technician and Jamie **Heinz** – Deputy Clerk.
Visitors Present: Elizabeth **Holgate**, Lauren **Huff**, Debra **Schnabel**, Dan **Egolf** and others.
3. **APPROVAL OF AGENDA**
Add moment of silence to remember former Planning Commissioner Bob Cameron after approval of the agenda - **Goldberg**
APOC Ballot Measure to New Business item 10E2 - **Venables**
Motion by **Goldberg**: Approve the Agenda as amended. It was seconded by **Turner**. The motion carried unanimously.
A moment of silence was taken to remember former Planning Commissioner Bob Cameron.
4. **APPROVAL OF MINUTES** – August 13, 2009 Regular Meeting
Heinmiller corrected the spelling of Lauren Huff’s name.
Motion by **Venables**: Approve the August 13, 2009 Regular Meeting Minutes as amended. It was seconded by **Goldberg**. The motion carried unanimously.
5. **PUBLIC COMMENTS – Schnabel** said that she would like to see the Planning Commission have a roll in the Downtown Planning Project. She also spoke about the Assembly’s recent vote to tear down the Primary and most of the Elementary school buildings. She suggested the Planning Commission be involved as that moves forward.
6. **CHARIMAN’S REPORT** – Chairman **Heinmiller** said due to the design change, the Chilkat Center pedestrian bridge should have been run through the historic district commission. **Venables** asked if the Chairman would discuss with the Mayor that opportunities such as demolishing buildings in the middle of town and planning for their replacements would be appropriate topics for the Planning Commission to discuss. **Heinmiller** pointed out that the Planning Commission had made recommendations on the school buildings previously; none of which involved demolition.
7. **STAFF REPORTS**
 - A. **Planning & Zoning Report – Ritzinger** summarized his written report that provided an update on recent permits, activities and projects.
Waterfront Development – The engineers have begun the permitting process. The manager asked the engineers to submit a concept for the minimization of embankment encroachment onto the beach. Drawings will be presented at the next Planning Commission meeting.

Picture Point – Jan Van Dort intends to make an offer on the property and subsequently deed the two pull-outs to the Borough if his offer is accepted. The DOT appraisal came in at \$598,000.

Downtown Planning – MRV would like to schedule their next meeting the end of September or early October. **Turner** asked if MRV intended to meet with the Planning Commission. **Heinmiller** said he had asked the manager if a meeting could be scheduled with the Planning Commission. **Ritzinger** asked if the commissioners would like to schedule a meeting prior to a regular meeting. All agreed. It was also discussed to schedule a committee-of-the-whole meeting late in October when Paul Voelkers was in town.

8. PUBLIC HEARINGS

A. Variance Requests

1. Ritzinger Property Line Setback Variance

Chairman **Heinmiller** opened the public hearing at 6:53 p.m.

Goldberg asked to be recused from this topic as he helped build the Ritzinger's home and listed the income on his financial disclosure form. After discussion it was decided recusing was not necessary as he wasn't going to be constructing this structure.

Motion by **Venables**: Approve the Ritzinger property line variance request. It was seconded by **Turner**.

Goldberg explained that there wasn't any other place to build on the property and pointed out that this was the purpose for variances. **Heinmiller** pointed out that only the Mud Bay zoning district has the 25-foot setback. He also asked how big the adjacent property was. **Goldberg** said he thought it was over 100 acres. **Ritzinger** explained that due to the wetlands on the property, there is a very narrow area that is buildable. He also explained that this buildable area is prone to the north winds and a sheltered area is critical for the cottage industry they are looking at. **Heinmiller** asked if the foundation for the new structure would be the same as the house. **Ritzinger** explained he would likely use sonotubes as opposed to poured concrete perimeter.

The motion carried unanimously.

Heinmiller turned the meeting over to vice-chairman **Goldberg** and stepped into the audience

B. Conditional Use Permits –

1. Port Chilkoot Company Resource Extraction Conditional Use Permit

Vice Chairman **Goldberg** opened the public hearing at 7:03 p.m.

Heinmiller gave an overview of the adjacent properties. He also explained the resource extraction plan including details for protecting the toad pond, water sources and surrounding vegetation. **Heinmiller** also discussed the zoning and future plans to re-plat the property. **Heinmiller** explained that the planned location for the muck pile has moved to the industrial zoned property. He also explained that they only expect to get 5,000 to 10,000 yards of material out. **Heinmiller** addressed the manager's concerns pointing out that requiring a bond for their own property did not make sense. He also pointed out that they would allow the area to naturally re-vegetate itself as they have the three prior times they have extracted material.

Motion by **Venables**: Approve the Port Chilkoot Company resource extraction conditional use permit for two years. It was seconded by **Schelb**.

The motion carried unanimously.

Heinmiller returned to chair the meeting.

C. Long Plat -

1. Schnabel Preliminary Long Plat

Chairman **Heinmiller** opened the public hearing at 7:22 p.m.

Schnabel pointed out that property is owned by Saint James Place of which she is an officer. **Heinmiller** explained that this preliminary plat is starting over. He also pointed out that the special conditions permit outlined in code came after the initial discussions on this plat. **Smith** pointed out that the plat shows a 50-foot cul-de-sac and the letter said the right-of-way was 75-feet. **Turner** explained the need for a 50-foot driving radius and a 75 foot right-of-way for a cul-de-sac. **Venables** asked for clarification of a cleared roadway prism. **Heinmiller** said it was between the driving surface and the edge of the right-of-way. **Turner** said road prism is top of cut to bottom of fill. **Schnabel** said that she believed that the cleared roadway prism is for the road and not the cul-de-sac. She also pointed out that if that was the case, the trees needing cut would actually act as a guardrail for the fourteen foot drop. **Smith** asked, if the land was not developed, why it couldn't remain the same. **Venables** explained it is because the road right-of-ways go to the Borough. **Schnabel** said that the Borough and community have always acted as though the road was a Borough road, but the plat has never been filed. **Turner** said because the trees were behind the power pedestal he wasn't sure why they needed removed. He also asked about the borough taking ownership of a road built to standard. **Venables** explained that if the plat is accepted, the Borough takes ownership of the road but never has the obligation of maintaining it. **Egolf** asked if acreage deeded to the borough as right-of-way was taken out of what the landowner is paying taxes on. **Heinmiller** said yes. **Smith** asked if the cul-de-sac had to be there. **Heinmiller** explained that even if Saint James Place wasn't creating a subdivision, as long as they are dedicating a right-of-way, they have to put a cul-de-sac in. **Turner** asked if future road right-of-way easements were written into the plat. **Schnabel** said yes. **Turner** asked about the easement that was being rescinded. **Smith** said it was the easement that had been put onto their property without their knowing and explained that there has never been a road easement on their property, only a utility easement. **Heinmiller** explained where power and water utilities are placed in right-of-ways and easements. **Turner** explained that the waterline on the Smith's private property is something this plat would fix. He also explained why the Planning Commission needed to consider a right-of-way easement from Oslund Drive to Allen Road for future planning. **Schnabel** said she believes the water comes from the east so the easement is only for the Smith's because the water for the development on Fourth Avenue comes from Fourth Avenue. **Smith** asked why there needs to be a road and cul-de-sac. **Heinmiller** pointed out legal access has to be provided through Saint James Places' subdivision and the cul-de-sac has to be there because a road dead ends. **Goldberg** suggested a cul-de-sac could be placed at the end of Fourth Avenue and Saint James Place could grant the Smith's an easement across their property. **Heinmiller** pointed out that in that case Saint James Place would be responsible for plowing it.

Motion by **Venables**: Approve the Saint James Place preliminary long plat as submitted. It was seconded by **Hedden**.

Goldberg asked if the problem was with the placement of the cul-de-sac and pointed out that there has to be a cul-de-sac somewhere. **Schnabel** said she didn't think they could place a 75-foot turnaround at the top of Fourth Avenue due to an AP&T junction box. **Goldberg** asked if a cul-de-sac could be placed in a different area and it was discussed that blasting would be needed to create the cul-de-sac.

The motion carried unanimously.

Motion by **Venables**: Recommend to the Borough Assembly to pursue the extension of Oslund Drive from Young Road to Menaker Road as time and opportunity allows. It was seconded by **Turner**.

Turner pointed out that it was a pioneered road and that Anway Road also connected to this road and could go all the way to Piedad Road.

The motion carried 5-1 with **Heinmiller** opposed.

Egolf asked about Borough Code requirements for sizes of easements. **Heinmiller** pointed out that the plat doesn't make the easement exist. **Turner** said normally easements are 20-feet. **Schnabel** said she believes the 30-foot easement is for AP&T's power lines. **Heinmiller** said the easiest thing to do would be to go online and research. **Smith** asked if it could be put on her deed if she didn't want it there. **Heinmiller** said no.

9. OLD BUSINESS –

A. Walton Easement Vacation Request

Motion by **Venables**: Recommend the Borough Assembly vacate the platted easement on Russ Walton's property located on Small Tracts Road. It was seconded by **Goldberg**.

Heinmiller explained that he spoke with Mr. Walton and was told that there wasn't a concern with the timing of the Borough vacating the easement so the Planning Commission could recommend to the Assembly to vacate as they came in and the Assembly could vote on all of them at once. **Holgate** asked if the Planning Commission would be receptive to the other three property owners involved seeking vacation of the easement from their properties. **Heinmiller** said yes.

The motion carried unanimously.

10. NEW BUSINESS

A. HCMP Consistency Review – None

B. Haines Borough Code Amendments – None

C. Historic Building Changes/Development – None

D. Project Updates:

1. PC Dock/Restroom/Pavilion – None

2. Downtown Planning – None

3. Picture Point – None

E. Other New Business

1. Lynnvista Subdivision Roads

Turner asked if property needed to be acquired. **Ritzinger** explained that there was a 20-foot utility easement between two of the properties. **Turner** pointed out that in order to put a road in there would need to be an additional 20-feet on each side. **Venables** said he would still like to see alternative routes to Highland and Skyline Estates from the back side. **Goldberg** asked if it looked like there were buildable sites on each of the subdivided lots. It was decided there were.

2. APOC Disclosure

Venables said with election season approaching the Planning Commission might want to join the Assembly and School Board and make a statement regarding the Financial Disclosure ballot measure. **Heinmiller** said a visual presence in the community would be good.

Motion by **Venables**: The Planning Commission join with the Assembly's effort to support the financial disclosure ballot measure which exempts public officials from the state financial disclosure laws and would enact local financial disclosure laws. It was seconded by **Goldberg**.

The motion carried unanimously.

11. **COMMISSION COMMENTS** – **Heinmiller** said it was nice to see the paving downtown. **Turner** suggested that a meeting should take place later this winter to plan for development in the FAA Road and Mt. Riley Road areas. **Venables** thanked staff for a great packet and thanked the manager for minimizing the footprint of the Waterfront Development project at the PC Dock and also for agreeing to send that proposal back to the Planning Commission for their review. **Heinmiller** reiterated that if a bathroom was built on the waterfront side of the road and one child's life is saved then it will be worth it.
12. **COMMUNICATION** – None
13. **SET MEETING DATES** – The next Regular Planning Commission meeting is scheduled for 6:30 p.m. on Thursday, October 8th.
October 22nd is a potential date to meet with the architects regarding the Downtown Planning project.
14. **ADJOURNMENT** – 8:42 p.m.