

**HAINES BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
August 10, 2006**

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

Members present: Lee **HEINMILLER**, Doug **OLERUD**, Jack **SMITH**, Bob **CAMERON**, Rob **GOLDBERG**, Kathleen **MENKE**

Absent: Harriet **BROUILLETTE**

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

Visitors: Mike **MCCONAHY**, Fred **SHIELDS** (Borough Mayor), Mary **MANUEL**, Lee **ROBERTS**, John and Lynn **NOWAK**, Marion **KINTER**

4. **APPROVAL OF AGENDA**

M/S OLERUD/GOLDBERG to approve the agenda, as amended.

HEINMILLER said that the two **ROBERTS** public hearings need to be delayed since the application didn't have complete approval of all landowners, including the borough, so they are being moved down to New Business. Ms. **ROBERTS** will need to appeal the Manager's disapproval of her right-of-way vacation application.

Motion carried unanimously.

5. **APPROVAL OF MINUTES:**

A. June 22, 2006 Regular Meeting Minutes

M/S OLERUD/GOLDBERG to approve the minutes with minor grammatical changes.

Motion carried unanimously.

B. July 20, 2006 Regular Meeting Minutes

M/S OLERUD/GOLDBERG to approve the minutes as written.

M/S MENKE/GOLDBERG to amend the minutes to change certain statements made by Commissioner **MENKE**, as presented on a written statement prepared by **MENKE**.

OLERUD disagreed, saying that the proposed minutes represent his understanding of the actual discussion. **MENKE** said that her statements weren't intended to regulate native entities, but she was looking for information and communication with the developer about details of the development based on its effects on the community's values in the Chilkoot Corridor. **GOLDBERG** said that meeting minutes are a summary of the whole discussion, and there should be room to clarify the comments.

Motion failed.

M/S OLERUD/GOLDBERG to table the minutes so that staff can check the audio portion of **MENKE**'s comments about the Folletti native land on the Chilkoot River and adjust them to more correctly reflect the discussion. The Commission will review the revised minutes at the next regular meeting.

Motion carried unanimously.

6. PUBLIC COMMENT:

Mayor **SHIELDS** invited the Commission to a joint workshop with the Assembly on Thursday, August 29th at 6:00pm to discuss the Juneau Road. State Department of Transportation employee Malcolm Menzies will be presenting the latest information on the state project and fielding questions. If there are any schedule changes the Commission will be notified.

7. PRESIDING OFFICER REPORT:

HEINMILLER described his involvement in the recent Assembly meeting:

- Several issues presented by the Commission were either moved along or passed either by ordinance or resolution, as shown in the packet.
- River Road construction - among other things, the Assembly discussed road construction standards and recognized the need to update borough code regarding road construction standards, which have little objective basis at this time. The Assembly is looking forward to the Commission proposing road construction standards in the near future.
- Disposal of borough land - he didn't get together with the Manager about the issue at this point. The Assembly is continuing toward disposing of the primary school. He would like to discuss with the Manager the

Commission's philosophy of land disposal, which generally has been to retain rather than sell borough land.

8. PUBLIC HEARINGS:

A. MCCONAHY Setback Variance Request

HEINMILLER opened the public hearing.

MCCONAHY complimented the Commission on showing up as a volunteer body to handle this and many other issues. He complimented the Assembly and borough staff for good work and for having created a good subdivision with good cooperation and judgment through a complicated process. He said that he and his wife have been working for several years on garage design options, and this is the most reasonable plan. He said that their plans are consistent with the rest of the neighborhood, and it fits the intent of the code. He requested that the Commission grant a variance for their garage because terrain is steep, and they don't want to add more fill than is normal to the middle portion of their property before it drops off the edge of a bluff. They would like to retain room for development behind the shop. He said there's no way to reasonably develop their property without undue hardship and bringing in large quantities of fill if they aren't allowed to put the 32X36 shop inside the setback.

HEINMILLER asked staff if there was more information. **HANSEN** said that **MCCONAHY** had brought up the pertinent code sections and his rationale, and the Commission needs to follow those same code sections when considering the request.

KINTER, who lives two lots away, stood to express concerns about pedestrian safety due to visibility issues when backing a vehicle out of a small parking apron area. Many people walking for exercise, on tricycles, bicycles, and with dogs use the rural road, and a garage within the setback will end up with vehicles parked in front of it and eventually partially parked on the right-of-way. Visibility would be compromised, and safety is at stake. **MCCONAHY** said that fifteen feet exists from the road to the property line, and then ten more feet to the edge of the garage makes twenty-five feet, which is enough room for a truck to park without being on the road surface.

M/S GOLDBERG/OLERUD to approve the McConahy variance request as submitted.

MENKE suggested adding extra fill behind the proposed shop. It is more fill than typical because of the slope, but the lot could still be developed easily and safely. Not wanting to add extra fill when you want room behind a building for development doesn't qualify a project proposal for a variance.

OLERUD said that when working in the past on the lot he noticed the steepness of the terrain.

SMITH noted that an existing electrical transformer pedestal will keep the road surface from ever being moved closer to the **MCCONAHY** shop if approved, so those factors give room for exercising the variance option.

GOLDBERG suggested connecting the buildings and adjusting the proposal, and the dimensions would fit within the setbacks. **MCCONAHY** said they'd already planned to connect the buildings to avoid the building separation issue. They'd also tried realignment, but the design they are proposing is the best arrangement possible for the property. **GOLDBERG** noted that they could actually make a larger structure if it was attached to the house.

HEINMILLER said that a 36 foot long garage is quite large, and a smaller garage could easily be built on the property within the setbacks. **MCCONAHY** noted that they have a skiff and several vehicles.

HEINMILLER suggested alleviating parking potential problems by stipulating in an approval a restriction of parking in the front of the garage so vehicles aren't parked on the right-of-way. **OLERUD** said that the police could oversee those problems with the traffic laws.

Motion passed, **MENKE** opposed.

HEINMILLER closed the public hearing.

9. STAFF REPORT:

- A. Land Use Permits (attached to end of minutes)**
- B. Enforcement: NONE**

10. COMMUNICATION:

HEINMILLER said that, as per communication received last month, the Louie Nelson Subdivision lot line vacation issue must pass through the normal permitting process to conform to code and be

considered a valid vacation by the Commission. He noted that staff has communicated this information to the landowner.

11. OLD BUSINESS: NONE

12. NEW BUSINESS:

A. Lee ROBERTS Vacation of Alleyway and Setback Variance

Commissioners talked about issues surrounding Lee **ROBERTS'** alleyway encroachment and variance issues. The alleyway vacation public hearing is delayed pending the Assembly's handling of her appeal and subsequent redirection to the Planning Commission. It was also agreed that the subsequent variance request public hearing should be delayed until the alleyway vacation appeal has been resolved.

13. TITLE 18 REVISIONS: NONE

14. COMMISSION COMMENTS:

OLERUD recommended that, as a courtesy to the body and also the public, the Commission start meetings promptly on time and that Commissioners show up in enough time to be ready to begin at the start time. He also noted that he'll be out for the joint Assembly/Commission workshop, and also the mid-September meeting.

15. NEXT MEETING DATE:

A. Regular Meeting - Thursday, September 14, 2006, 6:30pm in the Assembly Chambers.

16. ADJOURNMENT

M/S OLERUD/SMITH to adjourn.

Motion carried unanimously at 8:10 pm.

Respectfully submitted:

SCOTT HANSEN, Haines Borough Planning and Zoning Tech II

LAND USE PERMITS - through July 21, 2006			Parcel Number				
06-40	7/19/06	Bob Loomis	C-HHY-02-0610				fill
06-41	7/21/06	Reed Barber	C-GGT-00-0200	2		Gray's Anway Garden Tracts	driveway
06-42	7/21/06	Alison Jacobson	C-TNS-01-0100	1	1	Haines Townsite	signs
06-43	7/21/06	Dan Chavez	C-SEC-35-170B	17			driveway