

**HAINES BOROUGH PLANNING COMMISSION  
REGULAR MEETING MINUTES  
October 12, 2006**

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

Members present: Lee **HEINMILLER**, Jack **SMITH**, Rob **GOLDBERG**, Harriet **BROUILLETTE**, Doug **OLERUD**, Deborah **VOGT** (Assembly liaison)

Absent: Bob **CAMERON**, Kathleen **MENKE**

Staff Present: Scott **HANSEN** (Planning and Zoning Tech II), John **WURST** (Borough Assessor)

Visitors: Jack **WENNER**, James **TURNBULL**

4. **APPROVAL OF AGENDA**

**M/S OLERUD/GOLDBERG** to approve the agenda.

Motion carried unanimously.

5. **APPROVAL OF MINUTES:**

**A. September 14, 2006 Regular Meeting Minutes**

**M/S GOLDBERG/OLERUD** to approve the minutes with grammatical corrections.

Motion carried unanimously.

6. **PUBLIC COMMENT:**

**A. TRANSPORTATION PLANNING**

**WENNER** expressed interest in the Commission's feedback regarding the Juneau Road Project. After reading the Comprehensive Plan he has noticed that several items listed by Haines have been overlooked by the state to fund the road project north from Juneau. The West side option seemed to be lost, even though it shows to be a simpler option, overlooked perhaps in favor of not offending Skagway. The West side allows for a trip 100 miles shorter to Fairbanks than through Skagway, and it misses the cliffs, avalanches and well-known sea lion haulout. **GOLDBERG** noted that he's been studying the issue for some years, and a complete discussion would take more time than this meeting

allows. He drafted the comments sent to the state and would be happy to discuss the issue outside the meeting. **SMITH** noted that a West side option would open more land within the Haines Borough and would hold the option open for transportation to Excursion Inlet. **OLERUD** said that Juneau didn't want a ferry, so the East side option was chosen against the desires of the communities of Haines and Skagway. The road will probably end at the mine.

**7. PRESIDING OFFICER REPORT:**

- Ice House - several comments have come to the chairman regarding the design and shape of the ice house. The Commission had general discussion about the ice house placement and overall planning considerations, but didn't have final design plans available for review.

**8. PUBLIC HEARINGS:**

**9. STAFF REPORT:**

**A. Land Use Permits (attached to end of minutes)**

**B. Enforcement:** Browning property residential trailer -  
Lutak Road

**HANSEN** said that Brownings have contacted the borough and will be moving the trailer. An explanation letter was sent back to them regarding nonconforming uses and the use of tents on private property.

**10. COMMUNICATION:**

**11. OLD BUSINESS: NONE**

**12. NEW BUSINESS:**

**A. TURNBULL Appeal of Setback Variance Request Denial**

**HANSEN** introduced **TURNBULL's** appeal of the manager's decision to not allow a variance of right-of-way side setbacks to construct a carport for storage. Since the Manager wasn't allowing the application to go forward **TURNBULL** appealed the decision to the Commission for further consideration. At the last meeting after **TURNBULL's** testimony the Commission agreed to revisit the site and handle the issue this meeting. **TURNBULL** expressed his appreciation of the Commission response to his request.

**HEINMILLER** noted that, as a result of discussion, **TURNBULL** has reduce the proposed width of the carport to 12 feet, four feet less than the original request.

**M/S GOLDBERG/OLERUD** to hear the **TURNBULL** setback variance request at the next regular meeting.

**OLERUD** confirmed that this action is to overturn the Manager's decision and allow **TURNBULL** to carry the application forward through a public hearing.

Motion carried unanimously.

### **B. Burial Regulations**

**HEINMILLER** recounted a recent burial in the Mud Bay area and the "grayness" of area regulations regarding burials on private property.

**M/S OLERUD/GOLDBERG** to adopt the "prohibited" language referenced by a staff memo.

**OLERUD** said that many people have expressed concern about human bodies being buried on private property rather than at a public cemetery. **HEINMILLER** said that "established cemetery" should be better defined since numerous "established cemeteries" exist outside the current Jones Point cemetery, some Tlingit, some military, some otherwise. He also noted that the property within the cemetery is not assigned a price, which is almost unknown anywhere else. Other places charge up to several thousand dollars for the real estate alone within the cemetery. **OLERUD** suggested that there be a category of "historical cemetery" recognizing that other cemeteries exist other than "established." **VOGT** noted that there is a prohibition listed in the definition of "cemetery". She suggested that, as a matter of professional policy, regulatory language shouldn't be placed in the definition section. **SMITH** said he'd never want to buy a lot that had a person buried on it, and he doubted that anyone else would be interested, either. **VOGT** suggested that the regulatory language within the definition section could be deleted, as it was contradictory anyway.

**HANSEN** said that many municipalities' land use codes are silent on the matter, but when issued it is typically handled under "Nuisance" code or by a specific regulation of cemeteries. He said that current Borough code uses the "Nuisance" approach, but only the Townsite Service Area contains "Nuisance" code. The rest of the Borough has no nuisance code.

**OLERUD**, with agreement from the Commission, withdrew the motion.

**OLERUD** recommended further research into the "nuisance" code option instead of what looks like a "quick fix." **HEINMILLER** suggested that post-cremation handling should be considered at that meeting also.

Withdrawn motion never went to vote.

- 13. **TITLE 18 REVISIONS:**
- 14. **COMMISSION COMMENTS:**
- 15. **NEXT MEETING DATE:**

A. **Regular Meeting** - Thursday, November 9, 2006, 6:30pm in the Assembly Chambers.

- 16. **ADJOURNMENT**

**M/S OLERUD/GOLDBERG** to adjourn.

Motion carried unanimously at 7:30 pm.

Respectfully submitted:

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**SCOTT HANSEN**, Haines Borough Planning and Zoning Tech II

LAND USE PERMITS - through 9/1/06			Parcel Number	Lot	Block	Subdivision	Development
06-56	8/25/06	Don Turner	C-TB4-00-06B0	6B		Tanani Bay	short plat
06-57	8/25/06	Hospice of Haines	C-TNS-08-1300	11-14		Townsite	short plat
06-58	9/15/06	Bob Cameron	2-LTI-02-0100			USS 4514	short plat
06-59	9/27/06	McCoy Taylor	C-CEM-00-0900	9		Cemetery Hill Sub	SFR
06-60	9/27/06	Evelyn Wadley	C-MEA-01-1800	18		Meadowland	garage
06-61	10/2/06	Jeri Haskell	C-MIS-0A-0510			Mission	espresso stand
06-62	9/1/06	Joe Parnell	C-TNS-09-0300	3	9	Townsite	house/shop
06-63	10/4/06	Jim Stickler	C-CAV-0C-08A0	8	C	Cathedral View	woodshed
06-64	10/5/06	Judith Rice	C-HGL-01-1000	10	1	Highland Estates	lot clearing, leveling