

**HAINES BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
November 9, 2006**

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

Members present: Harriet **BROUILLETTE**, Rob **GOLDBERG**, Lee **HEINMILLER**, Kathleen **MENKE**, Jack **SMITH**

Absent: Bob **CAMERON**

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

Visitors: Richard **BUCK**, Steve **KROSCHEL**

4. **APPROVAL OF AGENDA**

M/S GOLDBERG/SMITH to approve the agenda.

Motion carried unanimously.

5. **APPROVAL OF MINUTES:**

A. October 12, 2006 Regular Meeting Minutes

M/S GOLDBERG/BROUILLETTE to approve the minutes as submitted.

Motion carried unanimously.

6. **PUBLIC COMMENT:**

BUCK said that a plat recorded in the rather distant past was incorrectly done by the surveyor, and he's interested in having the Commission approve the plat as originally approved by the Lutak Land Use Service Area (LLUSA). The current plat contains a lot having 1.6 acres, not allowed currently by the existing three-acre minimum lot size restriction. **GOLDBERG** said that the Commission cannot violate land use code. **MENKE** suggested that, if the plat was approved prior to the institution of minimum lot sizes, and only a surveyor error kept it from happening, that the Commission consider a public meeting to approve the plat at the next meeting. **BUCK** said that the LLUSA board considered the plat to be a lot line adjustment resulting in a 1.6 acre lot. **HANSEN** said he would investigate the exact date when such regulations were in place. It was determined that the issue

would be placed on the agenda if the plat qualified as valid originally.

7. PRESIDING OFFICER REPORT:

- Planning Commissioner positions - since **OLERUD** was voted to the Assembly he's not in attendance, and this is the last meeting before reappointments are made.
- Ice House - several comments have come to the chairman regarding the design and shape of the ice house. The auger design physically conflicts with the crane. The building was designed only for an interior installation - hopefully the construction schedule included weatherproofing it. Also, ice only comes out of the long chute, so loading bins must happen down on the dock and the brought back up to place into vehicles.
- Sidewalks along 3rd Avenue - **HEINMILLER** noted **MENKE's** suggested that gravel sides would be a good idea up 3rd Avenue instead of a concrete sidewalk. **HEINMILLER** noted that the Commission hasn't seen a Capital Improvements Project list since he's recently been on the Commission. There was also discussion of sidewalks on the Old Haines Highway west of the high school.

8. PUBLIC HEARINGS:

A. KROSCHER Right-of-Way Vacation

HEINMILLER opened the public hearing at 7:04 pm.

HANSEN introduced **KROSCHER's** request to vacate a section of right-of-way along Mosquito Lake Road, part of the Mosquito Lake Alaska Subdivision, ASLS 79-229. **KROSCHER** wants to isolate his Wildlife Centre for the sake of both his operation as well as public safety. Currently **KROSCHER** owns lots 2-7, and the vacation would not alter public access to other lots. Also, the public has access to all the lots, and the only way to limit that access is to vacate right-of-way. **HANSEN** said that, if approved, the Commission would be certifying to the Assembly that the project would be consistent with the Comprehensive Plan and existing ordinances. He also said that the Commission's determination would accompany the Borough Assessor's valuation of the right-of-way and be part of the next regular Assembly meeting.

HEINMILLER closed the public hearing at 7:26 pm.

M/S MENKE/BROUILLETTE to recommend to the Assembly that Steve **KROSCHER's** vacation request be approved as submitted.

Motion carried unanimously.

B. TURNBULL Setback Variance

HEINMILLER opened the public hearing at 7:04 pm.

HEINMILLER noted that although **TURNBULL** is not at the meeting the Commission can still rule on the variance request and state reasons for doing so. The last meeting heard much evidence regarding the project in **TURNBULL**'s appeal of the Manager's decision to not allow the variance request to go forward. The Commission decided to overturn the Manager decision and hear the variance request. **GOLDBERG** noted that the proposed building is below the level of the road, and the building area is very constrained. **SMITH** noted that **TURNBULL** reduced the width of the carport to twelve feet, a good move considering the proximity of an existing rock wall and also **TURNBULL**'s personal snow removal considerations.

HEINMILLER closed the public hearing at 7:35 pm.

M/S GOLDBERG/SMITH to approve James **TURNBULL**'s setback variance request as submitted.

Motion carried unanimously. **HEINMILLER** stated that Commissioners get the best information possible when they physically visit a site before the public hearing.

9. STAFF REPORT:

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

B. Enforcement: NONE

10. COMMUNICATION:

11. OLD BUSINESS: NONE

A. Burial Regulations

HEINMILLER said that, based on last meeting's discussion points, the issue belongs in Title 5 Nuisance code instead of Land Use and Development code. **SMITH** gave a detailed description of the negative ramifications of a backhoe operator accidentally encountering a burial site and agreed with **HEINMILLER**.

HEINMILLER said that since Title 5 applies only to the Townsite Area regulations are being considered to prevent more undocumented burials on private property in the Haines Borough. One option is to classify and regulate all cemeteries.

MENKE suggested that "green" cemeteries are becoming very popular, where decomposition is encouraged, rather than held at

bay by artificial means such as embalming and sealed caskets. She suggested that in Washington State if a person is buried on private property a portion of that property must become a regulated cemetery. **HEINMILLER** requested Commissioners to bring ideas for Cemetery regulations to the next regular meeting.

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

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

16. **ADJOURNMENT**

M/S SMITH/GOLDBERG to adjourn.

Motion carried unanimously at 8:24 pm.

Respectfully submitted:

SCOTT HANSEN, Haines Borough Planning and Zoning Tech II

LAND USE PERMITS - through 11/2/06			Parcel Number	Subdivision	Development
06-65	10/6/06	Jim Szymanski	C-NUK-00-0600	Nukdik	accretion plat
06-66	10/6/06	Dave Ward	3-CLR-35-0200	Chilkat Lake Road	short plat