

To: Haines Borough Planning Commission Chairwoman Brown and Vice-Chair Poinsette

From: Appellants to CUP 23-87

Re: Scheduled rehearing of CUP 23-87

Date: March 6, 2024

Dear Chairwoman Brown, Vice-Chairman Poinsette,

The appellants wish to submit the following statement (attached) previously submitted to the Borough Clerk in early February. We do not know if the statement has already been transferred to you by the Clerk over the past five weeks.

It is our understanding SERB has recently submitted new information. The timing of the submission, which we were told by staff contains new applications, appears to be inconsistent with Borough Code requirements regarding the need for sufficient time for Borough review of new applications prior to a hearing, the availability of the materials to be reviewable by adjacent land owners with sufficient time before the hearing, and the requirement that public notice of a hearing be made after the materials have been received and reviewed for completeness and accuracy. We have not been able to see these documents and have no specific knowledge of their content, so we have nothing more to add to the record at this time.

We believe the arguments presented at the December 12th Assembly hearing and restated in the attached document are sufficient for a determination that the previous Planning Commission decision to approve the permit application was in error and should be reversed. SERB's Superior Court filing challenging the Assembly decision to have you revisit the issue raises questions as to why the hearing scheduled for March 14th has not been removed from the agenda. However, should you decide to hold a hearing, we urge you to revoke the permit based on its failure to meet all of the "tests" described in Code by the required "preponderance of the evidence."

Thank you for your consideration.

Kathleen Menke, Carol Tuynman, Gershon Cohen, Ann Myren, Tim McDonough

cc: Mayor Morphet