



HAINES BOROUGH  
Planning & Zoning  
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**September 9, 2014**

To: Haines Borough Planning Commission

Re: John Floreske Heliport Conditional Use Proposal  
10 Mile Haines Highway; 1-HHY-10-0510; General Use Zone

Property owner John Floreske requested the Planning Commission approve a Conditional Use Permit to allow the installation of three helipads on his property. HBC 18.70.030(D) (5) allows "heliports" in the general use zone with a conditional use permit. The application has been determined to be complete because it contains all of the information required by HBC 18.40.030(A) (1)-(8).

Under HBC 18.50.040, there are eight criteria to be considered in deciding whether to grant a conditional use permit. Before a conditional use permit is approved, the commission must find that each of the following is met. I have provided my thoughts on each one.

1. This use is so located on the site as to avoid undue noise and other nuisances and dangers.

The property is one 32.99 acre lot. There are three publicly-owned vacant lots directly adjacent to Floreske's property. The one immediately to the north is state land; the one immediately to the east is university land; and the one immediately to the southeast is native allotment land. On August 29<sup>th</sup>, 2014, surrounding property owners within 200 feet were notified. Staff has not received any comments from these property owners. Some residents may have concerns about noise from helicopters. It is true heliport operations can produce undue noise that would affect residential properties. However, noise is subjective because what bothers one does not necessarily bother another. Therefore, I recommend that this conditional use permit should be mutually agreed flight corridors designed to minimize noise impact to residents, and be subject to annual review to consider noise complaints and any needed adjustments to flight paths.

2. The development of the use is such that the value of the adjoining property will not be significantly impaired.

This is subjective both in general terms and in specific terms. Historical studies as well as real estate appraisal guidelines indicate that property values are not affected due to the proximity of a heliport. The value is based on sales in the area.

3. The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use.

This property is vacant and is not served by municipal water and sewer. I believe this requirement is met.

4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses.

The Haines Borough Comprehensive Plan currently classifies the proposed property as Rural Settlement. The section of Haines Borough 2025 Comprehensive Plan pertaining to the Rural Settlement land use classification states... *"The Rural Settlement Land Designation is **large-lot residential** living outside of downtown where the lack of public water and sewer requires large lots so that wastewater discharge does not harm neighboring properties or the environment. In these areas a more rural lifestyle is valued and protected (through zoning) from incompatible and disruptive activities."* (Haines Borough 2025 Comprehensive Plan, Page 153). While the proposed use may not seem to be in harmony with the comprehensive plan, it does appear to be consistent with the surrounding existing commercial use (10 Mile Hydro).

5. The granting of the conditional use will not be harmful to the public safety, health or welfare.

Landings and takeoffs of helicopters will generate noise and some degree of vibration. However, there are no residential properties in the near vicinity. A conditional use permit may be revocable if the proposed use is detrimental to the public health, safety or welfare.

During the pre-application conference with staff, Mr. Floreske stated that he would voluntarily allow the operations of his heliport for emergency uses.

6. The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams.

Mr. Floreske has provided the Borough with a Department of the Army permit (File POA-2013-565), which authorizes the discharge of fill material into waters of the United States to construct three helipads with approach-ways. The permit was issued with terms and special conditions to mitigate environmental impacts.

7. The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved.

Mr. Floreske intends to use the private heliport for commercial purposes, and the proposed helipads comply with the setback requirements, per HBC 18.80.030(B). Conditional use permits may be granted with restrictions on operating period, operating hours, etc. This permit could be immediately suspended or revoked should any of the conditions not be adhered to. The applicant must agree and adhere to the conditions of this permit prior to its approval. Also, the Planning Commission may oversee and decide how any issues or concerns of local residents will be resolved.

8. Comments received from property owners impacted by the proposed development have been considered and given their due weight.

As of today, the Borough has received four written citizen comments that are in favor of this conditional use proposal. As stated above, no surrounding property owners within 200 feet have responded.

Therefore, I recommend the Planning Commission approve Floreske's conditional use proposal for a period of one year with conditions of (1) hours of operation be limited between 8 a.m. to 6 p.m.; (2) allowance of emergency use for state and federal response, medical, firefighting; (3) conform to the terms and conditions set forth in the Department of the Army permit; and (4) mutually agreed flight paths be provided to mitigate noise impacts to residential areas. Thank you very much for considering this recommendation.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Sosa', with a long horizontal flourish extending to the right.

David Sosa  
Borough Manager